

PART 6: Planning Applications for Decision

Item 6.1

1 SUMMARY OF APPLICATION DETAILS

Ref: 21/00493/FUL
 Location: Morris House, 2 Bensham Lane, Croydon, CR0 2RQ
 Ward: Broad Green
 Description: Demolition of the existing buildings and erection of 11 storey building to provide 60 new homes, commercial floorspace (Use Classes E(g) (ii) and (iii), F1, F2), and associated landscaping, access, car and cycle parking
 Drawing Nos: See Appendix 1
 Applicant/Agent: The Oakwood Group
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed
Existing	0	0	0
Proposed flats (Private)	12 (2 person)	5 (3/4 person)	12 (5/6 person)
Proposed flats (London Affordable Rent)	3	13	2
Proposed flats (shared ownership)	6	7	0
Totals	21	25	14

Type of floorspace	Existing Floorspace	Proposed Floorspace	Net gain/loss
Residential	0sqm	500sqm	500sqm
Commercial	1,059sqm	347sqm	-712sqm
Number of car parking spaces		Number of cycle parking spaces	
4 (3 blue badge and 1 car club)		120	

1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received.

2 BACKGROUND

2.1 An earlier iteration of this proposal was presented to the Place Review Panel (PRP) in October 2020. The main issues raised by the Panel were:

- The Panel generally gave some support for the scheme which at the time was presented as seeking to provide 100% affordable accommodation. However they noted there is a risk of creating a social housing enclave,

potential to provide some different tenures in order to create mixed and balance communities.

- The Panel advocate the simplification of the massing and volumes and encouraged the applicant to focus more on the ground floor condition and public realm. Not satisfied with the approach to parking, public realm and communal amenity. The location of the refuse store and parking could have a negative impact on the street scene. The development should be designed around the public realm, rather than the other way around. The current plan form fragments the landscape and public realm into small, unusable pockets. These spaces feel leftover and would be poor quality.
- There could be greater modulation of height, particularly at the Western corner. The Southern corner could be reinforced with additional height, the North- Eastern edge becoming lower to give a more sensitive transition to the 2 storey housing. The prominent corner should be the focal point of the scheme. The proposal should celebrate the residential entrance. The Panel noted that introducing a second core would give greater flexibility in terms of volume and height. The internal layout creates long corridors which do not have a lot of natural light.
- The applicant should test an option where the scheme reinforces the building line to Bensham Lane, rather than aligning with the Southern Boundary. A consolidated communal amenity space could then be formed to the south of the building. Parking could either be provided to the side of the building or along Bensham Lane.
- The applicant needs to have a clearer idea of what uses will occupy the ground floor. B1c, B2, B8 and D1 are not interchangeable and the use should be defined before the design is developed further. It offers no proper servicing access and no yard space. The glazed curtain wall treatment would not be appropriate for certain uses. Concerned at the division into 2 commercial spaces. The rear commercial space doesn't work well as it has little street presence or legibility.
- Concerns at the overall amount of amenity space and its usability; that the amenity space at high level is broken down into several smaller terraces. Given there will be up to 50 children in this development, the Applicant should seriously consider how high quality play can be incorporated at ground floor level.
- The applicants should engage with the neighbours to the South to see if there is any opportunity to develop a strategy for shared public spaces between the two developments
- The Panel stated that the internal layout creates long corridors which do not have a lot of natural light. Angled balcony on the North-East corner on Floors 1-3 are quite deep and may affect the quality of light to adjoining units.

2.2 An earlier iteration of this proposal was presented to the Planning Committee at pre-application stage on 17th December 2020 (19/05846/PRE). The main issues raised were as follows:

Use:

- The members expressed concern over the use of the commercial element on the ground floor being empty. The applicants informed that they would provide a flexible use ie: commercial/community space.
- Members supported the commercial/community use and the rationale for it, particularly in support for a nursery provision and how the open space provide for young people. Comments were made around support for the existing commercial premises

Height:

- Mixed views by Members on the height and place specific policy, some Members expressed support on the increased height against the policy due to the affordable housing offer, other Members expressed their concern about the height and that policy should be adhered to in regardless to the affordable offer as it was not justified. There were comments relating to the extent of which the Place Review Panel had an independent role in taking a view on the height which would be different to the policy context outlined in the Councils local plan.

Design:

- Members raised concern about the design having a top, middle and bottom expression working in particular with regards to the balconies.

Materials:

- Members expressed concerns regarding the materials and how they might appear during different times of the year such as on a winter day.

Shade:

- Members raised issue around the shading effect of the building.

External areas:

- Open space and play provision within the scheme was discussed and Members focused on the affordable element. To explore the play and communal space design further and whether it was publicly accessible. There was concerns from Members for the concept of a pocket park at the front of the building, the execution of it and the design, and also accommodating provision for disabled parking spaces.
- There were concerns made around the other public spaces around the building beyond the play space and how the public realm works at the ground and on place making objectives. Comments were made regarding the landscaping particularly around the play space and the long term maintenance of that space.

Servicing:

- Members raised concerns with how the servicing of the building was to run.

Privacy:

- Members were raised in relation to the privacy on the balconies, there was a suggestion for storage on the balconies as part of the design

Accessible Provision:

- There was Members support for the 10% accessible units, though there was a steer from Members that the opportunity to increase that provision should be explored

Standard of Accommodation:

- There were concerns made around sufficient storage for the units for occupation

Affordable Housing:

- Members raised concerns on the affordable housing offer; the applicants informed that there was good momentum of 100% affordable provision, but the application was likely to seek a 50% provision.

Wind:

- There were also comments in regards to wind impacts.

2.3 Since the PRP and Committee the proposal has been further developed in consultation with officers and the above comments (where possible) have been addressed in amendments and additional justification provided for the scheme.

3 RECOMMENDATION

3.1 That the Planning Committee resolve to GRANT planning permission subject to:

- A. Any direction by the London Mayor pursuant to the Mayor of London Order.
- B. The prior completion of a 106 legal agreement to secure the following planning obligations
 1. Provision of 50% affordable housing (by habitable room) at 60% London Affordable Rent and 40% Shared Ownership
 2. Air quality contribution of £6,300
 3. Local employment and training strategy and financial contribution (construction phase £27,500 and operational phase £3,984)
 4. Carbon off-set contribution of £54,580
 5. Street tree and maintenance contribution of £4,840.00
 6. Sustainable transport contribution of £37,000
 7. 1 on site car club and 3 year car club memberships for future residential occupiers, 1 years membership for commercial operator
 8. Car parking permit free restriction for future residents
 9. Travel Plan and monitoring

10. Public realm improvements including pavement improvement works along Bensham Lane
 11. Highway works to ensure safe ingress and egress including removal of redundant drop kerbs
 12. Section 278 agreement
 13. TV and digital mitigation
 14. Retention of scheme architects (or suitably qualified alternative architect)
 15. Public Art Strategy
 16. Monitoring fees and payment of legal fees
 17. Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to negotiate the legal agreement indicated above.
- 3.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informative to secure the following matters;

