

PART 5: Planning Applications for Decision

Item 5.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 20/04273/FUL
 Location: 66 Foxley Lane, Purley, CR8 3EE
 Ward: Purley
 Description: Conversion from single dwelling to 4 self-contained flats, erection of two storey side extension and rear extension, external alterations including balconies, openings and rooflights, associated parking, landscaping, cycle storage and refuse storage
 Drawing Nos: 439-IM/001 Rev R16, 439-IM/002 Rev R16, 439-IM/003 Rev R16, 439-IM/004 Rev R16, 439-IM/005 Rev R16, 439-IM/006 Rev R16, 439-IM/007 Rev R16, 439-IM/008 Rev R10, 439-IM/009 Rev R16, 439-IM/010 Rev R16, 439-IM/010a Rev R16, 439-IM/010b Rev R16, 439-IM/010c Rev R16, 439-IM/012 Rev R16, 439-IM/012a Rev R14, 439-IM/013 Rev R15.
 Agent: Mr Tom Tanner
 Case Officer: Samantha Dixon

	1 bed	2 bed	3 bed	5 bed
Existing				1
Proposed	1	2	1	0

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
1	8

1. This application is being reported to committee because public objections above the threshold in the Committee Consideration Criteria have been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issue a Grant of planning permission subject to the following conditions and informatives :-
 1. Development to be implemented within three years.
 2. In accordance with the approved plans.

Pre-Commencement Conditions

3. Submission of Construction Logistics Plan to Council for approval prior to commencement of demolition/construction works.

Pre-Commencement Conditions (except for demolition and below slab level works)

4. Full details of soft and hard landscaping, including new tree planting and biodiversity enhancements, and children's play space and boundary treatment to be submitted for approval and retained as appropriate thereafter.

Pre-Occupation Conditions

5. Following details to be submitted to Council for approval and installed prior to first occupation of dwellings : full details electric charging point/s for car parking and cycle storage
6. Full details of external appearance of refuse and cycle storage to be submitted
7. Details of privacy screens to be submitted
8. Development to meet energy efficiency/carbon reduction targets as appropriate.

Compliance Conditions

9. External materials to match existing
10. Following to be provided as specified in application prior to first occupation of new dwellings: parking areas.
11. Implementation and adherence to actionable measures of Flood Risk Assessment submitted with application.
12. Implementation and adherence to actionable measures of Planning Fire Safety Strategy
13. Implementation and adherence to actionable measures of Refuse Management Plan
14. Development to meet 110 litre per person/day water use target.
15. No windows/openings to be provided to western flank elevation other than as shown on approved plans.
16. Flank window to be obscurely glazed
17. Ground floor units to meet M4(2) accessibility standards as appropriate.
18. Electric point in rear garden to allow for future external lift.
19. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

- 1) Community Infrastructure Levy
- 2) Code of practice for Construction Sites
- 3) Highways informative in relation to s278 works required
- 4) Compliance with Building/Fire Regulations
- 5) Any other informative(s) considered necessary by the Director of Planning and 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.

3.0 PROPOSAL AND LOCATION DETAILS

- 3.1 The proposal includes the following:
 - Conversion and extension of existing building to create 4 flats.
 - Two storey side extension and rear extension, external alterations including balconies, openings and rooflights
 - Provision of private and communal external amenity space including children's play space
 - Provision of 1 off-street parking space and associated refuse and cycle stores

3.2 The scheme has been amended during the course of the application. The number of proposed units has been reduced from 5 to 4 so that a three bedroom unit is now proposed. Amendments have been made to the location of the bin store and a bulky waste area has been added. The width of the access ramp has been increased to 1.2m and the number of parking bays reduced from 2 to 1.



Figure 1. Proposed Site Plan

Site and Surroundings

- 3.3 The application site lies on the northern side of Foxley Lane and is currently occupied by a two storey semi-detached dwelling sited in an elevated position above the highway.
- 3.4 The surrounding area is residential in character and comprises of similar two storey semi-detached and detached properties with later infill sites on the southern side of Foxley Lane.
- 3.5 There are no specific policy constraints for this site. It is situated in an area with low risk of surface water flooding and has a PTAL of 1b.



