

**PART 6: Planning Applications for Decision**

**Item 6.4**

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**1 APPLICATION DETAILS**

Ref: 16/01726/P  
Location: 6A High street, London SE25 6EP  
Ward: South Norwood  
Description: Alterations ; Continued use as 1 two bedroom flat on first floor and 1 Studio flat on second floor ; Retention of rear external stairs and rear safety fence/railings at first floor level (Amended Description)  
Drawing Nos: EFP/1656-1 Revision 11/08/2016 ; EFP/1656-2  
Applicant: Mr Wellesley-Cole  
Case Officer: Dean Gibson

- 1.1 The application is being reported to Committee because the North Croydon Conservation Area Advisory Panel has objected to the application and met the terms of referral as set out within Committee Consideration criteria.

**2 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

- The proposal would be in the context of the presumption in favour of sustainable development set out in the National Planning Policy Framework, including the encouragement of re-using land that is previously developed.
- The proposal would accord with the housing and design policies of the London Plan, the Croydon Local Plan, and the Croydon Plan Saved Policies.
- The proposal would bring forward development on an existing residential site.
- The proposed dwellings would provide much needed housing in the borough and would complement the siting, layout and appearance of other residential development within the site, the conservation area and the locality.
- The proposed dwellings would maintain the amenity of adjoining residential occupiers and the accommodation would meet housing layout standards.
- The proposal would promote sustainable development through its design.
- The proposed dwellings would be in a location that is accessible by public transport.

**3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission :
- 3.2 That the Director of Planning & Strategic Transport is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

## **Conditions**

- 1) Use of matching materials.
- 2) Development to be carried out in accordance with the approved plans.
- 3) Development to be commenced within three years.
- 4) Any other planning condition(s) considered necessary by the Director of Planning & Building Control

## **Informatives**

- 1) Removal of sites notices
- 2) Any other required

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 Full planning permission is sought for :

Alterations ; Continued use as 1 two bedroom flat on first floor and 1 Studio flat on second floor ; Retention of rear external stairs and rear safety fence/railings at first floor level (Amended Description).

The application seeks to obtain retrospective planning permission for the retention of the flats and amenity areas. It also seeks retention of the rear external stairs and rear safety fence/railings at first floor level with some alterations to it.

### **Site and Surroundings**

- 4.2 The building is a two storey mid-terrace building with accommodation in the roofspace. The ground floor is a retail unit and the upper floors comprise of a two bedroom flat at first floor and a studio flat in the roof space. The building has a two storey rear wing which extends 5.70m in depth. The flats are accessed from the rear of the building via a service road which runs behind 7 to 10 High Street and which is entered from St. Dunstan's Road to the north-east of the site. There is a flight of stone steps with metal handrail leading up to the first floor and it has metal safety rails to its hardstanding area. There is a flight of timber steps leading up to the second floor and it has a timber decked area. It also has a detachable rain canopy tent on it.
- 4.5 The site is within a Controlled Parking Zone and is approximately 200m from South Norwood District centre and 500m from Norwood Junction railway station. The site has a Transport for London Public Transport Accessibility Rating of 5.

### **Planning History**

- 4.6 On 10 September 2007 an Enforcement case Ref: 07/1065/C was opened regarding the formation of a flat in the roofspace of the property and erection of a roof terrace and wooden staircase access. The investigation found a breach of planning control had occurred.
- 4.7 On 31 October 2007 a Planning application Ref: 07/04362/P was received for the use of first and second floors as 2 flats and retention of rear balcony and staircase.

No decision was issued on the planning application. The application was non-determined 19 December 2008.

4.8 On 9 October 2009 an Enforcement Notice was served and took effect 20 November 2009 and it required the following actions to be undertaken within 6 months of 20 November 2009 :

1. Cease the use of the second floor as a self-contained flat.
2. Remove the timber stairs from the flank wall at first floor level and make good.
3. Remove the fencing above the front door of 6a on the flat roof and make good.
4. Remove the external entrance door to flat 6B and re-instate the roof and windows.
5. Re-instate the internal stairs from the first to second floor.
6. Remove the kitchen facilities from the second floor.
7. Remove all associated debris from the site.

4.9 On 11 September 2009 a planning application Ref: 09/03258/P was received for use of first and second floors as 2 flats and retention of rear balcony and staircase. The application was refused 14 January 2010.