Conditions

- 1) Commencement within 3 years
- 2) Built in accordance with approved plans

Pre-Commencement

- 3) Construction Logistics and Environmental Management Plan
- 4) Detailed Surface Water Drainage Scheme
- 5) Archaeology
- 6) Land contamination
- 7) Remediation Strategy
- 8) Wind analysis and mitigation measures outlined for landscaping scheme
- 9) Tree Protection to neighbouring sites
- 10) Piling (prior to specific works)
- 11) Thames Water (groundwater protection and upgrade of water supply infrastructure)

Prior to above ground works

- 12) Typical façade materials/detailing
- 13) Full external facing materials, including physical samples, panels on site and detailed drawings of design elements, windows (obscured glazed, blinds), doors.
- 14) Balcony and balustrading design (including those requiring additional wind mitigation owing to their location) and photovoltaics on roof
- 15) Fire requirements in respect to London Fire Brigade and final clarification of fire safety statement
- 16) Hard and Soft Landscaping details including boundary treatment of all Public Realm, communal amenity spaces and Children's Play Spaces
- 17) Biodiversity enchantment strategy including lighting design
- 18) Aviation warning lights, construction and on building
- 19) Public art

Prior to Occupation

- 20) Landscape and public realm management plan
- 21) Flues and Ventilation
- 22) Façade maintenance and cleaning strategy
- 23) Public realm and external building lighting (delivery)
- 24) Delivery and Servicing plan (residential and commercial)
- 25) Car Park management plan
- 26) Refuse storage and waste management plan (residential and commercial)
- 27) Details of Cycle Storage (residential and commercial)

Compliance

- 28) Restrict use of ground floor commercial unit to Class E (g) ii, iii, F1, F2 only (excluding church and place of worship)
- 29) Water use limits
- 30) Acoustic Survey, External Noise mitigation and Noise limits (plant)
- 31) Thermal Report
- 32) Hours of operation
- 33) Secured by design
- 34) Accessible Homes (M4) and lift provision
- 35) Step free access to all amenity spaces
- 36) Energy Statement
- 37) Whole life Carbon Assessment
- 38) Circular Economy Statement
- 39) 4 active electric vehicle charging points
- 40) In accordance with fire safety statement (other than details to be provided as part of condition 15)
- 41) In accordance with Air Quality assessment
- 42) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) Granted subject to a Section 106 Agreement;
- 2) Community Infrastructure Levy;
- 3) Code of practice for Construction Sites;
- 4) Light pollution;
- 6) Requirement for ultra-low NOx boilers;
- 7) Thames Water informatives - underground assets and public sewers;
- 8) Removal of site notices;
- 9) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

- 3.4 That the Planning Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3.5 That, if by within 6 months of the planning committee meeting date, the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

Proposal



Image 1: Proposed CGI image of scheme from London Road (central building)

- 4.1 The proposal involves the demolition of the existing commercial building, introducing a mixed use development, providing an 11-storey block with commercial ground floor and 60 flats above within the Broad Green Ward identified by Policy DM36 of the Croydon Local Plan 2018 (CLP). The scheme would comprise as follows:
- A 347sqm ground floor commercial use with basement plant – Use Class E (f)(g) with employment for 12 people (based on floor area).
 - 10 floors to provide 60 new homes consisting of 21 one bedroom units, 25 two bedroom units and 14 three bedroom units.
 - 40% provision of family units for the private units.
 - 50% (per habitable room) affordable housing (31 flats) providing (58/41 tenure split between affordable rented and intermediate homes (62/38 habitable rooms).
 - The proposal would be car-free providing 4 wheelchair accessible car parking spaces only, 110 cycle spaces; new crossover access, remove the redundant crossovers and reinstate the pavement at these points.

- The proposal includes public realm and private amenity spaces rising from 4 to 11 storeys from north to south, stepping up three levels and including communal gardens on each.
- From the north, the foot print of the building would be set back from the front boundary line for two thirds of the site to provide parking area, landscaped garden, seating, communal area and improved public realm

4.2 Additional information has been provided since the planning application was originally submitted, as follows:

- affordable housing clarification and discussions with Register Provider;
- proposed uses to the commercial ground floor;
- housing mix;
- daylight and sunlight assessment;
- new parking layout;
- further public realm improvements;
- increase in cycle provision following discussions with TfL;
- details relating to the energy strategy/urban greening factor as requested by the GLA.

4.3 The proposed changes involved slight amendments and clarification and did not require the need for further neighbour consultation.

Site and Surroundings

4.4 The 0.1 hectare site lies on the east side of Bensham Lane, 71m north of London Road (A235) and 106m north of the District Centre. The site contains a single storey profiled cladded warehouse/commercial building located on an irregular shaped triangular area fronting Bensham Lane. The site has a wide pavement frontage with several drop kerbs many of which are redundant with servicing taking place directly off Bensham Lane. The building consists of a glazing merchant with small retail element, a mixture of ancillary A1 (shops) and B8 (storage or distribution) uses and is classified as within a Tier 4 Employment Area under the Croydon Local Plan.



Image 2: satellite aerial image with site outlined in red line

- 4.5 To the north of the site lies a shared vehicle access point to a previously light industrial site which is currently being redevelopment to provide 20 residential flats. Also north are two storey terrace houses facing Bensham Lane. Opposite the site to the west is an 8-storey block of flats falling to 3-storey and end of terrace two storey houses on the corner with Kelling Gardens. Adjoining to the south east and south are rear gardens to large detached two storey houses in Elmwood Road (nos.11,13,15) and communal gardens and car park to 9 storey Council block of flats and cottage houses (1-40 Darmouth House).
- 4.6 The site lies 850 metres walk from West Croydon Railway Station, is located within an Archaeological Priority area, an area of low risk surface and ground water flooding and has a Public Transport Accessibility Level of 5. Oshwal Grade II Listed Church Building is located on London Road approximately 300m away to the west of the site. The site is not located in a Conservation Area.

Planning History

- 4.7 The following planning history is relevant for this site:

2 Bensham Lane

19/05846/PRE: Demolition of existing single storey commercial building and construction of mixed development of commercial/residential use in a single block a maximum of 11 storey in height to provide 60 new homes and ground floor commercial floorspace with associated landscaping, new highway access and car/cycle parking as well as bin storage.

18/05505/PRE: Erection of a ten storey building comprising of 70 flats

97/01751/P: Alterations; use of part of warehouse for sale of golfing equipment. (Permission granted 25/09/1997)

- 4.8 The following planning history is relevant within the surrounding area:

Barnacle Works at Land rear of 2 Bensham Lane

19/02461/CONR: Planning permission granted for demolition of existing buildings and erection of 3no. replacement buildings ranging from 2 to 3 storeys in height comprising 20 residential dwellings plus associated car and cycle parking with hard and soft landscaping measures.

