

22nd June 2023 Planning Committee Addendum

Item 6.1 23/00155/FUL – 198 Harrington Road, South Norwood

Representations

Since the publication of the committee report, a further representation/objection has been received. The concerns of the objector are summarised below:

- Encroachment on privacy and increase security concerns to residents in rear providing access.
- New access way cause highway safety issues.
- Increase in congestion and loss of on street parking.
- Loss of view of the park. Loss of light.
- Light and noise pollution.
- Impact on child minding services at no.200.
- Impact on environment/biodiversity.

The above concerns have been addressed in the committee report and addendum.

Conditions

The application includes demolition works as part of this proposal and, as such, if the Planning Committee are minded to grant planning permission, it is recommended that the condition be amended to secure a Demolition Management Plan as well as Construction Management Plan.

With regards to recommended Condition 8 which relates to the submission of external materials/samples and 1:5 detailed elevations, if the Planning Committee are minded to grant planning permission, officer's recommend that detailed sections are secured via condition, which should include drainage arrangements. Furthermore, if the Planning Committee are minded to grant planning permission, further details are recommended to be secured in regards to the flank elevation of no.196 Harrington Road (preferably at a scale of 1:5), showing the elevational treatment and roof of exposed side wall following demolition of no.198 Harrington Road.

Under the Transport section of the Officers Report, it should be noted that separate approval from the Highways Authority would be need for the crossover works to be carried out, which would include consideration of the existing street tree. Given the importance of securing safe access that considers the impact on the tree, it is recommended that a Grampian condition is secured preventing any works from being undertaken until the necessary Highways Agreements are in place.

Objection Comments

The following clarifications supersede previous comments in regards to objections:

With regards to the impact that the development on the existing child minding business in Harrington Road, it is possible that this is operating as an ancillary use to the main use as a dwelling. A number of conditions have been recommended that would help mitigate the impact of the development against the child minding use by securing construction mitigation measures and preventing overlooking, as far as reasonably possible, via planning conditions. , The impact is also mitigated against by other primary legislation. Once the development is complete, the Council do not consider that the resulting seven dwellings would impact the operation of child minders to such an extent to justify the refusal of planning permission.

With regards to the loss of view, there is no right to a view for existing neighbouring properties and the impact in terms of visual amenity and living conditions are considered in the Officer's Report and are considered to be acceptable.

With regards to the impact on wellbeing, the Council consider that the development would not result in an unacceptable impact on living conditions and the construction impacts, which will be mitigated against through existing primary legislation and the use of planning conditions, as far as reasonable.

Officer Report

With regards to Paragraph 8.8 of the Officer's Report, the following line:

"This is not a material planning consideration and would be a civil matter that would needed to be addressed by the developer"

Is hereby superseded by the following:

"Given the characteristics of the site and the development, it is considered that the neighbouring property structural stability is sufficiently safeguarded by other legislation, such as building regulations and Party Wall Act. Placing further restrictions and controls would be unreasonable."

Item 6.2 21/04380/FUL – 15 & R/O 17 Wattendon Road, Kenley, CR8 5LW

This item has been withdrawn from the agenda.

Item 6.3 22/04309/FUL – 32-44 Keeley Road And 31-57 Drummond Road

Representations

Two additional representations have been received since the publication of the Officer Report.

Email from representative of the owners of Keeley House

This included a copy of the objection letter already received and summarised in the Officer Report. The following additional matters were raised:

- They have sent a pre-application consultation request to the GLA, with a view to comprehensive redevelopment of the site.
- Limited meetings have taken place with Barratt London (the applicant).
- Raise the importance of ensuring a proper redevelopment of the whole site is secured.

All of these matters are suitably covered in paragraphs 8.137 and 8.138 within the Officer Report.

Email from developer

The developer has sent Committee Members, Ward Councillors and the Croydon Mayor a statement of proposals. The document covers the background, proposals and public benefits of the scheme. All of these matters are covered within the Officer Report.

Report amendments

A number of dimensions given as separation distances between windows were calculated from the middle pane of the window as opposed to the outer edge. For clarity, the dimensions are clarified below from the external panes of windows on either side (so a marginally reduced figure). This does not change the officer recommendation but is important to ensure members have accurate information before them when making the decision.

