



**PART 5: Planning Applications for Decision**

**Item 5.1**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: [17/02669/FUL](#) (*link to associated documents on Planning Register*)

Location: 6 Ashburton Road, Croydon, CR0 6XE

Ward: Addiscombe

Description: Alterations and conversion to form 3x1 bed and 1x3 bed flats facilitated by the erection of a single storey side and rear extension, conversion of existing garage and provisions of associated parking and refuse storage.

Drawing Nos: Proposed East/Rear Elevation 160376/12 – October 2017, Proposed North/Side Elevation 160376/14 – October 2017, Proposed South/Side Elevation 160376/15 – October 2017, Proposed West/Front Elevation 160376/13 – October 2017, Floor Plans as Proposed 160376002 Rev B – April 2016, Existing Floor Plan 16/0376-10 – July 2016 and Existing Elevations 16/0376-11 – July 2016.

Applicant: Mr Kassam (Polychem Ltd)

Agent: Mr Jason Chandler (OSG Architecture Ltd)

Case Officer: Matthew Carney

	<b>Studio</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>
<b>Flats</b>	N/A	3 (1b2p)	N/A	1 (3b5p)

<b>Type of floorspace</b>	<b>Amount existing</b>	<b>Amount proposed</b>
Residential	185 Sqm	262 Sqm (77 Sqm additional)

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
2	5

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

**RECOMMENDATION**

That the Planning Committee resolve to GRANT planning permission subject to the Director of Planning and Strategic Transport having delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- 1) Development in accordance with the submitted plans
- 2) Details of external facing materials, including samples
- 3) Construction logistics plan (including a construction environmental management plan)
- 4) Details of hard and soft landscaping (to incorporate SUDs where appropriate) and boundary treatments
- 5) Details of balustrade and privacy screening to first floor terrace

- 6) Details of cycle and refuse storage and electronic charging point
- 7) Car parking layout to be provided as specified in the application drawings prior to occupation
- 8) Installation of a water butt
- 9) Details of an electric vehicle charging point
- 10) Time limit of 3 years
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) Community Infrastructure Levy
- 2) Developer to have regard to Council's Code of Practice 'Control of Pollution and Noise from Demolition and Construction Sites'
- 3) Developer to have regard to the Mayor of London's Best Practice Guidance 'The control of dust and emissions from construction and demolition'.
- 4) Network Rail recommendations
- 5) Wildlife protection
- 6) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **2 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 2.1 The proposal involves the erection of a single storey side and rear extension and conversion of the existing garage to facilitate the conversion of the existing single family dwelling into 3x1 bed and 1x3 bed flats. The existing rear amenity would be subdivided to provide amenity space for the ground floor flats and parking would be provided in the existing hardstanding at the front of the property.
- 2.2 During the course of the application a revised set of plans have been submitted, amending the proposed scheme by significantly reducing the size of the extension (it was previously two storey) and thereby reducing the number of flats proposed (from 6 to 4). Local residents were re-consulted on this amended proposal. A further set of amended plans were received during the re-consultation period but the changes were minor and in the main related to clarifying the materials used in the construction of the extension, reducing the size of the first floor terrace and a reducing the number of car parking spaces from 3 to 2 spaces. In view of the scale of these further changes no further consultation was undertaken.

### **Site and Surroundings**

- 2.3 The application site hosts a large detached single family dwelling located on the east aspect of Ashburton Road. The property is a good example of Edwardian architecture with a cross-gabled roof and a rectangular bay window at ground floor level.
- 2.4 The dwelling is situated in the East India Estate Conservation Area and is identified in the East India Estate Conservation Area Appraisal and Management Plan, along with the adjacent No.4 Ashburton Road (which is near identical to the host property) as a positive unlisted building due to the important contribution it makes to the character

and appearance of the area. It is not listed nor included on the Council's local heritage list.

- 2.5 The surrounding area comprises a mix of residential properties, including traditional two-storey detached and semi-detached dwellings and larger residential blocks comprising flats.