The reasons for refusal were :

1. The proposed development would not preserve or enhance the character or appearance of the Conservation Area.
2. The development would result in sub-standard accommodation by reason of inadequate floor areas and unsatisfactory outlook.
3. The proposed access to the flats would not be attractive, safe, convenient and appropriate to the development.

## **5 CONSULTATION RESPONSE**

5.1 The views of the Planning & Building Control Directorate are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

## **6 LOCAL REPRESENTATION**

6.1 The application has been publicised by the erection of site notices and press notices. The number of representations received from neighbours and local groups in response to the publicity of the application were as follows:

No of individual responses: 1 Objecting:

6.2 The following summarised issues were raised in representations received on the initial plans and amended plans, that are material to the determination of the application, and they are addressed in the next section of this report:

### **Objection (From North Croydon Conservation Area Advisory Panel)**

- a) Sub-standard accommodation
- b) Poor outlook
- c) Poor light / ventilation
- d) Poor access
- e) No details of bin / cycle storage

f) No amenity space for residents

## **7 MATERIAL PLANNING CONSIDERATIONS**

7.1 The main planning issues raised by the application that the committee must consider are:

- The retention of the second floor flat and external amenity area and access to it.

7.2 The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development.

7.3 The Policies 3.5 of the London Plan, SP2.1 and SP2.2 of Croydon Local Plan Strategic Policies, and H2 of the Croydon Plan apply a presumption in favour of new residential development where it meets other applicable policies and where it respects the character and amenity of adjoining residential areas.

7.4 Flats above shops are common to the High Street and there is no objection to the use of upper floors for residential accommodation.

7.5 The second floor flat and its associated external amenity area was subject of an Enforcement Notice served in October 2009 which principally required the cessation of the second floor as a self-contained flat and the removal of the access to it. A planning application seeking to retain the development was also refused in January 2010.

7.6 The development has remained in place and in occupation since the issue of the Enforcement Notice in 2009. While the Council does not condone the non-compliance with the Enforcement Notice no further complaints with regard to the development have been received by the Council and no objections to the current application have been received from any adjacent or nearby residential or commercial occupiers. Therefore, given the development has been in place since at least September 2007 the use of the second floor as self-contained accommodation is well established, as is the associated external amenity space and access to the flat and their fixtures and fittings.

7.7 The existing first floor flat has two bedrooms and a gross internal floor area of 63m<sup>2</sup>. It meets the Housing standards minimum floor space requirement for a two bedroom/three person flat. The habitable rooms all have acceptable outlooks. The timber staircase leading up to the second floor is set away from the living room window of the flat so does not adversely impede its access. There is also a hardstanding terrace in front of the flat which acts as an informal amenity area for the flat.

7.8 The existing second floor flat (laid out as a one bedroom/one person flat) has a floor area of 41m<sup>2</sup>. This meets the Housing standards minimum floor space requirement for a one bedroom/one person flat. The habitable rooms all have acceptable outlooks. Some of the floor area of the flat has restricted head height, due to the slope of the roof, but nevertheless the overall accommodation is acceptable. There is also a timber decked terrace in front of the flat which acts as an informal amenity area for the flat. The canopy structure on it is demountable.

- 7.9 The access to the flats is from the service road behind 7 to 10 High Street and accessed from St. Dunstan's Road. Given this access has been in use since at least September 2007 its use is well established.
- 7.10 The external fittings associated to the development, such as the terrace area and the timber staircase and railing, are also well established. It is proposed to replace the timber safety railings with steel railings to match the surrounding properties. This would be acceptable. The rear of the terrace running from 1 to 10 High Street has no uniformity to it and the rear of the application, being mid-terrace is not visible from the public highway of High Street. Therefore, it has no detrimental effect on the visual amenity of the general area and the conservation area.
- 7.11 The use of the roof the area directly in front of the second floor flat as an external amenity area is acceptable given it has been in use since at least September 2007 and so its use is well established. There is at least 20m distance to the nearest residential property to the north on St. Dunstan's Road and 35m distance to the nearest residential property to the north-west on Oliver Grove.
- 7.12 There are existing refuse storage arrangements in place for the flats.
- 7.13 No cycle storage is provided on the site and none could be practically provided as it would involve carrying a bicycle up steps.

### **Conclusion**

- 7.14 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out at the beginning of this report in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS. The details of the decision are set out in the RECOMMENDATION.