

Planning Sub-Committee Agenda



To: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Luke Clancy, Bernadette Khan, Jason Perry, Joy Prince, Wayne Trakas-Lawlor, Susan Winborn and Chris Wright

(Five Members selected from the Planning Committee membership above for the Planning sub-Committee: Councillors Paul Scott, Humayun Kabir, Joy Prince, plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 17th August 2017 at 5:30pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

MARGOT ROHAN
Senior Members Services Manager
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www.croydon.gov.uk/agenda
8 August 2017

Members of the public are welcome to attend this meeting. If you require any assistance, please contact the person detailed above, on the righthand side.

To register a request to speak, please either e-mail Planning.Speakers@croydon.gov.uk or call MARGOT ROHAN by 4pm on the Tuesday before the meeting.

Please note this meeting will be paperless. The agenda can be accessed online via the mobile app: <http://secure.croydon.gov.uk/aksroydon/mobile> - Select 'Meetings' on the opening page

AGENDA - PART A

- 1. Apologies for absence**
- 2. Minutes of the meeting held on Thursday 20th July 2017 (Page 1)**

To approve the minutes as a true and correct record.

- 3. Disclosure of Interest**

Members will be asked to confirm that their Disclosure of Interest Forms are accurate and up-to-date. Any other disclosures that Members may wish to make during the meeting should be made orally. Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose relevant disclosable pecuniary interests at the meeting.

- 4. Urgent Business (if any)**

To receive notice from the Chair of any business not on the Agenda which should, in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

- 5. Exempt Items**

To confirm the allocation of business between Part A and Part B of the Agenda.

- 6. Planning applications for decision (Page 3)**

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

6.1 17/01823/HSE 29 The Ruffetts, South Croydon CR2 7LS

Erection of single/two storey front/side/rear extension

Ward: Selsdon & Ballards

Recommendation: Grant permission

6.2 17/02967/FUL 168 Addington Road, South Croydon CR2 8LB

Use as mixed A3/A5 use (restaurant and hot food takeaway) incorporating alterations to existing shopfront, plant and extract duct to rear

Ward: Selsdon & Ballards

Recommendation: Grant permission

- 7. [The following motion is to be moved and seconded as the “camera resolution” where it is proposed to move into part B 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 item 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.

AGENDA - PART B - None

Planning Sub-Committee

Meeting held on Thursday 20th July 2017 at 8:50pm in The Council Chamber,
The Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES - PART A

Present: Councillor Paul Scott (Chairman);
Councillor Kathy Bee (Acting Vice-Chairman);
Councillors Wayne Trakas-Lawlor, Susan Winborn and Chris Wright

Also present: Councillor Steve O'Connell

Absent: Councillor Humayun Kabir

Apologies: Councillor Humayun Kabir

A42/17 Minutes of the meeting held on Thursday 22nd June 2017

RESOLVED that the minutes of the meeting held on Thursday 22 June 2017 be signed as a correct record.

A43/17 Disclosure of Interest

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

A44/17 Urgent Business (if any)

There was none.

A45/17 Exempt Items

RESOLVED that the allocation of business between Part A and Part B of the Agenda be confirmed.

A46/17 Planning applications for decision

6.2 56 Hartley Hill, Purley CR8 4EN

Retention of raising part of the ridge height by 300 mm and insertion of rooflight in connection with planning permission 16/04059/P for the erection of two storey rear extension and dormer extension in rear roof slope

Ward: Kenley

Mr Nigel Preston, a local resident, spoke in objection

Mr Paul Ashton Smythe (Architect, Ashton-Paul Ltd) spoke as the agent, on behalf of the applicant
Councillor Steve O'Connell, ward Member for Kenley, spoke in objection, on behalf of local residents

After consideration of the officer's report, Councillor Kathy Bee proposed and Councillor Paul Scott seconded the officer's recommendation and the Committee voted 4 in favour, with 1 abstention, so planning permission was **GRANTED** for retention of the ridge height at 56 Hartley Hill, Purley CR8 4EN.

6.1 17/01317/HSE 171 Hayes Lane, Kenley CR8 5HN

Erection of single storey side/rear and first floor side extension
Ward: Kenley

Councillor Steve O'Connell, ward Member for Kenley, spoke in objection, on behalf of local residents

After consideration of the officer's report and addendum, Councillor Paul Scott proposed and Councillor Kathy Bee seconded the officer's recommendation and the Committee voted unanimously in favour (5), so planning permission was **GRANTED** for development at 171 Hayes Lane, Kenley CR8 5HN.