### **Planning History**

- 2.6 The site was the subject of a planning application in 2016 for the erection of a part two/part three storey extension to the dwelling to facilitate its conversion into 7 flats (LBC Ref 16/04398/FUL). This application was refused for the following reasons:
- 1) The development would result in sub-standard accommodation for future occupiers caused by inadequate floor areas, failure to provide future amenity space and unacceptable ceiling heights in the second floor studio flat
  - 2) The development would be detrimental to the character of the locality and visual amenity of the host building and the character and appearance of the East India Conservation Area by reason of the size, siting and design of the two storey rear extension and its relationship with neighbouring properties.
  - 3) The development does not provide the required level of dedicated cycle storage spaces or refuse storage facilities and the proposal in its current form fails to demonstrate that sufficient space exists to accommodate the requirements to an acceptable standard without impacting upon the amenity of future occupiers or the character and setting of the street-scene

## **3 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 3.1 The conversion of the existing dwelling is acceptable in principle as it is not protected by any policy designations prohibiting its conversion. Planning policy also seeks to optimise development of a site for residential use.
- 3.2 The design, siting, scale and layout of the proposed single storey extension would respect the important relationship with 4 Ashburton Road, the overall character and appearance of the conservation area and would make effective use of the land. The appearance would be simple, respecting the existing surrounding built form and clearly distinguishing between the existing and proposed development, whilst being visually interesting and utilising high quality materials.
- 3.3 The design, scale and massing would not harm the living conditions of the neighbouring residents. The layout of the proposal would ensure that suitable separation distances have been provided and would protect the privacy and amenity of neighbours.
- 3.4 The proposed flats would provide high quality living accommodation for future occupiers in accordance with London Plan standards.
- 3.5 The level of off street parking spaces would be suitable for number of flats proposed and the provision of an electric vehicle charging point would meet the London Plan standards.

#### 4 CONSULTATION RESPONSE / LOCAL REPRESENTATION

4.1 The application has been publicised by way of one or more site notices displayed 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 were as follows:

No of individual responses: 41      Objecting: 41      Supporting: 0

4.2 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
<i>Design, scale and massing</i>	
Overdevelopment of the site	Officers are satisfied that the density is acceptable and the development would not be overdevelopment. Refer to paragraph 6.8.
Harm to an attractive dwelling that forms an important part of the street scene, as a result the development will harm the character of the conservation area	It is considered that the standard of design would preserve the relationship with the adjoining property and not harm the setting of the East India Estate Conservation Area. Refer to paragraphs 6.4-6.7 of this report
Loss of front boundary wall in conservation area	The proposal has been amended to maintain the existing boundary treatment to the sites frontage. Refer to paragraph 6.7.
<i>Residential amenity of neighbours</i>	
The development would result in increased overlooking and intrusion of privacy for adjoining occupiers.	Officers are satisfied that the development would not harm the privacy of neighbours. Refer to paragraph 6.11 – 6.13
Increased noise and disturbance and nuisance for neighbours. Impact upon peaceful enjoyment of neighbouring properties	Officers are satisfied that the development would not harm living conditions of neighbours through noise and disturbance. Refer to paragraph 6.13
<i>Highways and Transport</i>	
Insufficient parking in the area, development would impact upon parking in the area.	Officers are satisfied that a suitable level of off street car parking has been provided for the development. Refer to paragraph 6.19
Concerns raised about construction congestion and parking	A Construction Logistics Plan would be secured by condition to ensure that congestion and parking of construction traffic would be controlled.

<i>Other</i>	
Impact upon trees in the conservation area	The development has been amended to ensure that no trees are lost as result of the proposal. The Council's Tree Officer is satisfied with the proposal. Refer to paragraph 6.22.

## 5 RELEVANT PLANNING POLICIES AND GUIDANCE

- 5.1 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 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.
- 5.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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:
- Section 1: Achieving sustainable development
  - Section 4: Promoting sustainable transport
  - Section 6: Delivering a wide choice of quality homes
  - Section 7: Requiring good design
  - Section 9: Promoting sustainable transport
  - Section 10: Meeting the challenge of climate change, flooding and coastal change
- 5.3 The main policy considerations raised by the application that the Committee are required to consider are:
- 5.4 Consolidated London Plan 2015 (LP):
- 3.3 Increasing housing supply
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.8 Housing Choice
  - 3.9 Mixed and balanced communities
  - 5.2 Minimising carbon dioxide emissions
  - 5.3 Sustainable design
  - 5.12 Flood risk management
  - 5.13 Sustainable drainage
  - 5.14 Water quality and wastewater infrastructure
  - 5.17 Waste capacity
  - 6.3 Assessing effects of development on transport capacity
  - 6.9 Cycling

- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

#### 5.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP2 Homes
- SP2.3 Choice of homes
- SP2.5 Mix of homes
- SP2.6 Quality and standards
- SP4 Urban Design and Local character
- SP4.1 High quality development
- SP6 Environment and climate change
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.6 Sustainable design and construction
- SP8.3 Making full use of public transport
- SP8.13 Electric charging infrastructure
- SP8.15 Parking

