

PART 6: Planning Applications for Decision

Item 6.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/00772/FUL
 Location: Surrey House, 2 Scarbrook Road, Croydon
 Ward: Fairfield
 Description: Construction of sixth and seventh floors to provide an additional 1 three bedroom duplex flat, 1 two bedroom flat, 3 one bedroom flats, and 1 studio flat; alterations to basement parking layout and provision of associated refuse storage and cycle storage (amended description).
 Drawing Nos: 799PP2S01 ; 799PP2S02 ; 799PP2S03 ; 799PP2S04 ; 799PP2S05 ; 799PP2S06 ; 799PP2S07 ; 799PP2S08 ; 799PP2S09 ; 799PP201 ; 799PP202 Rev A ; 799PP203 Rev A ; 799PP204 ; 799PP212 Rev A ; 799PP215 Rev A ; 799PP216 Rev A ; 799PP217 Rev A ; J-241-Ver 6 ; Balustrade – Issue 6 ; 799WD06 ; 799/D11 ; and Unilateral Undertaking (Restriction of Resident Car Parking Permits)
 Applicant: Blueberry Trading
 Agent: Peter Currie Architects
 Case Officer: Mr D A Gibson

1.1 This application is reported to committee because the Pre-election Ward Councillor (Helen Pollard) made representations in accordance with the Committee Considerations Criteria and requested Planning Committee consideration. Also, the total number of resident objections received exceeds the threshold of officer delegated authority and in accordance with the Committee Consideration Criteria it is therefore reported for Consideration by the Planning Committee.

Accommodation Schedule

Flats	studio	1 bed	2 bed	3 bed	4 bed	Total
Number	1	3	1	1 (duplex)	0	6

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 the planning permission and impose conditions, a legal agreement and informatives to secure the following matters:

Conditions

- 1. In accordance with the approved plans.
- 2. Development to be implemented within three years.
- 3. Submission of details of materials.
- 4. Provision of following matters as specified : parking layout, refuse storage, cycle storage. Retention thereafter.
- 5. Submission of construction logistics plan for approval.

6. Water use target.
7. Carbon Dioxide 19% reduction beyond 2013 Building Regulations.
8. Installation of one electric vehicle charging point.
9. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Legal Agreement

Unilateral Undertaking – Submitted to secure and prevent future residents from applying for residential parking permits within the North Area Controlled Parking Zone.

Informatives

1. Community Infrastructure Levy.
2. Code of Practice regarding small construction sites.
3. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 Planning permission (Ref: 14/02325/P) was Granted (on appeal) 14 July 2015 for the erection of two additional storeys to the building (a 6th and 7th floor) and provision of 4 flats therein (3 x 3 bedroom flats and 1 x 2 bedroom flat). The applicant advises works of implementation have commenced.
- 3.2 The current application again proposes the erection of two additional storeys to the building (a 6th and 7th floor) and provision of 6 flats therein (1 x 3 bedroom flat, 1 x 2 bedroom flat, 3 x 1 bedroom flats, and 1 studio flat). Associated refuse and cycle storage is proposed within the basement of the building. The developer also proposes a Unilateral Undertaking to restrict the provision of residential parking permits for future occupiers of the 6 new flats.

Site and Surroundings

- 3.3 The application site is a six storey building at the junction of Surrey Street and Scarbrook Road. The ground floor comprises of a pub use and the five upper floors are former offices recently converted to flats. The building also has a basement parking and service area.
- 3.4 The site is bounded to the west by The Exchange, a part 5 / part 8 storey block predominantly comprising flats. It is bounded to the north by a part 2 / 3 / 5 storey block at 5-9 Surrey Street, the height of that block steps up to the rear. It has retail units at ground floor and part commercial / part residential uses on the upper floors.
- 3.5 The site is within the Central Croydon Conservation Area, Croydon Metropolitan Centre, and Croydon Opportunity Area. The site is within a Primary Shopping Area and the ground floor is designated as Main Retail Frontage. It is also within an Archaeology Priority Zone.
- 3.6 The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent).