18/04537/FUL: Planning permission granted for demolition of existing buildings and erection of 3no. replacement buildings ranging from 2 to 3 storeys in height comprising 20 residential dwellings plus associated car and cycle parking with hard and soft landscaping measures (currently under construction).

1-40 Dartmouth House Elmwood Road

18/00250/FUL: Refurbishment and improvement works to the existing high and low rise residential blocks on the estate, including provision of storage areas, landscaping (with new play area) and car parking (currently under construction).

5 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development is in a sustainable location suitable for significant development on the edge of a District Centre, with good public transport accessibility and would increase employment opportunities and Council housing stock in area of mix character.
- The proposal constitutes a Departure from the local plan by virtue of being a tall building in an area which is not designated for tall buildings. For the reasons above and as expanded on in the “Considerations” section, the proposal is however considered to be appropriate and there are material considerations which outweigh the development plan.
- The development is a high quality design led scheme subject to detailing to be secured by planning conditions which would introduce an active frontage and enhanced public realm with clear justification for the height and form in maximising the site capabilities to provide an acceptable living and working environment for future occupiers.
- The development would provide 50% (per habitable room) affordable housing (31 flats of 60), with 18 London Affordable Rent and 13 intermediate shared ownership accommodation which is fully supported.
- The proposal would provide a flexible commercial unit and good quality residential accommodation. The impacts to neighbours would be limited and the proposal would encourage sustainable modes of transport other than the car, incorporate safe and secure bicycle access and servicing arrangements, incorporate environmental impacts and sustainability requirements to comply with Council policies subject to planning conditions and S.106 obligations.

6 CONSULTATION RESPONSE

6.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

Mayor of London (GLA) (Statutory Consultee)

6.3 The GLA (referred due to the proposal being more than 30m high) made the following comments.

- **Principle of development:** The principle of the comprehensive redevelopment of the site with a mixed-use development that retains employment floor space on-site and provides new residential units is acceptable.
- **Housing:** The introduction of housing on the site will contribute to the council’s housing targets. Additionally the scheme proposes 50% affordable housing which meets with the Fast-Track threshold of 50%, is former industrial land. In

terms of tenure, the mix of 62% LAR and 38% Shared Ownership accords with London Plan policy and is considered acceptable.

- **Urban Design:** The overall layout, massing and public realm improvements of the scheme raise no strategic concerns, however with regards to height, the council should confirm that they consider the site suitable for a tall building. In terms of residential amenity, the unit layout, orientation and access to facilities, private and communal amenity space is considered acceptable. In terms of architecture and design, the scheme is considered appropriate for its location and key architectural details should be secured to ensure the development is of the highest quality. The proposed development would not cause harm to the heritage significance of any heritage assets. Additional information on Fire Safety is also required.
(OFFICER COMMENT: justification for the tall building are covered in the officer report below, suitable conditions are proposed in relation to architectural details and additional fire safety information has been provided).
- **Transport:** A car free development is supported, however additional cycle storage is required in order to satisfy the requirements of Policy T5 of the London Plan 2021. A Delivery and Service Plan (DSP) along with a Construction Logistics Plan (CLP) should also be secured by condition.
(OFFICER COMMENT: an increase in cycle parking in line with London Plan policy has been proposed and suitable conditions are proposed in respect to DSP and CLP)
- **Sustainability:** Further information on urban greening is required.
(OFFICER COMMENT: this has been provided and is covered in the officer report below)

Transport for London (TFL) (Statutory Consultee)

6.4 In general, TFL have not objected to the proposal which supports Healthy Streets Indicators in terms of promoting sustainable transport, reducing car dominance, contributing towards clean air and creating a place to stop and rest. TFL welcomed that 95% of the proposed trip generation associated with the development will be from active and sustainable modes. TFL have raised the following:-

- The development is proposed to be car-free with the exception of either 4 Blue Badge (BB) spaces or 3 BB spaces and 1 car club space be blue badge and the applicant should monitor demand for BB parking in a Car Parking Design and Management Plan; welcomes the EVC point but remaining spaces must make provision for passive EVC points in line with the new London Plan policy T6. 20% active and 80% passive EVC points should be provided for all BB parking spaces (OFFICER COMMENT: 3 spaces to be blue badge with EVC details and Car Parking Management Plan to be secured by condition).
- Residents will be exempt from applying for car parking permits in any existing or future CPZ which should be secured through an appropriate legal mechanism (OFFICER COMMENT: this is recommended).

- A total of 99 long-stay and 2 short-stay cycle parking spaces falls short of the minimum London Plan standards requires 110 long-stay and 3 short-stay cycle parking spaces. The commercial cycle parking provision accords with the new London Plan, providing 5 long-stay and 2-short stay spaces. A minimum of 5% of the proposed cycle parking spaces should be accessible for larger and/or adapted cycles. Cycle parking should be increased to accord with the new London Plan Details secured by condition (OFFICER COMMENT: The applicants have increased the level of cycle parking in accordance with London Plan standards details t be secured by condition).
- Car Parking Management Plan, Travel Plan, Construction Logistics Plan and Delivery and Servicing Plan should be secured by condition (OFFICER COMMENT: conditions and head of terms are recommended).

Local Lead Flood Authority (LLFA) (Statutory Consultee)

- 6.5 The submitted strategy and overall approach meet most of the LLFA requirements, however, some clarifications and additional information is required. LLFA Recommendation: details acceptable subject to condition (OFFICER COMMENT: A condition is recommended).

Thames Water

- 6.6 No objection to the proposal. Conditions and informative in respect of piling, minimise groundwater discharges, surface water discharge, protect public sewers, water network and water treatment infrastructure capacity recommended (OFFICER COMMENT: recommendation includes conditions and informatives).

Designing Out Crime Officer

- 6.7 No objection subject to Secured by Design condition requiring details of security measures and confirmation certification has been achieved prior to occupation condition (OFFICER COMMENT: condition is recommended).

Land Contamination Assessment

- 6.8 Consider the submitted report to be satisfactory. Given the sensitivity of the proposed development and the findings of the submitted report, recommend standard condition is attached (OFFICER COMMENT: condition is recommended).

London Fire Brigade (LFB)

- 6.9 The location of hydrant must demonstrate compliance with the functional requirements of the Building Regulations (LFB GN29); CFD modelling to be submitted to LFB to justify design to ensure tenable conditions during the escape and fire-fighting stage and to ensure the staircase remains smoke free; details required to justify single stair condition to basement; the provision of a cut-off switch for photovoltaic panels on the roof; details of fire doors,

emergency lighting & emergency signage; wayfinding signage, the cause and effect of the sprinkler system; sprinkler cut-off switches and the duration plate, balconies fire resistance; the Premises Information Box and Regulation 38 pack (OFFICER COMMENT: condition is recommended).