Figure 2: Aerial street view within the surrounding street scene

Planning History

3.6 The most relevant planning history associated with the site is noted below:

- 08/01177/P: Erection of single storey side/rear extension, approved
- 19/06038/FUL: Change of use of single dwelling to 5 residential units (3 x 2 bed and 2 x 1 bed) with extensions, alterations, introduction of rooflights, associated parking, landscaping, cycle storage and refuse storage. Refused 26.03.2020 for the following reasons:
 - 1) The development would provide sub-standard accommodation for Flats A, C, D and E by reason of no outdoor private amenity space or usable private outdoor amenity space and would thereby conflict with Policy DM10.4 of the Croydon Local Plan 2018.
 - 2) The proposed development would increase parking pressures in the local area and harm highway safety, contrary to Policy 6.13 of the 2016 London Plan, and Policies DM29 and DM30 of the 2018 Croydon Local Plan.
 - 3) Refuse storage facilities would not be conveniently located nor easily accessible by occupants, operatives or their vehicles, contrary to DM13 and SP8.7 of the 2018 Croydon Local Plan.
- 20/02277/PRE: Change of use of single dwelling to 5 residential units (3 x 2 bed and 2 x 1 bed) with extensions, alterations, introduction of rooflights, associated parking, landscaping, cycle storage and refuse storage

4. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate for its setting.

- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are acceptable and Nationally Described Space Standard (NDSS) compliant.
- The level of parking and impact upon highway safety is considered acceptable.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by 10 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 14 Objecting: 14 Supporting: 0 Comment: 0

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

Objection	Officer comment
<i>Principle of development</i>	
Loss of family home, change from dwelling house to flats	This is addressed in section 8.5 of this report.
Overdevelopment of this type of development in the area	This is addressed in section 8.2 to 8.4 of this report.
<i>Design and appearance</i>	
Harm to character of host property and surrounding area	This is addressed in section 8.5 to 8.25 of this report.
<i>Impact on amenities of neighbouring properties</i>	
Impact on neighbouring amenity	This is addressed in section 8.6 to 8.9 of this report.
<i>Environment</i>	
Impact on environment, loss of garden	This is addressed in section 8.23 of this report.
Air, noise and water pollution	This is a residential development in a residential area. There is no reason to expect that this proposal would have additional adverse impacts not expected in this area.

	A Construction Logistic Plan would be required by condition.
<i>Highways and parking</i>	
Insufficient parking	This is addressed in section 8.19 to 8.20 of this report.
Impact on road safety	This is addressed in section 8.21 of this report
Already a problem with refuse in the area	Adequate bin storage is proposed in an area that is accessible by refuse collectors.
<i>Other material considerations</i>	
Inadequate local facilities and infrastructure	This is addressed in section 8.27 of this report.

6.4 Purley and Woodcote Residents Association object to this proposal on the following grounds:

- Overdevelopment of the site in terms of size and scale.
- Loss of family homes
- The proposal is out of keeping with the locality and surrounding townscape, as a result of its massing, form, and overall appearance.
- Insufficient amenity space for a development of the size proposed due to the intensive / over development of the site.
- The intensity of development results in minimal and insufficient amenity space available for the likely number of occupiers of the development
- Detrimental to the amenity of occupiers of adjoining properties. Given the size and scale of the proposed development the occupiers of neighbouring properties will suffer visual intrusion, increased noise and, for those adjacent to the proposed development, loss of privacy.
- Inadequate car parking for a development of the size and scale proposed, resulting in additional on street parking, putting parking pressure on the surrounding area, and increasing traffic movements, so endangering road safety at this very busy junction.

RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan 2021, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2021. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan

should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a sufficient supply of homes
- Promoting healthy and safe communities
- Promoting sustainable transport;
- Achieving well designed places;
- Conserving and enhancing the natural environment

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

London Plan 2021

- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire Safety
- S4 Play and informal recreation
- H1 Increasing housing supply
- H10 Housing size mix
- SI 2 Minimising greenhouse gas emissions
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6.1 Residential Parking

Croydon Local Plan 2018

- SP2 - Homes
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- SP4 – Urban Design and Local Character
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM16 – Promoting healthy communities
- SP6 – Environment and Climate Change
- DM23 - Development and construction
- DM25 – Sustainable drainage systems and reducing flood risk
- SP7 – Green Grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and communications
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- The Suburban Design Guide 2019

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:
1. Principle of development and housing mix
 2. Townscape and visual impact
 3. Housing quality for future occupiers
 4. Amenity of neighbouring properties
 5. Access and parking
 6. Landscaping
 7. Flood Risk and sustainability
 8. Other matters

Principle of Development

- 8.2 This application must be considered against a backdrop of significant housing need, not only across Croydon, but also across London and the south-east. All London Boroughs are required by the London Plan 2021 to deliver a number of residential units within a specified plan period. Croydon's overall housing target per annum is 2,079 new homes (2019 – 2029). The Croydon Local Plan 2018 states there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.
- 8.3 The London Plan 2021 Policy D2 on Small Sites advises that for London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. The London Plan Policy D3 requires new development to optimise site capacity through a design-led approach. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. The site is approximately 800m from Purley District Centre. Officers consider that the density of the scheme would be appropriate and that the proposed development has taken a design-led approach.
- 8.4 The application is for a residential development providing new and additional homes within the borough, which the Council is seeking to provide. The site is located within

an existing residential area and as such providing that the proposal accords will all other relevant material planning considerations, the principle of development is supported.