#### 5.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD1 High quality and sustainable design
- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscaping
- UD15 Refuse and recycling storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 & T9 Parking
- T11 Road safety
- H2 Supply of new housing
- UD9 & H10 Residential density

#### 5.7 CLP1.1 & CLP2

- 5.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council consulted on these modification during the period 29 August – 10 October 2017.
- 5.9 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is

dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have now been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted and the Inspector would not ask for consultation on Main Modifications if he was going to find the whole Plan unsound. However, none of the policies that can be afforded significant weight would have a bearing on the proposal to the extent they would lead to a different recommendation. The other policies that are subject to further consultation through the Main Modifications do not outweigh the adopted policies listed here and therefore, do not lead to a different recommendation.

5.10 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Conservation Area General Guidance SPD 2013
- East India Estate Conservation Area Appraisal and Management Plan SPD 2014

## **6 MATERIAL PLANNING CONSIDERATIONS**

6.1 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 transport
6. Trees and landscaping
7. Archaeology
8. Sustainability, flood risk and drainage

### **Principle of development**

6.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes in favour of sustainable development. In line with the principles of Chapter 6 of the NPPF, Policy 3.3 of the London Plan relating to increase housing stock; policy SP2.1 of the Croydon Local Plan in providing a choice of housing for all people at all stages of life in line and Policy H2 of the Croydon Unitary Development Plan in supplying new housing.

6.3 Policy H7 of the Unitary Development Plan seeks to protect the loss of small family dwelling houses within the borough by applying a floor area threshold below which a conversion into flats would be unacceptable. 6 Ashburton Road is a large dwelling and significantly exceeds this 130 sq. metre threshold and therefore Policy H7 does not apply. On this basis its conversion into smaller self-contained residential units is acceptable in principle. Nevertheless, it is still essential for the development to be considered acceptable, the proposal must respect the character of the existing residential area and not harm residential amenity.



## **Townscape and visual impact on the East India Estate Conservation Area**

- 6.4 The application site forms one half of a pair of near identical Edwardian detached dwellings (with 4 Ashburton Road immediately adjacent to the east of the site). The pair are identified as making a positive contribution to the conservation area on the basis of their heritage value as a grouping of Edwardian properties. The Conservation Area Appraisal and Management Plan specifically raises 'alterations to individual buildings disrupting consistency of architectural groupings' as a threat to the heritage value of the conservation area as a whole.
- 6.5 The proposal is for a single storey side and rear extension that 'wraps around' the rear of the existing detached garage and rear of the dwelling. This design approach would be successful in facilitating the conversion of the property but crucially, would maintain the appearance of the front elevation and therefore, the important relationship with the other half of the semi-detached pair. The proposed palette of materials would ensure that there is a suitable distinction between the existing built form and proposed extension. The use of timber cladding would help to soften the appearance of the extension. Whilst the development would result in an area of flat roof, it is considered that given the importance of the separation between 4 and 6 Ashburton Road, a flat roof approach would achieve the requirement to limit the height and effect of the proposed extension. The existing garage, which is crucial in the relationship with 6 Ashburton Road would be maintained and reutilised as habitable accommodation and the use of 'mews style' garage doors would help maintain the appearance of the garage and would help preserve the character of the conservation area.
- 6.6 Overall it is considered that the extension would be an appropriate addition to the existing building and would not harm the character or setting of the conservation area. It is recommended that a condition requiring the samples of all facing materials be submitted; especially the timber cladding.
- 6.7 The proposal does not seek to make any changes to the property's frontage and the proposed two car parking spaces would be accommodated within the existing hardstanding area and accessed via the existing dropped kerbs.
- 6.8 Representations have raised concern over the intensification of the site and overdevelopment. However, it is considered that a site of this size can comfortably accommodate the number of units. Higher densities of development are supported in view of the relatively high PTAL level (PTAL 4). It is not appropriate to apply the density range mechanically, as the density ranges are broad, thereby enabling consideration of other factors such as local context, design and transport capacity. In this instance, the site is situated within a conservation area and therefore the density of the proposal is considered appropriate.
- 6.9 The application site is a substantial plot within an established residential area and the scale and massing of the new extension will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area. It would result in a high quality design and would not be harmful to the character of the East India Estate Conservation Area or the important relationship with the neighbouring property.
- 6.10 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