This was the last Council meeting for Councillor Kathy Bee, as she is leaving to take up another position. Councillor Paul Scott thanked her for her participation on the Planning Committee and wished her well in her future role.

MINUTES - PART B

None

The meeting ended at 9:12pm

PART 6: 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, Resident Association or Conservation Area Advisory Panel 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 July 2011 (with 2013 Alterations)
 - the Croydon Local Plan: Strategic Policies April 2013
 - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
 - 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

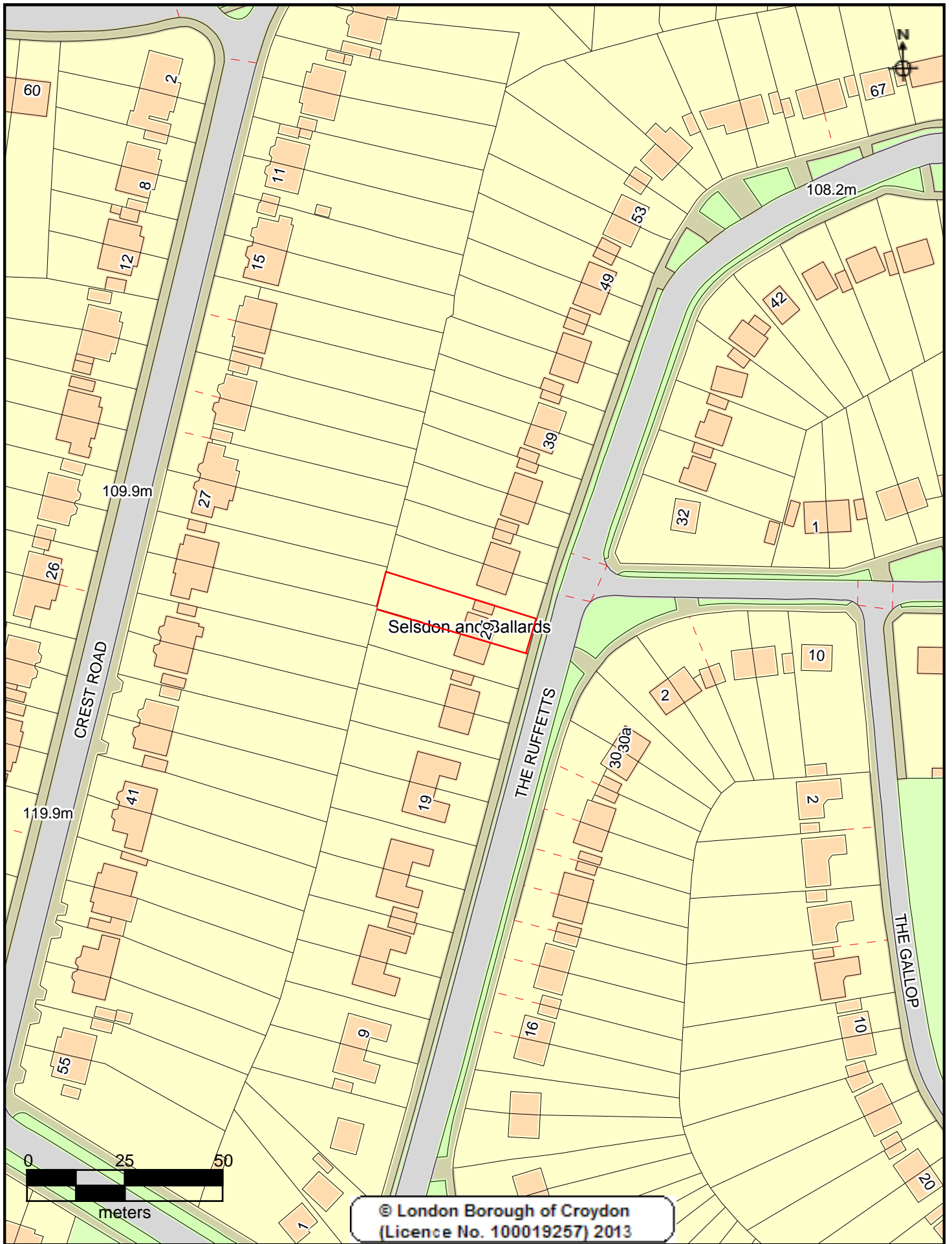
- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

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.



