

Agenda Item: **6.3**

This is a Major Application for which the 13 week period expires on 18/01/2008.

07/03595/P 19/10/2007 Broad Green

Application for full planning permission

Agent:
The Hards Partnership
Mansfield House
139 Shirley Road
Croydon Surrey
CR0 7LR

Applicant:
Mr M Tucker
72-78 Frith Road
Croydon
Surrey
CR0 1TA

Location: 72-78 Frith Road, Croydon, CR0

Description: Construction of an additional three floors above existing ground floor shop to provide 9 two bedroom and 2 one bedroom flats and provision of associated parking area

Drawing No(s): MT-P-100, 104-106, 120, 121

Recommendation: Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control

Subject to the following condition(s) and reason(s):-

1. Unless otherwise previously agreed by the Local Planning Authority in writing the following shall be provided as specified in the application before any part of the development is occupied and shall be retained for so long as the development remains in existence:-

- (1) parking arrangements
- (2) visibility splays
- (3) refuse store

Reason: To ensure an acceptable standard of development having regard to the Policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

2. No window or glazed door shall be provided in the north-western elevation other than as specified in the application:-

Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Supplementary Planning Guidance Note No.2 on Residential Extensions

3. No works on site shall commence until details of the external facing materials have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with such approved details.
Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
4. The fire escape shall be for use in an emergency only and for no other purpose unless otherwise previously approved in writing by the Local Planning Authority.
Reason: To protect the residential amenities of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
5. No roof area of the building shall be used as a terrace and access shall only be for maintenance and means of escape purposes.
Reason: To protect the amenities of adjoining occupiers.
6. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 7 shall be provided before any part of the development is occupied and shall be retained for so long as the development remains in existence.
Reason: To ensure that an acceptable standard of development is provided and retained having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
7. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to secure cycle parking facilities
Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
8. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.
Reason: To comply with Policy EP16 of the Croydon Replacement Unitary

Development Plan (The Croydon Plan)

9. No development shall take place until the applicant has provided to the Local Planning Authority for approval a design stage report, verified by a Code for Sustainable Homes assessor, confirming that the design will achieve Code for Sustainable Homes Level 4. The approved scheme shall then be provided in accordance with these details. Prior to the first occupation of the development, the developer will provide a report and certification, confirming that Code for Sustainable Homes Level 4 has been achieved in construction.

Reason: To accord with Policies UD1-3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

10. The development shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

- . The relevant policies of the Croydon Replacement Unitary Development Plan(the Croydon Plan) are UD1, UD2, UD3, UD6-UD8; UD13-15, UC3, H2, H5, SP14, T8, T14, T30 and Planning Guidance Note No. 1 Planning Obligations.

The development is considered to be satisfactory in relation to the following:-

- . (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) the safety and security of buildings and the spaces around them
- (i) accessibility to buildings
- (j) the housing policies of the development plan
- (k) sustainability issues

and having regard to all other matters raised.

Ward: Broad Green
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
10th January 2008

Application Number: 07/03595/P – 72-78 Frith Road

1. SUMMARY

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- 1.1 Full application for:
Construction of an additional three floors above existing ground floor shop to provide 9 two bedroom and 2 one bedroom flats and provision of associated parking area.

2. RECOMMENDATION

- 2.1 Grant planning permission subject to the conditions and reasons set out in the agenda and the prior conclusion of a legal agreement to secure:
- £5,150 - Open Space
 - £6,830 - Health services
 - £200 - Public libraries (Central Croydon)
 - £11,900 - Sustainable Transport (Bus, tram, pedestrian and cycle: £7,700 and Capacity Enhancements to West Croydon Station: £4,200)
 - £4,927 - Vision 2020/ Public Realm
 - £1,660 - Education

3. BACKGROUND

- 3.1 Site Description
- 'L' shaped single storey building with a parking area located on the north side of Frith Road.
 - The site is in use as a butchers shop.
 - Site area measures 0.06 hectares.
- 3.2 Surrounding Area
- Uses – mixed commercial and residential
 - To the north of the site is a terrace of two-storey residential properties.
 - To the west is a 3 storey building used for business purposes.
 - To the south is a single storey building reached via the undercroft of a 3/4 storey building with residential to the upper floors and commercial use at ground floor.
 - To the east (opposite on Frith Road) is three/four storey building development used for a variety of retail and business uses.