### **Residential amenity of adjoining occupiers**

- 6.11 In terms of the proposal the properties that are most affected adjoining properties at 4 Ashburton Road and the flats in Fairhaven Court.
- 6.12 Whilst the proposed single storey extension would extend beyond the rear building line of 4 Ashburton Road, it is considered that the separation distance between the part of the extension that would project beyond the rear of the property and the boundary would ensure that it would not have an unacceptable impact in relation to overshadowing or be detrimental to visual amenity. Similarly, whilst the single storey extension to the rear of the garage would have an impact upon a side facing window in the ground floor at 4 Ashburton Road, it is considered that given the presence of the existing garage, boundary treatment and the minimal height of the proposed extension this impact would not be sufficiently harmful to warrant refusal of the application. The impact on Fairhaven Court is mitigated to acceptable levels given the significant distance between the neighbouring properties and the built form on the application site.
- 6.13 Whilst it is accepted that the development will result in an intensification in the use of the site, given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.

### **Residential amenity of future occupiers**

- 6.14 The proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS) and all units are in excess of the minimum GIA requirements as set out in the NDSS, as highlighted in the following table:

<b>UNIT</b>	<b>BEDROOMS</b>	<b>GIA (SQM)</b>	<b>NDSS REQUIREMENT (GIA)</b>
1	1	50	50
2	1	50	50
3	1	50	50
4	3	112	93

- 6.15 The internal layouts would be acceptable with adequate room sizes and a large open plan living, kitchen and dining area. Whilst a double bedroom in Flat 3 and a single bedroom in Flat 4 would fail to meet the standards set out in the Technical Housing Standards, these failures are minimal and given that the development involves a conversion of an existing property with some historic/architectural interest, it is considered the marginal failure to meet the standard is preferable to increasing the size of the built form or modification of existing built fabric.
- 6.16 In terms of external amenity space, the London Housing SPG states that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings with the requirement increasing by 1 sqm per additional occupant. Each unit is provided with required level of amenity space either in the rear garden or as a first floor terrace.

- 6.17 The proposal is considered to result in a high quality development offering a variety of housing types all with adequate amenities and a good standard of accommodation for future occupiers.

### **Highways and transport**

- 6.18 The site is located within an area of good public transport accessibility (PTAL level 4 on a scale of 1a-6b where 6b is the most accessible). The site is well located for bus routes and in close proximity to the Sandilands Tram Stop.
- 6.19 A total of two car parking spaces are proposed (the proposal has been amended to reduce the number of car parking space as the number of flats proposed has also decreased). Whilst local residents have raised concerns about the number of parking spaces adding to parking pressure in the surrounding streets, planning policies encourage sustainable forms of transport and positively seek to restrict off street parking. The number of parking spaces for this development is considered acceptable given the accessibility of the site.
- 6.20 One electric vehicle charging point is required for the proposal to accord with the standards set out in the London Plan. Given the location of the application site in the East India Estate Conservation Area, full details of the electric vehicle charging point will be sought by condition to ensure that it does not cause harm to the conservation area.
- 6.21 Whilst no details on cycle storage have been provided, however, it is considered that sufficient space exists within the rear of the site to accommodate the 5 spaces that are required to comply with the London Plan requirements. Similarly, whilst the bin storage area would be located at the rear of the application and is outside of the 20 metres from the highway, refuse storage to the rear would reduce the effect on the character and appearance of the conservation area and subject to a refuse management plan being submitted, this arrangement is considered acceptable.

### **Trees and landscaping**

- 6.22 The proposal would not result in the loss any trees and the Council's Tree Officer has reviewed the proposal and is satisfied with the works proposed. A scheme for hard and soft landscaping will be secured by condition and will provide some mitigation for the loss of the existing trees/shrubs.
- 6.23 The application site is not near an area of special scientific interest or a site of nature conservation value. With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

### **Flood risk**

- 6.24 The site falls within an area at risk of surface water flooding. Given the scale of the proposed development, officers are satisfied that these issues can be dealt with by a condition securing the installation of a water butt to capture any surface water runoff.

### **Other Planning Issues**

- 6.25 Several consultation responses raised concerns relating to stress on local services which they argued would be worsened through the proposed development. As part of

the planning process, certain types of development are liable for a Community Infrastructure Levy which is charged against new floor space. This development would be liable for CIL payments for the Council's CIL and Mayoral CIL. The payment would contribute to maintaining local services such as education facilities, health care facilities, public open space, sports and leisure and community facilities as well as transport links through the Mayoral CIL.

## **Conclusions**

- 6.26 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.
- 6.27 All other relevant policies and considerations, including equalities, have been taken into account.