7 LOCAL REPRESENTATION

- 7.1 The application has been publicised by way of neighbour consultation letters and site and local press notice as a departure. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual response:19 Objections: 19 Comments:0

Including Objection Petition signed by 19 Residents of Bensham Lane and Kelling Gardens.

- 7.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of objections	Response
<i>Overdevelopment</i>	
The building will help create what a modern day slum. Less than 50m away flats have just been completed and are still empty; area overpopulated.	Refer to paragraphs 9.2-9.5 of this report.
<i>Design and Appearance</i>	
Not in line with the character of the area. Far too high; the design and materials clash with the style and character of the neighbourhood; result in an eyesore; different from the existing residential architecture; height and scale impact on urban character. The proposal would tower over the houses in Elmwood Road, Bensham Lane, Broad Green Avenue and other roads.	Refer to paragraphs 9.13 – 9.42 of this report.
<i>Amenity: noise, light, outlook, privacy, security</i>	
Impact of noise/vibrations/ dust; invasion of privacy; undue noise from the building at all hours, especially balconies; existing business closes at 5pm.	Refer to paragraphs 9.54 – 9.73 of this report.
Affect the sunlight in neighbours garden and houses IN Elmwood Road no.11, 13, 15. Details of sunlight and daylight report incorrect in describing neighbours houses. loss of light to properties in Bensham Lane nos. 3 and 9; the sheer size will mean most housing in the area will lose natural sunlight for up to 70% impact on well-being of children	

<p>Visual Impact Assessment misleading. The viewpoints in this assessment carefully chosen to represent the visual impact as minimal, which is far from the case for properties 11.13.15 Elmwood Road. Result in a concrete skyline, darkness and misery.</p> <p>Neighbouring properties will be directly overlooked 24/7 by windows, also balconies and terraces; lead to loss of privacy life-changing effect on neighbours; and the way they live in their houses and gardens; proposal little more than 3 feet distant from the back of neighbours garden; dominant and overpowering; In contrast Dartmouth House does not overlook.</p> <p>Neighbours worried about the security risk posed by the development; the proposed alleyway is likely to attract those involved in antisocial behaviour; present warehouse building effectively forms part of the boundary with no windows and no overlooking or loss of privacy.</p>	
<i>Accommodation</i>	
<p>Flats are very small; importance of space in living areas and the mental and physical health of occupants. None of the flats have disabled living spaces. Are these shared ownership/sheltered accommodation or for the private rental market? Currently a lot of empty blocks in the East Croydon area, People need (actually) affordable homes; lack of green space; promoting this as 'ownership' is miss-selling.</p>	Refer to paragraphs 9.43 – 9.53 of this report.
<i>Trees</i>	
<p>The proposal would reduce trees in area; the development should be appropriately screened.</p>	Refer to paragraphs 9.35 – 9.36 of this report.
<i>Transport</i>	
<p>60 flats 2 cars each 120 spaces –parking is already a problem; traffic would increase and there are no spaces, within reasonable walking distance. Occupiers should not be able to apply for permit parking; an area heavily used by ambulances. This new block of flats will not guarantee its residents will not have cars despite the development stating this is a car free site.</p>	Refer to paragraphs 9.88 – 9.96 of this report.
<i>Wind/Fire</i>	
<p>Wind / airflow analysis and its impact on neighbouring areas is missing; Fire strategy details required.</p>	Refer to paragraphs 9.74 and 9.76 of this report.
<i>Sustainability</i>	
<p>Carbon impact; Installation of solar panels; Insulation measures should be included.</p>	Refer to paragraphs 9.83 – 9.87 of this report
<i>Construction</i>	
<p>Over excessive HGV traffic delivering building materials to construction site will block street; construction, deep drilling might affect structural</p>	Refer to paragraphs 9.72 and 9.73 of this report

integrity of internal walls of houses; Noise from construction. Neighbours suggest applicants fund survey of their properties before work commences.	
<i>Other</i>	
Properties in Constances Road and 13 Elmwood has rights of way from Bensham Lane and rights of parking to the rear of our property (Deed of Grant). These rights must be preserved. Example of greedy developers who think only about profit;	Access rights are private neighbouring individual matters; remaining comments not planning matters.

8 RELEVANT PLANNING POLICIES AND GUIDANCE

- 8.1 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 Consolidated London Plan 2015, the Croydon Local Plan (2018)
- 8.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) amended in July 2021. 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:
- Achieving sustainable development (Chap 2)
 - Delivering a sufficient supply of homes (Chap 5)
 - Promoting sustainable transport (Chap 9)
 - Making effective use of land (Chap 11)
 - Achieving well designed places (Chap 12)
 - Meeting the challenge of climate change, flooding and coastal change (Chap14).
 - Conserving and enhancing nature environment (Chap 15)
- 8.3 The main Planning Policies relevant in the assessment of this application are London Plan (adopted 2021) and Croydon Local Plan (adopted 2018). A list of the policies together with the relevant Supplementary planning Guidance are attached as Appendix 2.

9 MATERIAL PLANNING CONSIDERATIONS

- 9.1 The main planning issues raised by the application that the committee must consider are:
1. Principle of development
 2. Affordable housing
 3. Housing mix

4. Townscape and visual impact
5. Housing and commercial quality for future occupiers
6. Impact on neighbours amenity
7. Impact on surrounding environment
8. Transport, parking and highways
9. Other planning issues

Principle of Development

- 9.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes and supporting economic growth in favour of sustainable development in line with the principles of the NPPF (2021). Paragraph 69 of the NPPF acknowledges the contribution of small and medium size sites can make in meeting the housing requirements and supports the development of windfall sites. Paragraph 88 of the NPPF acknowledges that when considering edge of centre proposals local authorities should demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable edge of centre sites are fully explored.
- 9.3 Policy GG2 of the London Plan 2021 (LP 2021) identifies that to create successful sustainable mixed-use places that make the best use of land those involved in planning and development must: enable the development on sites within and on the edge of town centres as well as utilising small sites. In addition to this, proactively explore the potential to intensify the use of land to support additional homes and work particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling; applying a design-led approach to determine the optimum development capacity of sites. Policies H1 and H2 seek to increase housing supply and utilise small sites. While policy GG4 of the LP 2021 acknowledges that development should ensure that more homes are delivered, with strategic target of 50% genuinely affordable, create mixed and inclusive communities, good quality homes with high standard of design.
- 9.4 At a local level, Policy SP2.1 of the Croydon Local Plan (2018) (CLP 2018) sets out that the Council will apply a presumption in favour of new homes. Policy SP2.2 commits to the delivery of 10,060 homes across the borough's windfall sites ensuring that land is used efficiently and that developments address the need for different types of homes in the borough while Policy DM1 enable housing choice for sustainable communities through the minimum provision of family homes. Policy SP3.1 of the CLP 2018 encourages innovation and investment into the borough to support enterprise and increased employment The Council has adopted a '4 Tier Approach' to the retention redevelopment of land and premises relating to industrial/employment. Policy SP3.2 of the CLP 2018 identifies this approach while policy DM8 ensures that developments in edge of centre locations maintain the vitality and viability of the boroughs town centres.
- 9.5 Officers consider that this proposal has had regard to delivering a wide choice of homes in a sustainable form of development in line with the principles of the NPPF, the London Plan and the Croydon Local Plan. The proposal is acceptable in principle, maintaining and improving employment activity to this site in line with

DM8 (as further explained below) while providing a choice of housing for all people at all stages of life in line with policy DM1, overall making best use of this site.