Relevant Planning History

- 3.7 14/02325/P - Alterations; Construction of an additional 2 storeys to provide an additional 3 three bedroom and 1 two bedroom flats.
Granted Planning Permission (on appeal) 14/07/2015.
- 3.8 17/01719/DISC – Discharge (approval) of conditions 2 and 3 attached to planning permission 17/01719/DISC).
- 3.9 16/03773/P - Alterations; use of first floor as 4 one bedroom and 2 two bedroom flats.
Granted Planning Permission 26/09/2015.
- 3.10 13/04281/P - Construction of an additional 2 storeys to provide an add 7 one bedroom, 1 two bedroom and 1 three bedroom flats.
Refused Planning Permission 10/03/2014. Appeal Dismissed 29/12/2014.
- 3.11 13/03767/GPDO – Use of second, third, fourth and fifth floors as 30 flats.
Prior Approval (Conversion of Offices to Flats) Issued 16/12/2013.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would create a good quality residential accommodation that would make a positive contribution to the borough's housing stock and would make a small contribution to the Council achieving its housing targets as set out in the London Plan (2016) and its own Croydon Local Plan 2018.
- The proposed development is of an appropriate mass, scale, form and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area.
- The proposed development would not cause significant harm to neighbouring properties' living conditions.
- The level of parking provision is consider appropriate, striking the appropriate balance between promoting sustainable modes of transport, whilst providing some car parking space capacity. The proposed development would not have an adverse impact on the operation of the highway.

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 site was advertised in the press and through the erection of site notices.
- 6.2 A total of 110 neighbouring properties were notified about the application and invited to comment by the way of letter. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

26 individual responses: 26 Objections

- 6.3 The following Councillor made representation:

- Cllr Helen Pollard (former Ward Councillor for Fairfield) (objecting) – adverse effect on amenity of neighbours, overdevelopment, adverse effect on amenity of future occupiers due to cramped accommodation.

The following summarised issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Overdevelopment
- Out of character with area
- Effect on conservation area
- Loss of privacy
- Loss of light
- Loss of outlook / view
- Increased noise
- Increased noise / pollution from construction works
- No construction management plan submitted
- Effect on existing residents of Surrey House
- Effect of balconies
- Effect on local infrastructure (GP's, schools)

The following non-material planning considerations were raised in representations and are addressed below:

- No indication of where scaffolding would be erected (Officer Comment : The siting of scaffolding on a public highway would be subject of a highways licence).
- Existing building not well managed / maintained (Officer Comment : This is a not a material planning consideration – it is a civil matter).
- Profit making exercise by developer (Officer Comment : This is not a material planning consideration).
- Inadequate sound proofing (Officer Comment : This would be a matter for Building Regulations)
- Will use hazardous materials (Officer Comment : Fire safety compliance is a matter for the Health and Safety Executive and Building Regulations. Advice for developers is also available from the London Fire Brigade)

The following procedural issues were raised in a representations and are addressed below:

- A letter of objection was received from a neighbouring property which highlighted that they were not consulted. (Officer Comment : The relevant property was Flat No.30 in Surrey House and a consultation letter was sent to them 1st March 2018).
- Freeholder has not consulted existing residents of proposal (Officer Comment : The applicant submitted an agricultural holding certificate as part of the planning application form).
- Previous application for 2 storey extension refused (Officer Comment : Ref: 14/02325/P was granted planning permission on appeal).

6.4 The North Croydon Conservation Area Panel were consulted. No Objection.

7.0 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 Croydon Local Plan (2018), Mayor's London Plan (2016) 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

7.3 There is a draft revised NPPF which went out to public consultation 5 March 2018. The consultation ended 10 May 2018 and feedback is being collated. The draft revised NPPF incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the right homes in the right places consultation. The draft NPPF is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the draft NPPF in general is considered to carry minimal weight.

7.4 The main policy considerations from the London Plan (2016) raised by the application that the Committee are required to consider are:

- Policy 3.3 Increasing Housing Supply.
- Policy 3.5 Quality and Design of Housing Developments
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.12 Flood Risk Management
- Policy 5.13 Sustainable Drainage
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology

7.5 A new draft London Plan has been out for public consultation which expired on the 2 March 2018. The GLA current program is to have the examination in public of the Draft London Plan in Autumn 2018, with the final London Plan published in Autumn of 2019. The current 2016 consolidation Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions and will gain more

weight as it moves through the process to adoption. At present the plan in general is considered to carry minimal weight.

