

**SECTION '6' – Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No : 10/00564/FULL1**

**Ward:  
Crystal Palace**

**Address : 9A Crystal Palace Park Road Sydenham  
London SE26 6EG**

**OS Grid Ref: E: 534854 N: 170735**

**Applicant : Mrs S L Olajoyegbe**

**Objections : YES**

**Description of Development:**

Elevational alterations to provide new door at rear

Key designations:

Conservation Area: Crystal Palace Park  
Locally Listed Building

**Proposal**

- This application was deferred by Members of Plans Sub Committee 2 on 20th May 2010 in order to give the applicant the chance to re-assess the need for the decking proposed in the original application.
- It was confirmed by the applicant by way of letter and revised plan that the decking is to be removed from the proposal, and that the only element of the scheme to be considered should be the insertion of a door in place of an existing window.
- The proposed development seeks to insert a new door into the flank elevation of the host building in the place of a central panel of an existing bay window.
- The application has been called in to Committee by a Councillor.

**Location**

The property is located on the western side of Crystal Palace Park Road, within the Crystal Palace Park Conservation Area.

The host property provides accommodation for 4 separate units and is a locally listed building.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and the representations received can be summarised as follows:

- All 4 flats share the freehold of the property, therefore Flat A can't carry out any alterations unless they have approval from the other freeholders;
- If the works were carried out before consent is granted from the other freeholders this would be a breach of contract;
- The property is located within a conservation area – the proposal to replace the central panel of the bay window with a door, and include a raised timber deck, would detract from the character and appearance of the building;
- The proposal will not be in line with other properties in the area, except for Flat 7A which has carried out similar works but without planning permission.

Full copies of all correspondence can be viewed on the file and any further comments received will be reported verbally at the meeting.

### **Comments from Consultees**

No responses have been received.

### **Planning Considerations**

The proposal falls to be considered under Policies BE1, BE11 and H8 of the Unitary Development Plan.

### **Planning History**

There does not appear to be any relevant planning history at the site.

### **Conclusions**

The main issue regarding the application is the impact that the proposed elevation alterations, removing the central panel of the existing bay window and replacing it with a door, will have upon the character and appearance of the host property especially considering that the property is located within the Crystal Palace Park Conservation Area.

Planning permission is sought for the insertion of a door in the central panel of an existing bay window in order to provide direct access from Flat 9A into the garden. Objection has been raised from the resident of another flat at Number 9, citing that permission must be granted from the other freeholders of the property prior to any works being carried out, and failure to obtain this approval could result in legal action being taken against the applicants. However, this issue is in fact a private matter between the freeholders of the property as opposed to something which can be taken

into account as part of the planning merits of the scheme and therefore should not be assessed as part of the determination of the planning application.

However the issue raised by the local resident which is considered to be a planning matter is the comment made that the proposed development would be out of keeping with other properties in the area. It may be considered that whilst there is no other similar development that benefits from planning permission in close proximity to the application property, despite similar development being visible at Number 7 Crystal Palace Park Road, this does not mean that the proposal should necessarily be considered as unacceptable. The footprint of the bay window is not going to be altered, therefore it may be considered that the proposal, replacing a window pane with a door, is not excessive in nature and will not significantly alter the appearance or character of the host property.

As such, Members may be considered that the proposed development is unlikely to impact detrimentally upon the character and appearance of the host property, and is actually considered to preserve the character of the conservation area, therefore being worthy of planning permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00564, excluding exempt information.

#### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC07  | Materials as set out in application      |
|   | ACC07R | Reason C07                               |

#### **Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development  
BE11 Conservation Areas  
H8 Residential Extensions

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

- (a) the appearance of the development in the street scene;
- (b) the spatial standards of the area;
- (c) the appearance of the development in relation to the character of the conservation area;