Paragraph 8.110 is amended to read:

Flats 4 and 10 have the same layout, with the living room and bedroom/study room facing towards Block A. The distance from Block A and angle of orientation from Block B would mean that any overlooking would be from an oblique or far distance to such an extent that it would not result in harmful overlooking, especially above and beyond the existing arrangement. There is a bedroom window within each of these flats that faces towards the application site with a separation distance of between approximately **7.25m** (to edge of balcony) to **8.75m** (to the inset areas). This distance is very similar to the existing situation of approximately 8.9m and the existing building also has balconies facing Keeley House. Given the existing situation, the fact these flats are dual aspect with habitable rooms facing Block A which has a greater separation and the rooms facing Block B are bedrooms whereby the main use is for sleeping the relationship is considered, on balance, to be acceptable

Paragraph 8.111 is amended to read:

Flats 2 and 8 have all rooms facing towards Block B at a distance of **13.85m**, which is only **1.15m** less than the existing arrangement. Given this and the built up nature of the area, where a certain level of overlooking and intrusion is not uncommon, no

significant additional harm to the occupier's amenities beyond that which currently exists on site from the existing building is envisaged.

Paragraph 8.79 is amended to read:

The closest distance between habitable windows on Blocks A and B is approximately **8.4m** with the majority of units separated by **10m**. Whilst these distances are relatively limited, the units that are subject to this proximity have other windows within the units that are not directly overlooked. On this basis the relationship, in terms of outlook and privacy between the units in Tower A and B is, on balance, considered acceptable.

Paragraph 8.82 is amended to read:

Proposed units B.01.02 and B.02.02 are located on the 1st and 2nd floor by the blank part of the Keeley House elevation. They are sited at a distance of approximately **3.5m** and there are no neighbouring windows in direct alignment. These units are dual aspect with the living rooms fronting Keeley Road, on that basis the outlook and privacy of these units is acceptable. It is worth noting there are existing flats (albeit currently unoccupied) within existing building that have a similar relationship.

Figures 60 and 61 amended to read:

*Figures 60 and 61: existing with 4.7m separation (left) and proposed (right) **3.5m** separation distances between Block B and Keeley House*

Paragraph 8.83 is amended to read:

The closest window relationship between Block B and Keeley House is at the middle part of the Keeley House elevation. The current separation is 8.9m with a balcony attached beyond this. As the most directly aligned windows in the proposed scheme are set back in this position the proposed distance, window to window is **8.75m**, with a balcony beyond. On that basis the relationship is very similar. Whilst the separation distance is not ideal, given the existing relationship and the built up town centre context (where a certain level of mutual overlooking is not uncommon) it is not considered to be so harmful as to warrant a refusal reason.

Figures 64 and 65 amended to read:

*Figures 64 and 65: existing 8.9m separation (left) and proposed (right) **8.75m** separation distances between Block B and Keeley House*

Paragraph 8.84 is amended to read:

The widest area between the Block B and Keeley House would be **13.85m** (a decrease in **just over** 1m from the current separation). There would be a number of habitable room windows facing each other at this distance, however, given the existing relationship this separation would still provide adequate levels of privacy and outlook for future occupiers, especially given the built up town centre context.

Figures 66 and 67 amended to read:

*Figures 66 and 67: existing 15m separation (left) and proposed (right) **13.85m** separation distances between Block B and Keeley House*

Further to dialogue with LBC Transport Officers, 8.144 is amended to read:

The basement would have a signal-controlled system to allow for the safe transit of vehicles. The gates have been pushed back to 5m from the footway to allow for cars to pull in and not wait on the road. This is welcomed and is a more desirable outcome than waiting on Keeley Road. LBC Transport Officers **raise concern** that the ramp would not be 90 degrees to Keeley Road and have recommended that the access is re-aligned. However, the access to the basement is not being altered in the proposed scheme. Given further examination of the existing condition and the orientation of the building, it is considered in this instance, a grounds for refusal would not be substantiated and the departure from this requirement would be acceptable given the access and egress arrangement identified on drawing 21-082-T-011-A.

It has been **raised as a concern** by LBC Transport Officers that two cars may find passing each other difficult and that there is a pinch point at the bottom of the ramp, where the width is 2.4m. The minimum distance is 2.6m for two cars to pass together. This is acknowledged, however given the small number of cars operating in the basement, it is considered unlikely that this situation would arise frequently. Although the arrangement and constrained space is not ideal, **a grounds for refusal would not be substantiated.**

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