Existing and proposed uses

- 9.6 The existing building occupies 1,059sqm of floorspace and is identified as failing within Tier 4 employment use (on a Scale of 1-4). Much of the building is in a poor condition with large areas unused and not marketable under current standards as described by the applicants own marketing assessment. The building currently provides a low level of employment with only 4 employees. The proposal would introduce a flexible, modern, marketable commercial unit, albeit with a reduced floorspace of 347sqm but with the capacity to increase employment by 70% (12 employees, based on floorspace).
- 9.7 Since the Committee meeting in December 2020, the applicants have clarified that the proposed commercial uses would fall within Use Class E Commercial Business and Service (g) ii (research and development of products and processes) and iii (industrial process), F1 (learning and non-residential institutions) excluding place of worship and F2 (local community uses). These proposed uses would accord with the permitted uses identified in Table 5.1 and therefore accords with policy SP3.2. The inclusion of a mixed scheme involving a significantly improved and adaptable commercial premises, increase employment, improve viability and vitality to the area in line with National and London Plan requirements; involving uses allowed within the CLP 2018 and is acceptable in principle. The existing building holds no architectural merit and is neither locally nor statutorily listed. Therefore, there is no objection to its demolition.
- 9.8 This is a small site within a mixed setting at the edge of district centre with predominantly residential accommodation to the north. The proposal would make a suitable contribution to the boroughs housing stock in a sustainable location. The proposal would be in line with the NPPF, London Plan and the Council overall strategic policies SP2, SP3 and DM1 in terms of the contribution of small and medium size sites, making the most through intensified development, to provide a choice of homes, in a well-connected location, while improving the environment and immediate surroundings. The principle of the proposed uses are therefore acceptable.

Affordable Housing

- 9.9 Policy SP2.4 of the CLP 2018 states that on sites of ten or more dwellings the Council will negotiate to achieve up to 50% affordable housing (subject to viability), and seek a 60:40 split between affordable rented homes and intermediate (including starter) homes; unless there is agreement between Croydon Council and a Registered Provider that a different tenure split is justified and subject to national regulations on provision of starter homes. In line with Policy SP2.4 and the London Plan threshold approach to applications (Policy H5), the proposal includes 50% affordable housing by habitable room (31 of 60 flats, so 52% by unit). From the offset the applicant has presented a scheme compliant with London Plan Policy H4 including engaging with an affordable

housing provider. The Mayor has acknowledged this by confirming the scheme is eligible for Fast Track Route (without the need for a viability appraisal).

- 9.10 In terms of tenure, the mix of 58% of the flats to be London Affordable Rent (62% by habitable room) and 41% to be Shared Ownership (38% by habitable room) accords with SP2.4 of CLP 2018 and London Plan policy and is therefore considered acceptable. The Council's affordable housing officer has confirmed discussions are ongoing between the applicants and a Registered Provider (RP) in delivery of the affordable housing. Since the presentation to Committee in December 2020 these discussions have further evolved, with the RP identifying an interest in delivering the entire 60 unit site. However, this recommendation seeks to secure 50% affordable housing provision through the legal agreement). Considering the level of affordable housing provision, Mayoral support for the housing provision, RP interest in site delivery and Council policy compliance, officers support the proposed affordable level which significantly weighs in favour of the scheme and the overall public benefit associated with the proposal.

Housing Mix

- 9.11 Policy SP2.7 of the CLP 2018 identifies that 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 for both market and affordable housing. Policy DM1 requires appropriate housing choice for sustainable communities and within urban areas of high public transport accessibility and states that in this location with PTAL 5 at least 40% of units should have three or more bedrooms. The only exception to this would be where there is agreement with the associated affordable housing provider that three or more bedroom dwellings are neither viable nor needed as part of the affordable housing element of any proposal.
- 9.12 The proposal would provide 41% family sized housing for the private housing (12 of the 29 flats) in line with this requirement. In terms of the affordable accommodation only 6% (2 of 31 flats) would be 3 bedroom family sized flats. However, the RP has confirmed this position in terms of the viability of the project. Based on the confirmation officers are satisfied that the proposal would provide the appropriate mix in line with Council policy adding to the Council overall strategic target of 30% of all homes by 2036 to have three bedrooms or more and engaging DM1.1(a) by having an RP on board.

Townscape and visual impact

Tall Building Policy

- 9.13 SP4.5 of CLP 2018 sets out that tall buildings will be encouraged in the Croydon Opportunity Area, areas in District Centres, locations in areas well connected to public transport interchanges and where there are direct physical connections to one of the above. Policy SP4.6 is also of note and applications for tall buildings will be required to: respect and enhance local character/heritage assets, minimise environmental impacts, respond sensitively to topography, make a positive contribution to the skyline and image of Croydon and include high quality public realm in their proposal.

- 9.14 When considered in relation to this proposal, the relevant parts of Policy DM15 of CLP 2018 identifies that tall or large buildings must respect and enhance local character proposals; will be permitted where they are located in place specific areas as outlined by policies DM34 to DM49; they should be located in areas with a minimum Public Transport Accessibility Level (PTAL) rating of 4; be of exceptional design quality; that the building height, footprint and design relates positively to nearby heritage assets and improve the quality and access to open space; should include at least an active ground floor and inclusive public realm.
- 9.15 Policy D9 of the London Plan 2021 expands further when considering tall buildings and states that development proposals should address the views of the building from different distances; reinforce the spatial hierarchy of the local and wider context, aid legibility and wayfinding; ensure architectural quality and materials should be of an exemplary standard maintained throughout its lifespan, and avoid harm to heritage assets and their settings. This is also considered into terms of the functionality of the building, its environmental impacts and its overall cumulative effect which is expanded further on the report.
- 9.16 The relevant place specific policy of the CLP 2018 is DM36 which details that within Broad Green Local Centre proposals should ensure that they positively enhance and strengthen the character of Broad Green Local Centre, and facilitate growth, development and complement the existing predominant building height of 2 to 4 storeys. It is relevant to note the close proximity of the site to London Road and that the CLP identifies the general character of London Road as consisting of ‘large buildings with continuous frontage line’ and ‘large buildings with spacing’.



