

Planning Sub-Committee Agenda



To: Councillor Muhammad Ali (Chair)
Councillor Paul Scott (Vice-Chair)
Councillors Chris Clark, Clive Fraser, Toni Letts, Felicity Flynn, Jason Perry,
Scott Roche, Gareth Streeter and Oni Oviri

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 17 January 2019** at the rise of Planning Committee but not earlier than **7.30pm** in **Council Chamber, Town Hall, Katharine Street, Croydon, Surrey, CR0 1NX**

JACQUELINE HARRIS BAKER
Director of Law and Governance
London Borough of Croydon
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www.croydon.gov.uk/meetings
Wednesday, 9 January 2019

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

Democratic.Services@croydon.gov.uk or phone the number above by 4pm on the Tuesday before the meeting.

N.B This meeting will be paperless. The agenda can be accessed online at www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee

2. Minutes of the previous meeting (Pages 5 - 8)

To approve the minutes of the meeting held on Thursday 13 December 2018 as an accurate record.

3. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted 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 those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

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

5. Planning applications for decision (Pages 9 - 12)

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

5.1 18/04540/FUL 35 Beatrice Avenue, Norbury (Pages 13 - 20)

Conversion of single family dwelling house to two x 1 bedroom flats and one x 3 bedroom flat with associated car parking, amenity space and bin storage.

Ward: Norbury

Recommendation: Grant permission

6. Exclusion of the Press & Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder 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 items 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."

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Planning Sub-Committee

Meeting of Croydon Council's Planning Sub-Committee held on Thursday, 13 December 2018 at 6:30pm in Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

MINUTES

Present: Councillor Muhammad Ali (Chair);
Councillor Paul Scott (Vice-Chair);
Councillors Toni Letts, Ian Parker and Jason Perry

Also Present: Councillors Simon Brew and Tim Pollard

PART A

A77/18 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held on 8 November 2018 be signed as a correct record.

A78/18 **Disclosure of Interest**

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

A79/18 **Urgent Business (if any)**

There was none.

A80/18 **Planning applications for decision**

A81/18 **18/04373/FUL Land to The Rear Of 310-312A/B Lower Addiscombe Road, CR0 7AF**

Erection of a two storey two-bedroom house with associated landscaping (fronting Sherwood Road) following demolition of existing garage.

Ward: Addiscombe East

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

A82/18 **18/05085/FUL Venture House, 23-25 High Street, Purley, CR8 2AF**

The change of use of 25 High Street (ground floor only) from Use Class A1 (retail) to Use Class A3 (cafe) with an ancillary child's play area and amalgamation of units nos. 23 and 25 High Street.

Ward: Purley and Woodcote

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Mark Batchelor spoke against the application of the officers' recommendation to refuse.

Referring Ward Member, Councillor Simon Brew spoke in support of the application against the officers' recommendation to refuse.

Councillor Scott proposed a motion to **APPROVE** the application. Councillor Letts seconded the motion. Members suggested the condition of having ground maintenance, cycle hoops and the review of the opening hours.

The motion of approval was put forward to the vote and was carried out with all ten Members unanimously voting in favour.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of Venture House, 23-25 High Street, Purley, CR8 2AF.

A83/18 **18/04648/FUL 13 Tindale Close, South Croydon, CR2 0RT**

Erection of single/two storey front/side/rear extensions and alterations for subdivision into a pair of semi-detached dwellings.

Ward: Sanderstead

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Brendon Hassall spoke against the application.

James Websell spoke in support of the application.

Referring Ward Member, Councillor Tim Pollard spoke against the application.

Councillor Scott proposed a motion to **APPROVE** the application. Councillor Letts seconded the motion.

The motion of approval was put forward to the vote and was carried out with three Members voting in favour and two Members voted against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 13 Tindale Close, South Croydon, CR2 0RT.

A84/18 **18/02695/FUL 23 The Drive**

Construction of a part one/part three storey four bedroom detached house in rear garden with associated access driveway from The Drive, car parking and refuse storage.