7.6 Croydon Local Plan (2018) Strategic Policies and Detailed Policies and Proposals

The new local plan was adopted on the 27th February 2018 and now carry full weight. The main relevant policies to this application are as follows:

- SP2: Homes.
- SP2.1 Choice of homes.
- SP2.2 Quantities and locations.
- SP2.7 Mix of homes by size.
- SP2.8 Quality and standards.
- DM1: Housing choice for sustainable communities.

- SP4: Urban Design and Local Character.
- SP4.1 High quality development that responds to local character.
- SP4.2 Be informed by opportunities of Place and enhance social-cohesion and wellbeing.
- SP4.11 – SP4.13 Character, conservation and heritage.

- DM10: Design and Character.
- DM10.1 High quality developments, presumption for 3 storeys.
- DM10.2 Appropriate parking and cycle parking design.
- DM10.4 Private amenity space.
- DM10.5 Communal amenity space.
- DM10.6 Protection to neighbouring amenity.
- DM10.7 Architectural detailing.
- DM10.8 Landscaping.
- DM10.9 Lighting and light pollution.
- DM13: Refuse and recycling.
- DM13.1 Design, quantum and layouts.

- DM18 : Heritage Assets and Conservation.
- DM18.1 Preserving and enhancing character of heritage assets.
- DM18.4 Preserving and enhancing character of conservation areas.

- SP6: Environment and Climate Change.
- SP6.3 Sustainable design and construction.
 - Minor residential scheme 19% CO2 reduction.
 - Water efficiency 110 litres.
- SP6.4 Flooding and water management.
- DM25: Sustainable drainage systems.

- SP8: Transport and the Communication.
- SP8.5 and SP8.6 Sustainable travel choice.
- SP8.7 Cycle parking.
- SP8.12 and SP8.13 Electric vehicles.

- SP8.15 Ptal ratings
- DM29: Promoting sustainable travel.
- DM30: Car and cycle parking.
- Place: Croydon Opportunity Area.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- Density and housing mix of development
- Effect on the appearance of the site / surrounding area / conservation area
- Effect of the development on neighbouring amenity
- Quality of accommodation proposed
- Effect of the development on parking and the highway
- Effect of the development on flooding
- Other planning issues

Principle of development

8.2 Policy promotes the provision of new housing at a strategic and local level. The London Plan Housing SPG 2016 advises Borough's and developers of the strategic and local aspects and objectives when considering development of gardens and to strike a balance between these and other objectives when seeking to optimise housing provision on a particular site. On back garden development the Mayor of London's Housing Supplementary Planning Guidance March 2016 provides guidance on private garden land development and Strategic Objective 5 of the Croydon Local Plan 2018, which links to Policy DM10, seeks to ensure that high quality new development both integrates, respects and enhances the Borough's natural environment and built heritage.

8.3 The development would create additional residential units that would make a contribution to the Council achieving its housing targets as set out in the London Plan (2016) and the recently adopted Croydon Local Plan 2018.

8.4 In this case the principle of adding a two storey extension to the roof of the building to provide additional self-contained dwellings has been established by the planning permission Ref: 14/02325/P which was issued on appeal by the Planning Inspectorate 14/07/2015.

Density and housing mix of development

Density

8.5 Policy 3.4 of the London Plan states that taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in Table 3.2. Based on the public transport accessibility level (PTAL 6b) and the site's characteristics, the London Plan density matrix suggests a residential density of between 600 and 1100 habitable rooms per hectare.

- 8.6 The residential density of the proposal would be 1052 habitable rooms per hectare which is within the indicative range within the London Plan for a central area.
- 8.7 The Mayor’s Housing SPG, at paragraph 1.3.12, further states that the density ranges should be “*used as a guide and not an absolute rule, so as to also take proper account of other objectives*”. It does not preclude developments with a density above the suggested ranges, but requires that they “*must be tested rigorously*” (para.1.3.14). This will include an examination of factors relating to different aspect of “*liveability*” of a proposal (dwelling mix, design and quality of accommodation), access to services, impact on neighbours, management of communal areas and a scheme’s contribution to ‘*place shaping*’. The impact of massing, scale and character in relation to nearby uses will be particularly important.
- 8.8 The SPG also considers the opportunities and constraints with regards to density on small sites (para.1.3.39). Responding to existing streetscape, massing and design of the surrounding built environment should be given special attention – where existing density is high, for example, higher density can be justified. Paragraph 1.3.40 notes that small sites require little land for internal infrastructure, and as such, it is appropriate for density to reflect this. These factors are all relevant to the development of the application site.
- 8.9 It is considered that the proposed residential development has been designed to deliver new homes within buildings that respond to their local context, taking into account both the physical constraints of the site and its relationship with neighbouring properties and the nearby townscape.
- 8.10 The proposed development does not exceed the London Plan density range. It delivers on London Plan policy by optimising additional housing on an existing residential site in a highly accessible location. The density of the development is therefore considered to be acceptable.