- 8.5 Local Plan Policy DM1.2 requires there to be no loss of 3 bedroom homes as originally built or homes under 130m² and Policy SP2.7 sets a strategic target for 30% of all new homes to have three or more bedrooms. The existing building comprised three bedrooms as originally built and the existing floor area is greater than 130m². As originally submitted the scheme proposed no 3 bedroom units and such failed to comply with the above-mentioned policy requirement. The scheme has been amended so that a 3 bedroom unit is now proposed (25% of the total number) to ensure there is no net loss of family homes. As amended the scheme also contributes to the strategic target (Policy SP2.7) for 30% of all new homes up to 2036 to have three or more bedrooms.

Townscape and Visual Impact

- 8.6 The National Planning Policy Framework (NPPF) attaches great weight to the importance of design in the built environment. London Plan Policy D3 seeks to optimise site capacity through the design-led approach and Policies D4 and D5 require high quality architecture which contributes to the local architectural character. Policy SP4 and DM10 of the Croydon Local Plan (2018) reinforce these policies by confirming that the Council will require development to be of a high quality and be informed by the distinctive qualities, identity, topography and opportunities of the relevant places of Croydon.
- 8.7 The existing building would be extended to include a single/two storey side/rear extension, a rear roof dormer and a modified front dormer with external balconies (Figure 3). The two storey side extension is set back from the main front elevation of the host building at first floor level and has a lower ridge height. As such it appears as a subordinate addition respecting the scale and character of the original building. A gap of approximately 1.3m is retained to the side boundary to ensure the building does not appear cramped in the plot and it is noted that the adjacent buildings have benefitted from similar two-storey side additions. The dormer in the rear roof slope is appropriate in terms of size and siting and would not unduly dominate the roof or original building. The alterations to the size of the front roof slope dormer would be in keeping with the adjoining front roof dormer of No.64.



Figure 3: Existing and Proposed Front Elevation

- 8.8 The parking area, access ramp and bin storage area are located to the front of the building. The building sits at a higher level than the parking area which is beneficial as it dominates views from the site frontage, which lessens the perceived visual impact of the hard standing. It is noted that there is hard standing on the frontage of surrounding properties (notably No.64 and No.70) and as such the proposal would not be out of character with the area. The plans show hedging around the vehicle parking area, and whilst officers note this is not significant given the constraints of the site, it will go some way to soften the appearance of the hard landscape. A landscaping condition would be attached to any permission granted.
- 8.9 The proposed scheme is in keeping with the character of the host building and does not have any adverse impact on the appearance of the street scene.

Housing Quality for Future Occupiers

- 8.10 All of the proposed units meet the national space standards in terms of their size and individual room sizes. As amended, all units are dual aspect. The access arrangement via separate entries at the building frontage and the side flank wall to internal stairwells gives sufficient access and way finding to individual units that is considered appropriate in this instance for a conversion scheme to flats.
- 8.11 DM10.4 of the Croydon Local Plan requires all proposals to provide a minimum amount of private amenity space of 5m² per 1-2 person unit and an extra 1m² per extra occupant thereafter. The ground and first floor units have sufficient private outdoor amenity space to accord with policy requirements. Flat E is more constrained as it is located at second floor/roof level. A 2.6m² balcony is provided for this unit. To compensate, the scheme proposes semi-private areas within the communal area that can be used by the residents. Given that this is the conversion of an existing building and the sufficient internal floor area of the flat, on balance this arrangement is considered acceptable.
- 8.12 In terms of accessibility, Policy D7 and H2 of the London Plan set out that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Supporting paragraphs to Policy D7 (paragraph 3.7.6) of the London Plan state that in exceptional circumstances the provision of a lift to dwelling entrances may not be achievable. In some circumstances, and only in blocks of four storeys or less, it may be necessary to apply some flexibility in the application of this policy. This includes small-scale infill developments. Supporting text to Policy H2 says at Paragraph 4.2.9 that homes located on the ground floor on minor developments should meet the requirements of Policy D7 Accessible housing. Homes that are not on the ground floor in minor developments can comply with the M4(1) standard, which does not require step-free access, where provision of step-free access would be unfeasible. Given that the existing building is to be retained and extended, it would not be feasible to install a lift in the building. The ground floor units are M4(2) compliant with the upper floor units achieving M4(1) compliance. A new ramped access will be provided from street level to the front of the building and a further ramped access is proposed

to the front entrance of unit A and level access will be provided to the communal entrance.