Ward: Coulsdon Town

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

A85/18 **18/04948/HSE 19 Featherbed Lane, CR0 9AE**

Erection of ground and first floor side and rear extension including increase in ridge height; alterations.

Ward: Selsdon and Addington Village

WARD COUNCILLOR HELEN POLLARD HAD WITHDRAWN HER REFERRAL. THEREFORE THIS ITEM WAS WITHDRAWN FROM THE AGENDA TO BE DETERMINED AT DELEGATED.

The meeting ended at 7.29 pm

Signed:

Date:

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PLANNING SUB-COMMITTEE AGENDA

PART 5: 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 or Resident Association 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 (consolidated with Alterations since 2011)
 - the Croydon Local Plan (February 2018)
 - 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.

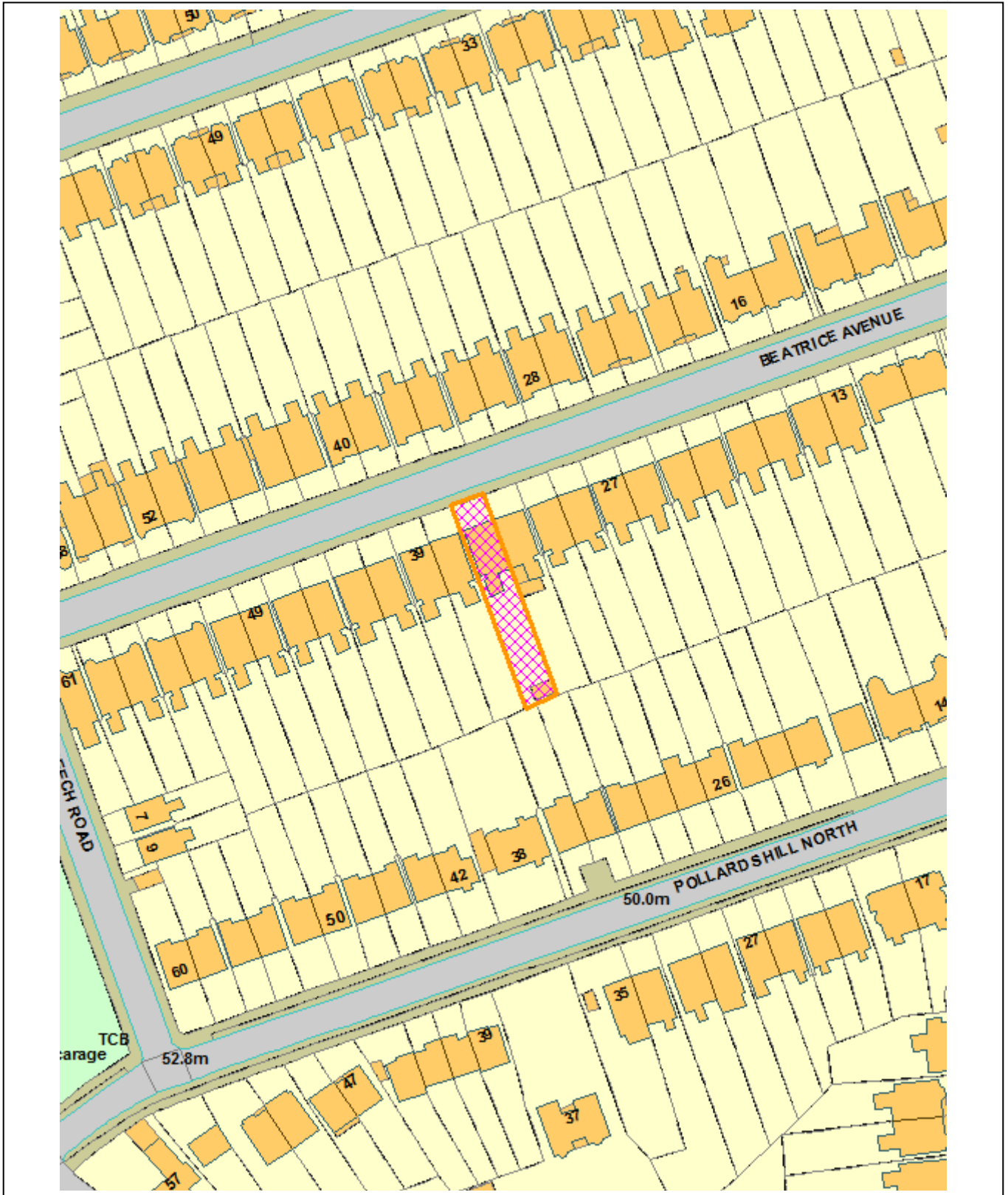
8. BACKGROUND DOCUMENTS

- 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.

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APPLICATION DETAILS

Ref: 18/04540/FUL
 Location: 35 Beatrice Avenue, Norbury
 Ward: Norbury
 Description: Conversion of single family dwellinghouse to two x 1 bedroom flats and one x 3 bedroom flat with associated car parking, amenity space and bin storage
 Drawing Nos: 35BA/P/02 Rev B, 35BA/P/01, 35BA/P/03, 35BA/P/04, 35BA/P/05
 Agent: Mrs Pamela Fitzsimons
 Case Officer: Victoria Bates

	1 bed	2 bed	3 bed	4 bed	Total
Houses					0
Flats	2 (1 x 1b 2p, 1 x 1b 1p)		1 (1 x 3b 5p)		3
Totals	2		1		3

Number of car parking spaces	Number of cycle parking spaces
2	4

This application is being reported to Sub Planning Committee because the Ward Councillor (Councillor Maggie Mansell) made representations in accordance with the committee consideration criteria and requested committee consideration. The proposal also has received 40 objections which also triggers referral to committee.

1 RECOMMENDATION

That the Sub Planning Committee resolve to GRANT planning permission.

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:

2 Conditions