Housing Unit Mix

- 8.11 Policy SP2.7 of the Croydon Local Plan 2018 seeks to secure the provision of family housing and states the Council will seek to ensure that a choice of homes is available in the borough that will address the borough’s need for homes of different sizes. This will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
- 8.12 The unit mix of the development is reproduced below for ease of reference, also produced is the schedule of accommodation from the previously approved scheme:

Accommodation Schedule (Current Application)

Flats	studio	1 bed	2 bed	3 bed	4 bed	Habitable Rooms	Total Flats
Number	1	3	1	1 (duplex)	0	13	6

Accommodation Schedule (Granted under Planning Permission Ref: 14/02325/P)

Flats	studio	1 bed	2 bed	3 bed	4 bed	Habitable Rooms	Total Flats
Number	0	0	1	3 (duplex)	0	14	4

- 8.13 The proposal allows for 17% of 3 bedroom units, 17% of two bedroom units and 16% of 1 bedroom units. Given that the 2 bedroom unit is laid out as 4 person habitation and given the location of the site within the Croydon Opportunity then the proposed proportion of family housing is considered acceptable.
- 8.14 Interestingly, the number of habitable rooms proposed in the current application is actually one less than that approved under the planning permission Ref: 14/02325/P). The proposal would therefore not result in an overdevelopment of the site and would provide an appropriate mix of accommodation to meet a variety of demands across the Borough in accordance with Policy 3.8 of the London Plan.

Effect on the appearance of the site and surrounding area

- 8.15 The proposed extension to provide two additional storeys to the building follows the form and massing of the previously approved scheme (Ref: 14/02325/P). The only main external difference to the extension is that 2 in-set balconies would be formed on the 6th floor. These would face towards Surrey Street and towards Scarbrook Road respectively. Some minor fenestration differences are proposed on the 7th floor – essentially a reduction in the number of doors serving the front terrace area facing Surrey Street and Scarbrook Road – there would be 4 doors instead of 6 doors opening out onto the terrace.
- 8.16 In the appeal decision for ref: 14/02325/P the Planning Inspector stated *'I have determined this appeal on its own merits and do not consider the proposed extension would appear out of scale with the host property or with the wider area, and further consider that the extensions would be of an appropriate design for the building and the wider area. Thus, there would be no change to the contribution played by Surrey House to the character and appearance of the Conservation Area'*. He concluded that *'...the proposed development would preserve the character of the Central Croydon Conservation Area'*. The principle of the extension has been established as acceptable as a result of the appeal decision and the Inspector's considerations. The external differences between that extension and the proposed extension in the current application are considered to be relatively minor. Therefore, the proposed form, massing and appearance of the extension is considered acceptable. The overall appearance of the extension in terms of external materials and screening to the terraces has been agreed in principle through the approval of application Ref: 17/01719/DISC.
- 8.17 Overall, the proposed extension would have an appropriate mass, form, scale and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area, and Central Croydon Conservation Area.

Effect of the development on neighbouring amenity

- 8.18 Again, the proposed extension to provide two additional storeys to the building follows the form and massing of the previously approved scheme (Ref: 14/02325/P).
- 8.19 With regard to the effect of the development on the amenities of the residents of Exchange Court the Planning Inspector considered *'There are residential flats adjoining the appeal site to the west. I viewed the appeal site from one of those flats.'*

It is evident to me that the submitted drawings have taken into account the relationship of the existing flats. The proposed flats are orientated away from the existing flats or would be provided with privacy screens. These matters are sufficient to ensure no mutual overlooking between future and existing occupants. The proposed extension would be clearly visible from the windows of a number of the flats. Based on the written submissions presented to me, and from observations at the site visit, the orientation of the existing flats and the distance between the proposed development and those flats would ensure there is not an unduly oppressive outlook created for existing occupants, nor any loss of light. The Planning Inspector acknowledged that the outlook for existing residents would change as a result of the proposed development. However, he found *'the detailed design and siting of the scheme has sufficiently taken into account the relationship of these properties to ensure that there would not be any material harm to outlook or privacy'*.