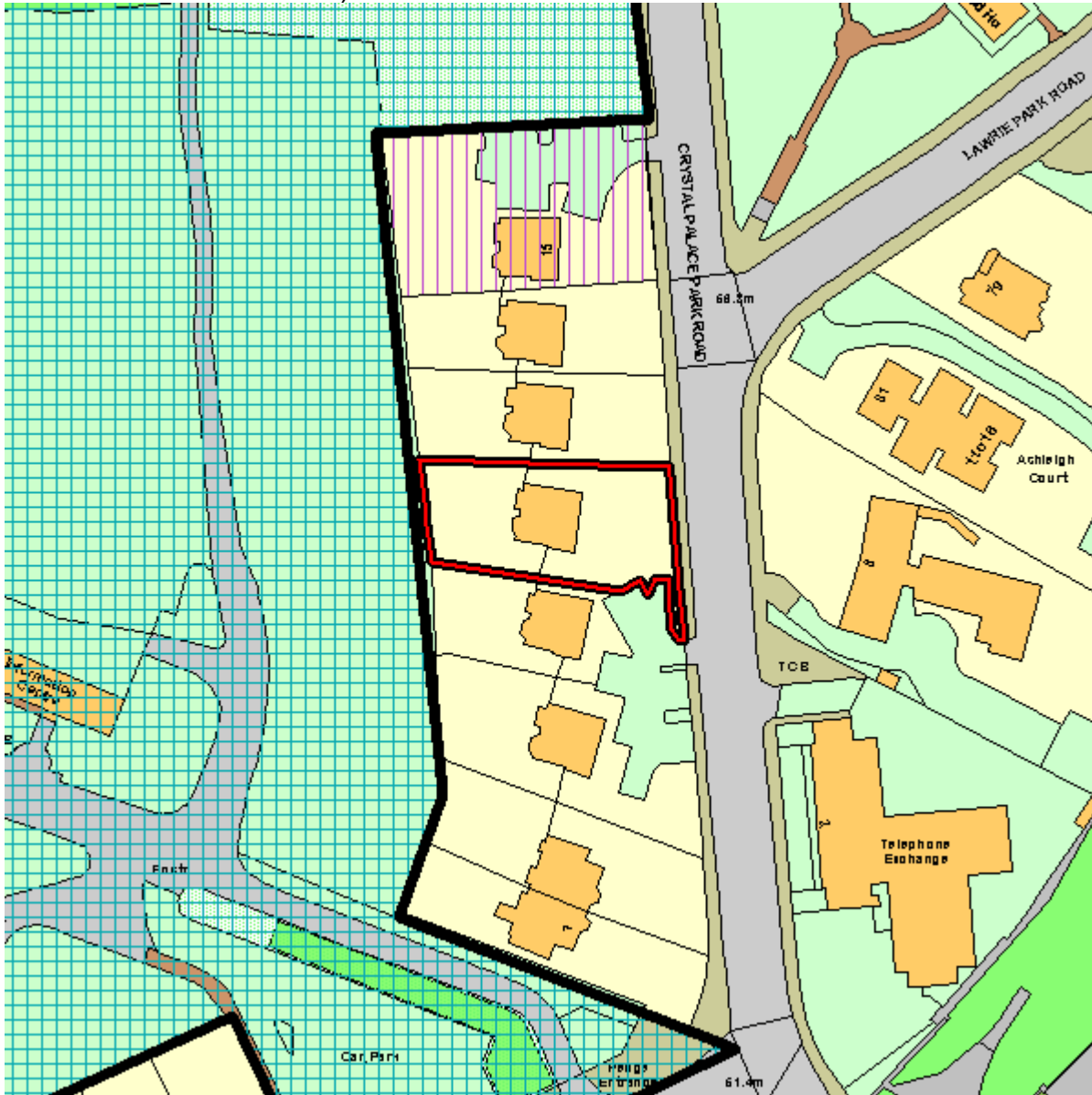
- (d) the relationship of the development to the adjacent properties;
- (e) the character of development in the surrounding area;
- (f) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (g) the light and outlook of occupiers of adjacent and nearby properties;
- (h) the privacy of occupiers of adjacent and nearby properties;
- (i) the housing policies of the development plan;
- (j) the conservation policies of the development plan;
- (k) and having regard to all other matters raised including concerns from neighbours.

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(AMENDED DESCRIPTION AND ADDITIONAL INFORMATION RECEIVED)



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