(b) Relevant Planning History

- 3.4 05/04224/P – Planning permission refused and appeal dismissed for the construction of an additional two floors above existing ground floor shop to provide 8 two bedroom flats and provision of associated parking area.
Reasons:
- overdevelopment of the site out of keeping with the character of the area;
 - detrimental to the reasonable development potential of adjoining land;

- detrimental to the amenities of the occupiers of adjoining property by reason of its size and siting resulting in loss of light, privacy and visual intrusion;
- unsatisfactory layout by reason of overlooking from the communal amenity deck into adjoining flats;
- development would not provide satisfactory visibility splays and would be prejudicial to highway safety;
- development would be detrimental to the visual amenity of the street scene by reason of its design and appearance

07/00180/P – Planning permission granted for the construction of an additional two floors above existing ground floor shop to provide 8 two bedroom flats and provision of associated parking area. This permission remains extant.

(c) **Proposal**

3.5 The proposal comprises:

- Construction of an additional three floors above the existing ground floor butchers shop, the top floor would be set in from the front elevation.
- 4 x 2 bedroom flats would be provided on each of the first and second floors 1 x 2 bedroom and 2 x 1 bedroom flats to be provided in the recessed top floor.
- On the north-western side of the property, the front building line would be brought forward so that it is generally the same as the adjacent residential terrace.
- A covered car parking area would be provided adjacent to the north-western boundary of the site.
- Windows in the flank elevation nearer no. 70 Frith Road have been chamfered towards the rear of the site.

The proposal would be the same on ground, first and second floor levels to that approved in March 2007. The current proposal includes an additional floor at third floor to accommodate an additional 3 flats.

4. PLANNING POLICIES

- The Croydon Replacement Unitary Development Plan (the Croydon Plan) UD1, UD2, UD3, UD6-UD8; UD13-15, UC3, H2, H5, SP14, T8, T14 and T30.
- Planning Guidance Note No. 1 on Planning Obligations

5. CONSULTATIONS

- 5.1 Advertised: Press as a major application. Site Notice.
- The occupiers of 95 adjoining and nearby properties have been notified. No objections have been received.

6. CONSIDERATIONS

Principle of Development

- 6.1 The site is located within Croydon however is not within a designated shopping parade. There are no specific shopping area policy restrictions affecting the site. The development would retain the butchers at ground floor, whilst the use of the upper floors as residential is acceptable and in accordance with policy.
- 6.2 Density is proposed at 516 habitable rooms per hectare. The site is smaller than 0.25 hectares for which policy states acceptable density ranges.
- 6.3 The site is located within an area deficient in Local Open Space and a £5,150 contribution has been agreed with the applicant. The contribution will be used to cover the cost of necessary capacity enhancements in nearby public open space areas to cope with the additional users. £4,927 towards Vision 2020/Public Realm has been agreed.
- 6.4 Contributions towards Health (£6,830) and additional book stock at Central Croydon Library (£200) have also been sought. Contributions towards education (£1,660) towards capacity enhancements to primary schools in the local area. The applicant has confirmed that they would be willing to offer the above contributions.

Townscape issues

- 6.5 Policy SP3 of the Croydon Plan states that the “Council will require a high standard of design in all development, ensuring that it complements nearby buildings and activities, and that it protects and enhances the borough’s environment”.
- 6.6 The approved scheme follows on from the Inspectors comments which the applicant has satisfactorily addressed in the planning application granted permission in March 2007. The Inspector in his decision noted ‘The appearance of the proposed development would be compatible with the existing

and emerging frontage retail development in Frith Road and would do much to overcome the rather incongruous industrial appearance of the existing buildings on the site, without harming the functionality of their internal layout'. He considered that the proposal would be no more harmful to the setting of the terrace of houses than the present surroundings; the terrace would continue to exert its influence on the street scene as a substantial length of built form in its own right'. He concluded that the development would have a beneficial effect on the character and appearance of the area. The scale and design was copied into the approved scheme which the Inspector considered appropriate in this location. The Inspector noted that there was no evidence to support the assertion that the development would have a detrimental effect on the reasonable development potential of the adjoining land.