- 8.13 A large communal garden area is provided at the rear of the property incorporating children's play space and semi-private areas. Given the existing levels of the site this area is accessed via steps. The plans show a location where a future stair lift could be provided to enable access to this space for wheelchair users and a suitably worded condition will ensure that electric power is provided in that location to enable this to come forward if needed. Full details of the landscaping and the children's play space will also be secured by condition.
- 8.14 Overall and on balance, given that this is the conversion and extension of an existing building and the existing significant level changes across the site, the development is considered to result in development with acceptable quality for future occupiers.

Amenity of neighbouring properties

- 8.15 The properties that have the potential to be most affected by the development are the adjoining properties at 64 and 68 Foxley Lane, The Mother (to the rear) and 57 Foxley Lane which is located on the opposite side of Foxley Lane. Figure 4 below indicates the locations of the neighbouring properties.

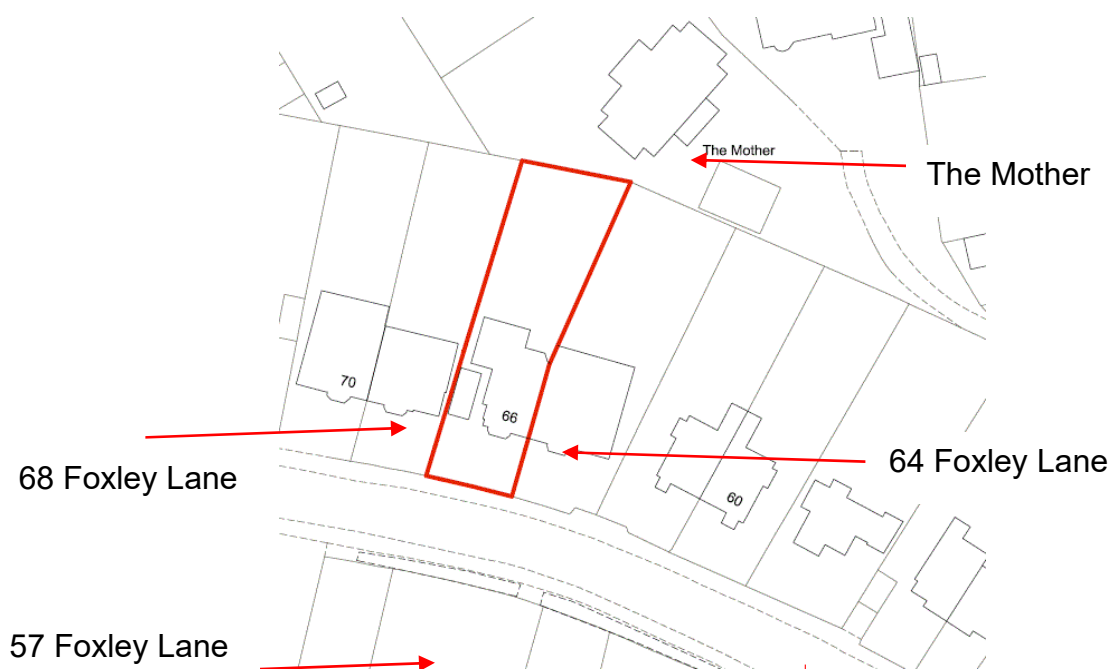


Figure 6: Existing Site Location Plan showing neighbouring properties

68 Foxley Lane

- 8.16 The existing house at No.66 has a large single storey rear extension and a garage adjacent to the boundary with No.68. The proposed two storey side extension would be situated approximately 1.3m off the boundary. The ground floor element would not extend as far as the current extension and the first floor element would extend just under 1m beyond the rear elevation of No.68. No.68 has benefitted from a two-storey side extension (planning permission 16/04820/HSE). The proposed development

would not encroach over a 45 degree angle from the rear windows of No.68 (as outlined in the Suburban Design Guide). As such it is not considered that the development would cause any harmful loss of outlook or light to this adjacent property. No.68 has a side ground floor window (serving a shower room) and third floor window (serving a bedroom) and both of these windows are obscurely glazed. The only side window proposed in the current scheme serves a hallway and would be conditioned to be non-openable and obscured. The proposed rear balcony has been substantially reduced in width and is set away from the boundary with No.68 and as such it is not considered that this addition would cause any harmful loss of privacy to No.68. It is prudent to impose a condition on any permission granted requiring privacy screens to be erected to the side of the balconies to prevent any overlooking. Overall the proposal is not considered to detrimentally impact the amenities of this neighbouring property.