- 1) The works shall be carried out wholly in accordance with the submitted plans
- 2) Materials as specified within the application.
- 3) Bin storage shall be installed prior to occupation
- 4) Landscaping scheme to be submitted and approved prior to occupation
- 5) Parking space to the forecourt to be provide and retained
- 6) Commence the development within 3 years of the date of this decision.
- 6) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

Informatives

- 1) Community Infrastructure Levy
- 2) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

2.3 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

3 PROPOSAL AND LOCATION DETAILS

3.1 Proposal

The applicant seeks full planning permission for the:

- Conversion of single family dwellinghouse to two x 1 bedroom flats and one x 3 bedroom flat with associated car parking, amenity space and bin storage

3.2 Site and Surroundings

- Residential in character;
- Situated within a Local Area of Special Character;
- Located on Beatrice Avenue;
- PTAL rating of 3.

3.3 Planning History

The following application is relevant to the assessment and determination of the application:

18/02610/LP - Erection of single storey rear extensions, dormer extension to the rear and installation of velux windows in the front roof slope- *Certificate of lawfulness granted and implemented.*

3.4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would contribute to the meeting of housing targets.
- There would be minimal changes visible from the streetscene which are considered acceptable.
- The proposal would accord with the Technical Housing Standards – Nationally Described Space Standards and would provide acceptable living conditions for future occupiers.
- The proposal would not prejudice highway safety or the parking situation in surrounding streets given the acceptable levels of parking that is proposed on site.
- There would be no significant harm to neighbouring properties amenity, given the location and separation distances between the proposed development and surrounding properties.