1 SUMMARY OF APPLICATION DETAILS

Ref: [17/01823/HSE](#) (*Link to associated documents on the Planning Register*)

Location: 29 The Ruffetts, South Croydon, CR2 7LS

Ward: Selsdon and Ballards

Description: Erection of single/two storey front/side/rear extension

Drawing Nos: Location Plan, TR1 (Amended Plan Received 13/7/17), TR2 and TR3 (Amended Plan Received 13/7/17)

Applicant: Mr A Hussain

Agent: Mr N McKinnon

Case Officer: Georgina Betts

- 1.1 This application is being reported to Committee because a Resident Association (Croham Valley Residents Association) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

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) No windows in the northern elevation
- 3) Materials to match the existing
- 4) Commencement of development within three years of consent being granted
- 5) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) 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 following:

- Erection of a single storey front/side/rear extension
- Erection of first floor side extension

Site and Surroundings

3.2 The application site lies on the western side of The Ruffetts and is currently occupied by a two storey semi-detached inter-war property.

3.3 The surrounding area is residential in character and comprises of similar two storey semi-detached and detached properties.

3.4 The application site lies within an area at risk of surface water and critical drainage flooding.

Planning History

3.5 16/03626/P – Planning permission was granted for the erection of a part single/two storey side and single store rear extension.

3.6 16/03440/GPDO – Prior Approval was granted with no jurisdiction for the erection of a single storey rear extensions projecting out a maximum of 5 metres with a maximum height of 4 metres.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development is acceptable in regards to the character and appearance of the surrounding area
- The development would not harm the residential amenities of the adjoining occupiers.
- The scheme generally accords with Supplementary Planning Document No2 on Residential Extensions and Alterations.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 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: 3 Objecting: 3 Supporting: 0

6.2 Croham Valley Residents Association objected to the application and referred it to Planning Committee for determination.

6.3 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:

- Loss of light/over development
- Not in keeping with the character of the area
- Obtrusive design
- Overlooking/loss of privacy

6.4 The following issues were raised in representations which are not material to the determination of the application:

- Loss of view [OFFICER COMMENT: This is not a material planning consideration]

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 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. (This list and the paragraphs below, will need to include CLP1.1 and CLP2 once they have weight and become material planning considerations).

7.2 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:

- Requiring good design
- Permission should be refused for development of poor design that fails to take
- the opportunities available for improving the character and quality of an area
- and the way it functions
- Delivering a wide choice of high quality homes
- Providing a good standard of amenity for existing and future occupants of buildings and land
- Promoting sustainable transport

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

- 7.4 Consolidated London Plan 2015 (LP):
- 7.2 An Inclusive Environment
 - 7.4 Local Character
- 7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):
- SP1.1 Place Making
 - SP4.1 & 4.2 Urban Design and Local Character
- 7.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):
- UD2 Layout and Siting of New Development
 - UD3 Scale and Design of New Buildings
 - UD8 Protecting residential amenity
- 7.7 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 and the examination took place in May/June this year. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.
- 7.8 In addition to the above policies, Supplementary Planning Document No 2 on Residential Extensions and Alterations is also relevant to this proposal.

8 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. Townscape and visual impact
 2. Residential amenity of the adjoining occupiers

Townscape and visual impact

- 8.3 The single/two storey front/side/side extension would measure less than two thirds the width of the original property while the ground floor would sit flush with the main front wall with the first floor set back 1.5 metres. The design of the extension would comply with the detailed design guidance of SPD2 and is considered to appear well designed and subservient to the original building.
- 8.4 The single storey rear extension would be subservient in appearance due to its scale and design and would have limited visibility from the wider area. Given the limited visibility of the rear extension and residential nature of the extension