64 Foxley Lane

- 8.17 No.64 has been extended and converted into flats. The ground floor rear extension would align with the existing rear elevation of No.64 and the side extension is located at a distance from the boundary with this adjoining property. As such the proposed extensions would cause no loss of light or outlook from No.64. As noted above, the first floor rear balcony has been reduced in width to ensure no overlooking and a privacy screen is proposed to the second floor balcony which would be secured by condition. The proposal is not considered to detrimentally impact the amenities of this neighbouring property.

57 Foxley Lane and The Mother

- 8.18 There would be an approximate separation of more than 30 metres between the proposal and the front/side elevation of these neighbouring dwellings. Owing to this separation between the built forms and landscaping, it is not considered that the proposal would have any adverse impact upon the amenities of these properties.

Access and Parking

- 8.19 The application site is not located within a controlled parking zone and has a PTAL rating of 1b indicating poor access to public transport. London Plan (2021) standards suggest that up to a maximum of 1.5 spaces per unit should be provided. One space is proposed to serve 4 units. Given the constraints of the site in terms of the position of the existing building and the level changes, it is clear that it is not possible to provide any additional parking on this site (as well as providing accessible bin storage and soft landscaping).
- 8.20 Despite the poor PTAL, there are bus stops within 0.2km of the site on Foxley Lane, Purley District Centre is located 0.8km from the site and cycle storage is provided at the site to encourage other means of travel. Therefore this is an area that should be considered appropriate for infill residential development. A Parking Stress Survey has been submitted and finds that the development would result in 62% parking occupancy in the local area, which is below the 85% parking occupancy considered to be maximum parking stress. The National Planning Policy Framework (NPPF) advises that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or severe impacts on the road

network. Given the location of the site, the small number of homes, and clear site constraints, in this instance, the quantum of parking is considered to be appropriate.

- 8.21 Concerns have been raised by residents with regard to resultant highway safety on the busy thoroughfare Foxley Lane. The submission demonstrates that the required visibility splays for vehicles and pedestrians sightlines are achieved at the site access. Manoeuvring tracking is also provided which demonstrates that vehicles can access and egress the site in forward gear.
- 8.20 London Plan (2021) Policy T5 requires a minimum of 1.5 cycle parking spaces per studio/1 bed unit and 2 cycle parking spaces per 2 bed+ unit (7.5 spaces for the proposed development). The plans show a cycle storage area to the rear of the building to accommodate 8 cycles. Full details of this storage area would be secured by condition.
- 8.22 The refuse/recycling store is located to the front of the building alongside a bulky waste area. Details of screening for this area will be secured by condition.

Landscaping

- 8.23 There are no Tree Preservation Orders on the site or adjoining properties and the proposal does not result in the removal of any mature trees. There are no specific concerns relating to ecology or biodiversity. Whilst some hedging would be removed to facilitate the development, it is proposed to provide replacement planting to the front boundaries and additional landscaping to the rear. Full details of landscaping will be secured by condition.

Flood Risk and sustainability

- 8.24 The site is within an area at low risk of surface water flooding with the exception being the highway area and some parts of the property frontage and limited potential for groundwater flooding. A Flood Risk Assessment has been submitted as part of the application and outlines that permeable paving will be used for all hard surfacing and a rainwater tank filter system will be used to collect water to the rear of the building. Such measures could be secured by condition.
- 8.25 Policy seeks high standards of design and construction in terms of sustainability and sets out Local and National CO2 reduction targets. Conditions can be used to ensure CO2 reduction compliance and to ensure water use targets have been met following construction.

Other matters

- 8.26 London Plan Policy D12 requires all development proposals to achieve the highest standards of fire safety. A Planning Fire Safety Strategy has been provided which satisfactorily addressed the requirements of Policy D12.
- 8.27 Representations have raised concerns that local services will be unable to cope with additional residents moving into the area and the impact on local infrastructure. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Conclusion

- 8.28 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard and would not harm the visual amenities of the area or adjoining occupiers. The proposed impact on the highway network and parking provision is acceptable, having taken into consideration the existing situation within the surrounding area and its location. The proposal is therefore overall considered to be in accordance with the relevant policies.
- 8.29 All other relevant policies and considerations, including equalities, have been taken into account.