Image 3: Showing line of taller buildings on the left and smaller buildings on the right with the application site outlined in red on edge of District Centre

- 9.17 At 11 storeys in height the building would be located north of 9-storey Dartmouth House, opposite 3-8 storey Bedford House to the west, 90m from the 5 storey block Half Moon Court 301 London Road to the south; 200m from the 8 storey block The Interchange; and just over 200m from 14-storey residential block City House to the west. Therefore in view of its position on the edge of District Centre and proximity to similar other tall buildings, the development would be considered as reflecting predominant heights in terms of its immediate surroundings in

accordance with policy while stepping down to reflect the lower level characteristic terrace properties further north.

- 9.18 As part of its overall assessment the proposal underwent a VU CITY analysis which demonstrated that the building would be noticeable from limited viewpoints. The site is not located within or nearby any Conservation Area. The proposal would not impact on any listed buildings, the nearest being Oshwal Grade II Listed Church Building located on London Road 288m away to the west of the site. Officers have considered therefore that there would be no harm to heritage assets as a result of the proposal.



Image 4 View of proposed building from along Bensham Lane looking south towards London Road

- 9.19 The block at 11 storeys is considered to be a departure from policy, when considering the place specific policy and the Tall Building policies of both CLP 2018 and the London Plan 2021. However, a Local Planning Authority may depart from development plan policy where material considerations indicate otherwise. It is important that the Croydon Local Plan is read as a whole, and that failure to comply with a single policy within the plan would not necessary lead to a sustainable reason for refusal.
- 9.20 In this case, the site meets many of the criteria's set out by both the strategic and detailed Tall Building policy. It is located in an area with good access to public transport (PTAL 5), as well as local shops and services within the District centre, it provides improved and increased employment while providing a good affordable residential affordable housing. An assessment of how the scheme achieves a high quality design, would make a positive contribution to the immediate surroundings and wider environment is examined below.

Density

- 9.21 The proposal would make full potential of the site, by maximising density. Policy D2 of the London Plan (2021) allows for proposals which exceed capacity, but are acceptable in terms of use, scale and massing, given the surrounding built

form, to be delivered in appropriate areas and should be positively considered where appropriate.

- 9.22 Policy D3 of the London Plan expands further identifying that all development must make the best use of land by following a design-led approach that optimises the most appropriate form and land use for the site. The design-led approach requires consideration of design options that responds to a site's context and capacity for growth. In delivery of good design Policy D4 requires that sufficient design analysis and development certainty is provided to help bring forward development and ensure high quality through the design-led approach.
- 9.23 The applicants have submitted a character appraisal study and townscape analysis, alongside demonstrating the impact of the building on the immediate surroundings using 3D modelling through VU city. The proposal was presented to the Place Review Panel (PRP) followed by a pre-application Planning Committee, to ensure the proposed height was justified through a high quality design and public realm that seeks to enhance the local character and streetscene. The density is supported.

Site layout and massing

- 9.24 The proposed building would be irregular in form with four main sides stepping up in height from 3 storeys to 11-storeys from the north east to south west, narrowing with the southern tip of the site facing towards London Road. The siting of the building footprint has been informed by the boundary lines of the site and responds to the immediate context by continuing the building line adjacent to the neighbouring development at the rear of 2 Bensham Lane stepping up from the lower residential properties to the east.
- 9.25 Officers are in support with the proposed distribution of height (with the highest element facing London Road). Whilst the proposed height is significantly taller than properties adjacent, particularly on Bensham Lane, on balance, the approach to the massing can be supported subject to a high quality design that positively mediates between urban edge of London Road and the suburban streetscene on Bensham Lane through high quality design and integrated public realm.



Image 5: Proposed ground floor layout plan

9.26 The building would align with the site boundary along the south and for a third of its length along Bensham Lane to form the tip, but would be set back from the remainder of the Bensham Lane frontage to form new public realm, landscaping and parking. The building adequately address the site constraints with the taller but slender form towards the south and wider more reduced form and lower residential buildings towards the north. The inclusion of the commercial/community use on the ground floor with the entrance facing London Road and the separate residential access facing Bensham Lane is supported. The provision of the communal garden with the off street parking on the northern edge utilising the existing access and the back of house entrances to the commercial/community uses creates distinct frontages which is supported from a design perspective. The proposal would positively respond to local distinctiveness in terms of its layout, orientation, scale, appearance and shape. The proposal would enhance the activity and appropriately frame the public realm complement the existing street scape and surrounding area at this point. Subject to high quality public realm, boundary treatment and landscaping which would be secured by condition the proposal would create a comfortable pedestrian environment along this section of Bensham Lane.

Architectural Design

9.27 The proposed scheme is defined as a tall building in its context and therefore must address specific tall building design requirements. London Plan and Local Plan guidance identifies the importance of a distinct top, middle and base on tall buildings to reduce the overall impact of the proposed massing and ensure the street scene elevation relates to the pedestrian scale. This has been incorporated as part of the façade approach, via an articulated grid that distinguishes the ground floor level commercial/community use and residential access. A weighted top of the building is also proposed, which provides a defined and attractive edge to the building when viewed from afar.

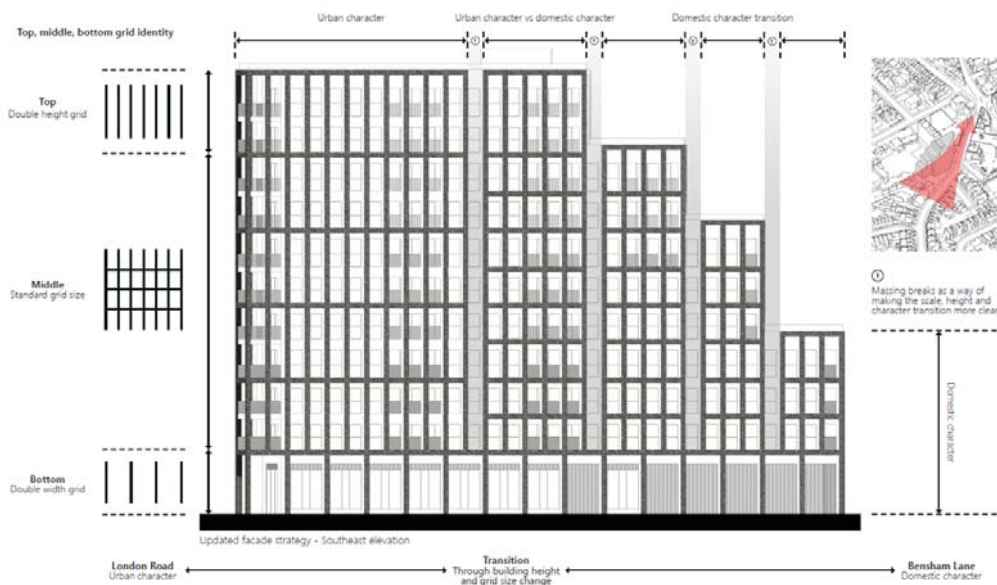


Image 6: Proposed architectural grid approach of the building with commercial/community ground floor and residential on upper floors.