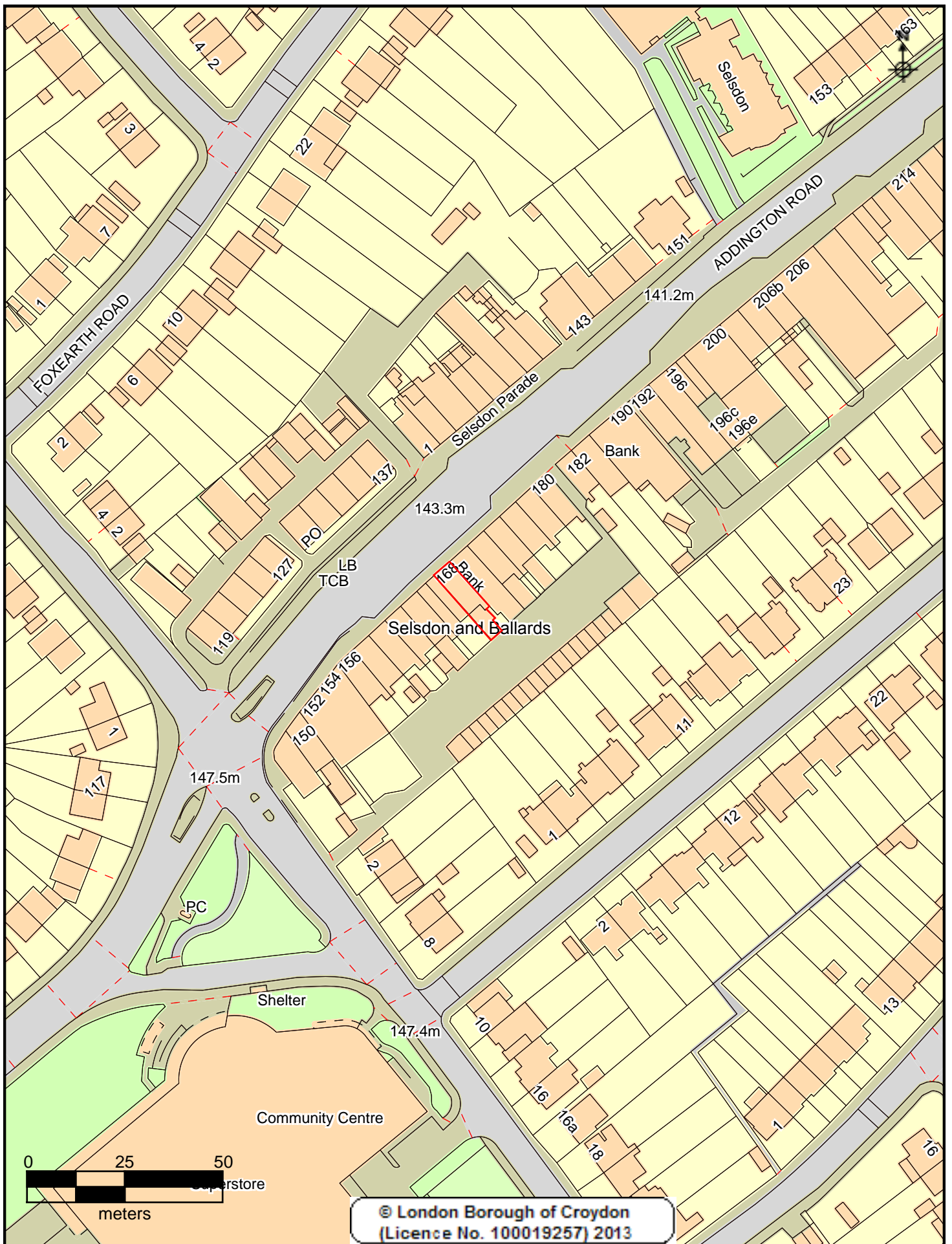
this aspect of the development is not considered to harm the character and appearance of the surrounding area.

Residential amenities of the adjoining occupiers

- 8.5 The two storey side extension would not project beyond the rear of the adjoining occupiers while the single storey rear element would have a depth ranging from 3 to 5 metres; no windows are proposed in the northern or southern elevations.
- 8.6 The principle of a 5 metre rear extension has been accepted through 16/03440/GPDO, which is an important consideration for this application.
- 8.7 The relationship with 31 The Ruffetts is acceptable due to presence of an existing garage and attached conservatory at the property. While it is noted that there is a change in land levels between No's 29 and 31 this is minor and would not result in an overly intrusive extension when viewed from the conservatory at No31.
- 8.8 The nearest part of the extension adjacent to 27 The Ruffetts would project 3 metres beyond the rear wall of No27stepping out to 5 metres. The deeper element of the extension would not be visible from No27 due to a 45 degree splay taken from the nearest section of the extension. As such the proposed extension would not appear visually intrusive or result in a loss of privacy.
- 8.9 The development would therefore have an acceptable relationship with both neighbouring properties.
- 8.10 The application site lies within an area at risk of surface water and critical drainage flooding however given the limited scale of development and the existing site conditions the proposal is not considered to result in further flood risk. As such the proposal is acceptable in flood risk terms