He concluded that the proposed development would not be harmful to the living conditions of adjoining occupiers and would not cause unacceptable harm to the amenity of surrounding land and buildings.

- 8.20 As with the previously approved scheme (Ref: 14/02325/P) no windows would directly overlook dwellings in Exchange Court and the rear 6th floor terrace have a 1,8m height privacy screen around it. These matters can be secured by condition to further protect the privacy of residents in Exchange Court. Therefore, the current proposal would not result in any adverse effects on the amenity of adjacent occupiers in terms of loss of light, visual intrusion, or loss of outlook.
- 8.21 The proposed intensification of the use of the site by creating flats would not create significant levels of noise and disturbance such to justify refusal of planning permission. Noise from associated construction works would be inevitable but would be subject to separate environmental legislation. There is also good practice guidance in place with regard to considerate building.

Quality of the accommodation proposed

- 8.22 The proposed development would provide good quality units that would make a positive contribution to the borough's housing stock. All the proposed flats meet recommended minimum floorspace standards set out in both the London Plan (2016) and DCLG's 'Technical Housing Standards: National Described Space Standards'. All the bedrooms meet the minimum floor areas set out in the DCLG's 'Technical Housing Standards: National Described Space Standards' and Policy 3.5 of the London Plan.
- 8.23 The flats would receive reasonable levels of light, outlook and aspect and all would have floor to ceiling heights of 2.3m for at least 75% of the gross internal area (GIA) in line with the requirements of the London Plan (2016). This would meet the requirements of DCLG's 'Technical Housing Standards: National Described Space Standards'.
- 8.24 All of the flats would have access to private amenity spaces in the form of terraces and/or balconies.
- 8.25 Overall, the proposed development is therefore considered to provide a good quality of accommodation to the future occupants.

Effect of the development on parking and the highway

- 8.26 London Plan (2016) policy 6.13 sets out the maximum car parking standard for new developments. Under this policy all developments in areas of good public transport accessibility in all parts of London should aim for significantly less than 1 space per unit. A minimum 1 cycle storage space should be provided for a 1 bedroom flat and 2 spaces for flats with 2 bedrooms or more.
- 8.27 The site is within the Croydon Metropolitan Centre so is highly accessible by public transport. The proposed development would provide 7 off-street parking spaces in the existing basement, which is already in use for this function, and one bay would be compatible with disabled use. The site is within a Controlled Parking Zone and the applicant has provided a Unilateral Undertaking to the Council during the course of the application to restrict future residents of the proposed flats from applying for residential parking permits. A total of 36 cycle storage spaces are proposed on site – this takes into account the number of flats in the building as a whole. Given the mix of flats proposed within the development, the level of parking provision and cycle storage provision is considered to strike the appropriate balance between promoting sustainable modes of transport, whilst providing some car parking space capacity. The provision of the cycle storage can be secured by condition.
- 8.28 The proposed development is not considered to pose a significant risk to highway and pedestrian safety. The proposed garage to serve the existing house would not have any adverse effect on highway safety.
- 8.29 The London Plan (2016) requires new residential development to have 20% active electric car charging provision and 20% passive provision. The installation of an active electric car charging point can be secured by condition.
- 8.30 Several representations have raised concern about traffic and noise and disturbance from associated works. A construction logistics plan could be secured by condition to satisfactorily address this matter. The Council also produces good practice guidance for construction sites and details of it can be passed onto the developer through use of an informative.

Other Planning Issues

- 8.31 The development is required to meet reduction in carbon dioxide emissions targets of 19% beyond the 2013 Building Regulations. This could be secured by condition.
- 8.32 There is existing bin storage within the basement is proposed to accommodate the refuse storage for the new flats and it would have a re-ordered arrangement in order to do so. This would be acceptable.

9.0 Conclusion

- 9.1 The proposed development would provide good quality residential units that would make a positive contribution to the Borough's housing stock. The proposed development is of an appropriate high standard of design and layout that would not cause harm to the appearance of the surrounding area. The development would not cause significant adverse harm to neighbouring properties' living conditions. The

proposed development provides an acceptable level of parking and would not have a significant adverse impact on the efficient operation of the local highway network.

9.2 All other relevant policies and considerations, including equalities, have been taken into account.