9.28 The applicant has undertaken character analysis looking into the expression, materiality, fenestration and detailing of the local context at a range of scales. This has included specific analysis of the local colour tonality which has informed the façade colour palette. Officers support the proposed use of brick and metal panelling in the building appearance. In line with previous Members comments officers suggested a warmer colour palate to bridge the suburban Bensham Lane and urban conditions of the London Road end. The applicants have proposed changes in mortar. Further examination of this approach would be secured by condition. Finer details in respect to window fenestration (reveal depths, materials, etc.), building façade treatment and finish to both the commercial and residential entrances, to ensure that they are clearly legible and positively enhanced, would be secured by condition.

9.29 To ensure the design quality presented is brought through to completion of the development, officers recommend this is safeguarded in line with Policy D4 f(4) of the London Plan through the 106 agreement by ensuring the ongoing involvement of the original design team to monitor the design quality through to completion.

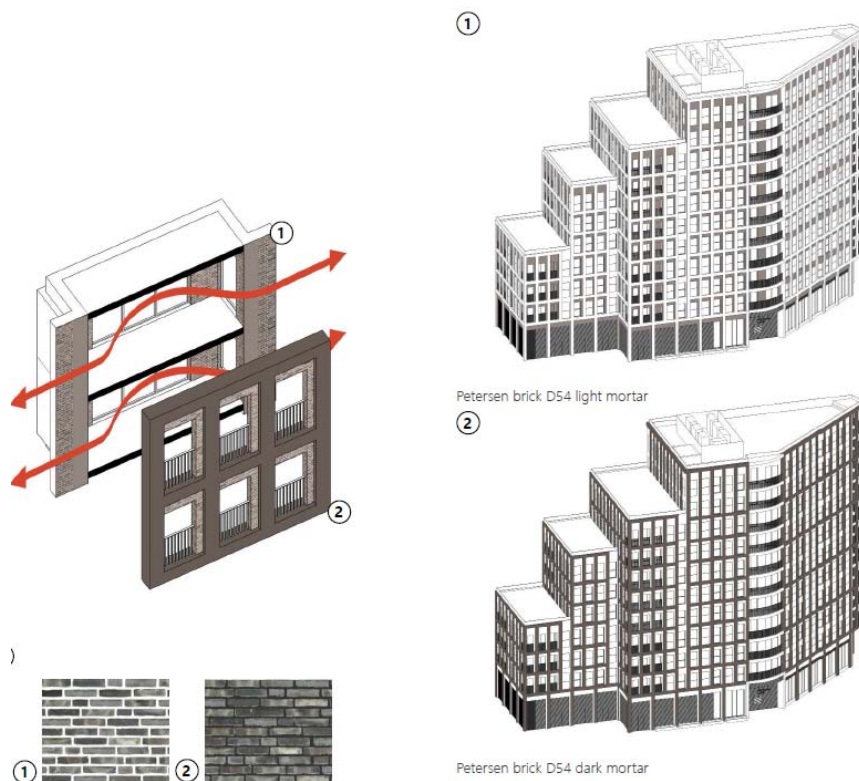


Image 7: Image demonstrating concept of warmer mortar treatment (1) when compared with darker mortar treatment (2) to the building



Image 8: Proposed CGI of building displaying warmer tonality

9.30 The Council acknowledges the important role that public art can play in enhancing the setting of a building and creating a visually stimulating public realm strengthening local distinctiveness. Policy DM14 of the CLP (2018) states that all major schemes are to include public art which responds to the local character. Public art should make a positive contribution to the public realm; and provide the opportunity to engage with the local community in its creation. The applicants have agreed to the inclusion of a form of public art on site. To ensure that a high quality public art commission is successfully delivered, a detailed brief outlining budget, design development, visualisations, production, installation should be developed. Officers suggested that the applicant consider the ground floor blank walls as a potential location for the public art, and/or the ground floor boundary treatment. The details of the brief to be secured by S106 agreement.

Public Realm, landscaping, neighbouring trees

9.31 There are no trees situated within the site boundary. Through setting the building back along the Bensham Lane frontage, the proposal would introduce a green pocket multi-functional area by providing external amenity space, play space, and a communal area. The proposal would enhance the public realm at this point with a new tree line approach to help soften the appearance by creating a hedged boundary line, with a rationalised parking layout which enables the ground floor play areas to link more effectively identifying clear paths to back of house areas.



Image 9: Image showing proposed public footpath upgrade and ground floor landscaping plan

- 9.32 The landscaping plan has been modified to reflect changes to the public realm in securing a treeline approach within the boundary of the site and along the public footpath. The proposed tree planting is welcomed. Details of species of trees would be required, and an analysis would have to be undertaken in terms of highway safety and to ensure that there are no underground services requirements to restrict new tree planting. Details would need to be provided of the type and future on-going maintenance of all planting on site and along the footpath.
- 9.33 The applicants have proposed a robust planting scheme to the communal amenity areas requiring less maintenance while also providing habitat for insects and birds. Details of boundary treatment, hedging, lighting and seating would be secured by condition. The proposed roof top amenity is supported. A water system has been outlined to guarantee a healthy life to the planting especially on the terraces. This would involve minimum maintenance with water taps provided on all terraces to allow for manual irrigation; details to be secured by condition. Officers advise that landscaping proposed is acceptable.
- 9.34 Members previously expressed concern over the external triangular area towards the northeast of the site. This area has direct access from the commercial/community premises and would be used as a dedicated external space for the operator, the maintenance of this being the responsibility of the operator. The applicant proposes introducing trees in this area. The residential elements will not have use of this area and will therefore not be required to contribute towards its upkeep. The applicants have advised that as part of any future lease, the landlord will retain step in rights to maintain this area, if the tenant fails to do so, the cost of maintenance would be charged back to the tenant.

9.35 The applicants tree report has identified pruning of neighbouring Cypress tree (T7) in rear of no.11 Elmwood Road who's limbs have grown over on to the site and which appears to have been pruned in the past. Two further mature Common Lime trees (T6 and T8) has also been identified to the rear of no.11 between 5m and 8m from the site. The report identifies that the canopy spread of branches for both trees T6 and T8 is sufficiently remote from the proposals to be unaffected by construction works. Five ornamental apple trees have been identified in the rear of Dartmouth House to the south east. The report identifies that these would be unaffected and effectively protected during construction. Tree Officers have reviewed the report and do not raise any objections. Subject to details requiring tree protection measures prior to commencement it is considered that there will be a neutral impact upon these neighbouring trees.