Conclusions

- 8.11 It is recommended that planning permission should be granted for the proposal as it would be acceptable in all respects, subject to conditions.
- 8.12 All other relevant policies and considerations, including equalities, have been taken into account.



1 SUMMARY OF APPLICATION DETAILS

Ref: [17/02967/FUL](#) (*Link to associated documents on the Planning Register*)
Location: 168 Addington Road, South Croydon CR2 8LB
Ward: Selsdon and Ballards
Description: Use as mixed A3/A5 use (restaurant and hot food takeaway) incorporating alterations to existing shopfront, plant and extract duct to rear
Drawing Nos: 0000/2017/B098/17.0061 Rev A, 0000/2017/B099/17.0061 Rev A, 0000/2017/B100/17.0061 Rev E, 0000/2017/B101/17.0061 Rev C, 0000/2017/B121/17.0061 Rev A
Applicant: Mrs Angelina Muralidarane
Agent: Adam Beamish, Beamish Planning Consultancy
Case Officer: Dan Hyde

- 1.1 This application is being reported to Planning Sub-Committee because the ward Councillor (Cllr Sara Bashford) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the Planning Sub-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) The proposal to be in accordance with the approved plans
- 2) Delivery and servicing plan to be submitted
- 3) Condition to restrict opening hours to 11:00 – 00:00
- 4) The development shall be carried out in accordance with the recommendations of the Plant Noise Assessment produced by CSG Acoustics (CSGA C1594)
- 5) The development shall be carried out in accordance with the recommendations of the Mechanical Ventilation & Environmental Control Equipment Report produced by Ashworth (project reference: 80769)
- 5) To complete the proposal in 3 years of the date of the permission
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3 PROPOSAL AND LOCATION DETAILS

Proposal

- Change of use from A2 (Bank) to a mixed A3/A5 use (Restaurant and Café/Hot food takeaway)
- Alterations to shopfront
- Addition of 3 no. chiller units, 2 no. AC units, 1 no. kitchen extraction fan and 1 no. kitchen supply fan

Site and Surroundings

- Mixed uses on ground floor level with residential uses above
- Surrounding roads are residential in character
- Site forms a mid-terrace 2 storey unit with accommodation in the roof space
- The site is subject to Secondary Retail Frontage, Primary Shopping Area and District Centre designations as identified in the Croydon Local Plan Policies Map.
- The site is subject to Flood Risk 1000yr Surface Water Area and Critical Damage Area.

Planning History

- The following planning decisions are relevant to the application:
 - 17/02732/FUL - 168-170 Addington Road - Alterations to front and rear elevations to form new doors – **APPROVED**
 - 17/02968/ADV - 168 Addington Road - Illuminated fascia and projecting signs – **YET TO BE DETERMINED**

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Principle of change of use from A2 to A3/A5 is supported by policy.
- The proposal would bring a currently vacant site back into use.
- The proposal would not have a detrimental impact on the street scene.
- The addition of the plant works to the rear would not increase the level of background noise to such a degree that it would harm the amenities of the neighbouring occupiers. Furthermore, the additional plant works and associated noise attenuation works would not harm the amenities of the neighbouring occupiers.
- The odour control measures would mean there would not be any harm on the amenities of neighbouring occupiers.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

- 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: 8 Objecting: 8 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
Issues over boundary lines, rights of access and rights of way	The issue around boundary lines has now been resolved through amended drawings. The issue surrounding rights of access and rights of way is not a planning matter per se, but a delivery and servicing plan can be submitted to the council to confirm how, when and where deliveries will be made.
Opening hours	Initially the application stated that opening hours would last until 1am, this has been amended to 12am and will be conditioned to ensure this.
Over saturation of fast food takeaways in locality/loss of retail unit	There is currently no policies in place to protect this change of use between classes A1, A2, A3, A4 and A5.
Increase in noise and pollution	The noise attenuation techniques that are being used and the type of plant that is being implemented, will result in the noise not exceeding the pre-existing hourly background noise. The extract canopy that is proposed to be used is specifically designed to remove all cooking odours.
Litter	There would be an increase in packaging being taken from the site, however there are multiple bins located on Addington Road for litter to be disposed of.
Parking provision	This stretch of Addington Road can be busy in peak periods. However, the footfall for the proposed use is not considered to be significantly higher than the previous use as a bank. Furthermore, it is thought that a large proportion of the customers would arrive on foot from the locality.