4 CONSULTATION RESPONSE

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

5 LOCAL REPRESENTATION

5.1 The application has been publicised by way of (9) letters sent to neighbouring occupiers 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: 63 Objecting: 40 Supporting: 22

5.2 Representations have been made from the following local groups/societies (objecting):

- Love Norbury Planning Committee (objecting)

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

- Too many bins
- Noise
- Increased pressure on on-street parking
- Overlooking from dormer extension [Officer comment: the dormer extension has been constructed under a lawful development certificate]
- Removal of stained glass panel [Officer comment: this does not form part of this application]
- Overdevelopment
- Stress on drainage
- Poor amenity space
- Inadequate size of units

5.4 Councillor Maggie Mansell made the following representations:

- Loss of a family home
- Too many small flats
- Too many bedrooms
- Pressure on street parking

6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

6.2 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

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

Consolidated London Plan 2015 (LP):

- 3.3 on Increasing Housing Supply
- 3.5 on Quality and design of housing developments
- 6.9 on Cycling
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP):

- SP2: Homes
- SP6: Environment and Climate Change
- DM1 on Housing choice for sustainable communities
- DM10 on Design and character
- DM13 on Refuse and recycling
- DM16 on Promoting healthy communities
- DM19 on Promoting and protecting healthy communities
- DM23 on Development and construction
- DM29 on Promoting sustainable travel and reducing congestion
- DM30 on Car and cycle parking in new development

Supplementary Planning Guidance as follows:

- Technical Housing Standards – Nationally Described Space Standards
- London Housing SPG March 2016

7 MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

- Principle of development
- Townscape and visual impact
- Impact on neighbouring residential amenity
- Amenities of future occupiers

- Parking and cycle storage
- Waste and refuse

Principle of Development

- 7.1 Policy DM1.2 seeks to protect family sized units in the borough stating “the Council will permit the redevelopment of the residential units where it does not result in the net loss of 3 bedroom homes (as originally built) or the loss of homes smaller than 130m²”. The floor space of the dwelling is over 130m² and would not result in the net loss of a 3 bedroom home as the dwelling as originally built had at four bedrooms. Despite this, the proposal would provide a three bedroom unit. The proposed conversion in principle is in accordance with DM1.2 subject to further considerations.

Townscape and Visual Impact

- 7.2 Policy 3.5 of the London Plan requires housing development to be of the highest quality. Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policy DM10 of the Croydon Local Plan requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.
- 7.3 No external changes to the property are proposed. The single storey rear extension and dormer extension have been built under a lawful development certificate (ref: 18/02610/LP).

Impact on Neighbouring Residential Amenity

- 7.4 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 7.5 As there would be no external physical changes to the property, there would be no harm to neighbour amenity. The creation of an additional residential unit would not generate significant levels of noise disturbance to justify refusal of planning permission.

Amenities of Future Occupiers

- 7.6 Technical Housing Standards specify overall flat sizes for various house and flat types. The ground floor 3 bedroom, 5 person unit would measure 104m². This is well above the requirement for 84m² and as such would provide a generous small family dwelling. The first floor 1 bedroom, 2 person unit would provide 54m², which is also above the requirement of 50m². The top floor 1 bedroom, 1 person flat would provide 38m² which meets the required 37m².

- 7.7 All units would be dual aspect, providing good levels of daylight and natural cross ventilation and the layouts are considered acceptable. The third bedroom of the ground floor unit would have a window which would have reduced outlook onto the shared pathway to the rear garden, however this alone would not constitute a reason for refusal.
- 7.8 There would be considerable private amenity and communal areas to the rear of the dwelling. Furthermore, the ground floor flat would have direct access to private amenity space in the form of a rear garden. Adequate provision has been made for the other units to have private amenity space, with suitable boundary treatments to be conditioned.

Transport

- 7.9 The subject site is in an area with a PTAL accessibility rating of 3 (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have moderate access to public transport links. This is owing to the close proximity of the site to Norbury National Rail station and London Road which is a major bus route.
- 7.10 There are two off street car parking spaces that will remain. This would be an adequate provision based on the moderate PTAL. Cycle parking will be provided in accordance with London Plan standards at the rear.

Waste and Refuse

- 7.11 The refuse store has been proposed at the front of the dwelling. This location is considered acceptable. Its provision will be required before occupation by a Condition

Conclusions

- 7.12 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.