- 6.7 The current proposal copies the ground, first and second floors as approved, however proposes a third floor set in from the front elevation by 2m-3.2m, and 8m from the rear. The adjoining recently completed building adjoining to the south on Frith Road comprises a fourth storey, set in from the front elevation, which the proposal replicates. Therefore the proposal would preserve the character and appearance of the area.

The impact on the amenities of the adjoining occupiers.

- 6.8 The approved scheme omitted a 1.8m high wall and amenity deck at first floor level on the boundary with number 70 Frith Road, which the Inspector considered would have an enclosing effect on this neighbour; enclosing the rear of the house itself and leading to a loss of sunlight in the garden during the morning and perhaps into the afternoon especially outside the midsummer months. He concluded that the building would significantly adversely affect the sunlight and daylight received by these residents as a result of the 1.8m increase in height on the boundary. This element is not incorporated in the current scheme, copying that approved in March 2007. To ensure this area would not be used as an amenity area and only as a fire escape walkway in case of fire; a condition would be imposed to secure this.
- 6.9 The Inspector found that there would be no undue overlooking from the first and second floor windows nearer the frontage, and considered the adjoining gardens would be sufficiently distant and protected by intervening screen boundaries so that no undue loss of privacy would occur. The windows towards the rear of the site in the side elevation are indicated to be splayed to lookout towards the rear of the site, as such would not result in undue overlooking to the neighbouring gardens, copied from the approved scheme.
- 6.10 The third floor proposed would follow the fenestration details in the side elevation nearer number 70 Frith Road to that on the lower levels. As such, there would be no undue overlooking over and above that considered acceptable by the Inspector and granted permission in March 2007. There are no windows in the side elevation of the neighbouring building recently

completed and therefore the proposal would not have a detrimental impact on the amenities of these occupiers.

The amenities of future occupiers of the development

- 6.11 The proposal would involve the creation of new build flats which would have internal floor areas which exceeds 45sq.m for one bedroom flats and 55sq.m for two bedroom flats which is acceptable. All the flats would have adequate outlook, sun and daylight to all habitable rooms.

Highways and Parking Issues

- 6.12 The subject site is in an area with a PTAL accessibility rating of 6b, therefore very highly accessibility to public transport links. The existing parking for the servicing of the retail space is to remain while no vehicular parking is proposed for the residential aspect of the proposal. However, due to the high PTAL rating of this site, this is considered acceptable.
- 6.13 Cycle storage is proposed at one space per flat. This is in accordance with Policy T14 of the Plan. However, the exact location of the cycle stands is not shown on the application plans. Each bicycle requires a minimum area of 2m x 0.5m plus 0.5m manoeuvring space. Sheffield style stands are recommended and further details would be required.
- 6.14 It has been demonstrated that the necessary pedestrian visibility splays are achievable from the access to the retail parking space. The applicant has provided pedestrian visibility splays measuring 2.0m x 2.0m which is acceptable. The visibility splay should be maintained behind the back of the footway on both sides of the vehicular access, with no obstruction above the height of 0.6m. It is noted that the access is existing and the level of vehicle usage will remain the same as presently exists. However, with the intensification of pedestrian use to the site and the location of the pedestrian access immediately adjacent to the car park access, it is considered that these should be provided.
- 6.15 Policy T8 and Planning Guidance Note 1 also recommend contributions towards sustainable transport for residential developments of more than 10 units. £11,900 has been agreed. This would be split between bus, tram, pedestrian and cycle improvements (£7,700) and Capacity Enhancements to West Croydon Station (£4,200).

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 Brownfield development is proposed which is acceptable. A condition requiring Code for Sustainable Homes Level 4 Certification and the development being built to this standard is recommended.

7.2 A condition requiring an Environmental Performance Statement is recommended.

8. EQUALITIES CONSIDERATIONS

8.1 Level Access would be secured by Building Regulations

Background Documents:

Case Officer:

Johanna de Villiers

Contact Officer:

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