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 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.

7.2 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:

- Ensuring vitality of town centres.
- Requiring good design.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

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

- Consolidated London Plan 2015 (LP):
 - 4.7 on Retail and town centre development
 - 7.4 on Local Character
 - 7.6 on Architecture
- Croydon Local Plan: Strategic Policies 2013 (CLP1):
 - SP1.2 Place Making
 - SP2.6 Quality and Standards
 - SP4.1 & 4.2 Urban Design and Local Character
 - SP6 Waste and Climate Change
- Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):
 - UD8 Protecting residential amenity
 - SH5 Retail vitality
 - EP8 & EP9 Waste and recycling

7.4 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 and the examination took place in May/June this year. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

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
4. Waste and refuse

Principle of development

8.2 Policy SH5 allows for the change of use between use classes A1, A2, A3, A4 and A5 where the application site lies within a secondary retail frontage, which the application site does. Therefore there are no policy grounds on which to refuse the application and the principle is therefore acceptable.

8.3 It is important to consider Policy DM 5.2 of Croydon Local Plan: Detailed Policies and Proposals (CLP2) in relation to A5 uses. This emerging policy states that with a secondary retail frontage A5 is acceptable in principle so long as it does not result in two or more adjoining A5 units. For this case the adjoining units are A1 and A2 and therefore also complies with emerging policy.

Townscape and visual impact

8.4 The proposed alterations would be to the front and rear of the application site, the alterations to the front would not be so different to the existing that it would be considered harmful to the townscape of Addington Road.

8.5 The proposal would impact on the townscape of the land to the rear of the application site. To the rear of the site are two businesses, and various air conditioning units and ducting for surrounding premises, and also external staircases and fencing for the residential flats. As this is the current townscape to the rear the plant, ducting and noise attenuation fencing will not harm the townscape and visual amenity of the area.

Residential amenity

8.6 The proposal would introduce 3 no. chiller units, 2 no. AC units, 1 no. kitchen extraction fan and 1 no. kitchen supply fan, plus noise attenuation measures such as 2m high fencing with 50mm acoustic absorption panel on both sides. The noise assessment provided with the application concluded that the plant machinery to the rear of the site would not exceed the background noise levels therefore the impact from the machinery would not harm the amenities of the neighbouring occupiers.

8.7 In addition the extraction fans to be used will remove all odours being emitted from the kitchen, as is evidenced in the report by ashworth (Mechanical Ventilation & Environmental Control Equipment). The aforementioned measures to be controlled by condition would reduce the impact of the proposal on the neighbouring occupiers to the proposal, and would ameliorate concerns in relation to increases in noise and odours coming from the unit.

8.8 Issues were raised in relation to the opening hours and how those using the site would increase the noise outside the site. The opening hours following the outcome

of the consultation period, have been shortened to be in line with other similar uses in the local area to 11am to 12am every day, which will be controlled by condition. Whilst it would not be possible to mitigate for the users of the site coming into and out of the unit without making some degree of noise, the planning system can only control the hours of operation which is in accordance with other premises in the area and so cannot be refused.

- 8.9 Environmental Health have no objection to the noise, odour mitigation and proposed hours of use.

Waste and refuse

- 8.10 The unit would be served by bin stores to the rear of the site and would be enclosed in its own storage area within the site. Therefore, during the day and when waiting for collection of the bins, there would be no odours or vermin able to enter the bin, providing the door to the storage area is kept closed during times it is not used. These would be collected as per the delivery and servicing plan, subject to condition.

Conclusions

- 8.11 It is recommended that planning permission should be granted for the proposal, as it would comply with policy and safeguard residential amenity.
- 8.12 All other relevant policies and considerations, including equalities, have been taken into account.