9.36 The proposal is subject to London Plan 2021 Policies G1 (Green Infrastructure) and Policy G5 (Urban Greening). In accordance with these policies and as part of its overall calculation the applicant has included semi-natural vegetation, green roof areas, perennial planting and trees in tree pits to demonstrate how the scheme meets the Urban Greening Factor (UGF) target. The proposal has been amended to include additional greening with provision of new trees to the north and west of the site and at 0.60 would exceed the 0.4 required by policy for a residential development. Officers are satisfied that a condition would ensure that the additional requirements would be introduced to the meet the full requirement.

Designing Out Crime

9.37 The proposal was considered by the Metropolitan Police Service's Designing Out Crime Officer who advised that the site should be well thought out to minimise the risk of criminal activity. They have not raised any objection subject to the applicants achieving Secured by Design accreditation through a planning condition.

Conclusions on townscape and visual impact

9.38 The scheme constitutes a tall building outside an area designated for tall buildings, and as such is a Departure from the development plan. However VU city analysis has demonstrated the minimal impact the proposal would have from a number of varied viewpoints and would not impact on any heritage assets (both designated and undesignated). As set out above, these issues require careful consideration as to whether the proposal is acceptable. The scheme is not in an area identified for tall buildings, but all the other criteria set out in policy DM15 are met (such as the high PTAL of the site, quality of the scheme etc).

9.39 Townscape analysis provided as part of the Design & Access statement presents the scheme within its broader context of London Road and its surrounds, which includes the variety of heights and building typologies. The proposed massing responds to this condition in its design, with the highest point of the massing facing towards London Road which is an appropriate approach. Efforts to mediate any visual impact of the scheme have been incorporated through its stepped massing approach, introducing a finer grain to the massing overall that reflects the suburban context of Bensham Lane

9.40 In terms of the Departure - the policy departed from is the requirement in DM15 for tall buildings to be located in areas identified (policy DM15a), which is consistent with D9 of the London Plan, and the Broad Green place specific policy for buildings to be up to 4 storeys in height complementing the character of the area. A Departure must be justified by material considerations that outweigh the departure.

9.41 Officers consider that there are material considerations outweigh the departure as follows:

- scheme's contribution to sustainable development through its use of a well located accessible site,
- high quality of design and landscaping proposed throughout the site
- benefits through the provision of improved public realm;
- the good provision of residential units and affordable housing units;
- new and fit for purpose employment provision.

9.42 Therefore, officers are satisfied that a Departure is justified in accordance with the requirements of the Development Management Procedure Order 2015.

Housing and commercial quality for future occupiers

9.43 Policy SP2.8 of the Croydon Local Plan 2018 indicates that housing should cater for residents' changing needs over their lifetime and contribute to creating sustainable communities. Individual units should meet the standards set out in the London Housing SPG and Nationally Described Space Standards. This is also covered in D6 of the London Plan 2021.

9.44 The proposed building would have legible and well-designed entrances for both the residential and commercial uses. The recessed residential entrance area would have direct sightline along Bensham Lane facing towards London Road. Within this area would be post boxes in line with secured by design requirements. Internally, the residential communal spaces at ground floor level would have a generous entrance width, sensible layout, with two lifts in a central core, access to bin, bulky waste and bike storage. Travelling up through the block, the space and access would be replicated with 12.5 metres the longest distance for only 3 flats of the 60 to access the lift. A maximum of seven flats would exist per floors on levels 1-3, reducing to six and finally four. There would be easy access for residents to use the communal amenity areas at levels 4, 7 and 9.

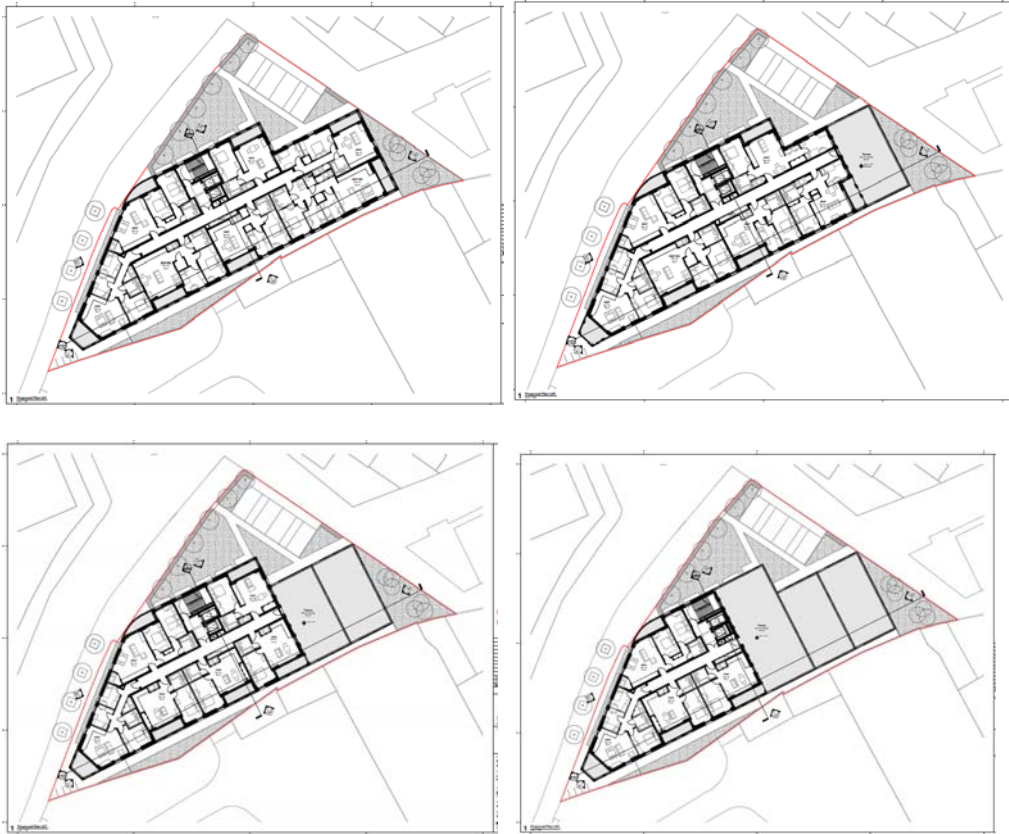


Image 10: Typical internal floor layout with size of flats and access to communal amenity areas at various levels.

9.45 All units would comply with the Nationally Described Space Standards, with sensible layouts, storage space and well-proportioned rooms. 41 of the flats would be dual aspect with 19 single aspect south facing units, which would mostly be one-bedroom flats all of which would be no deeper than they are wide thereby allowing good access to natural light. No north facing single aspect units are proposed. The applicants light assessor states that *“the proposed habitable rooms within the scheme will benefit from good sky visibility owing to the orientation of the proposed building and positions of the windows. The proposed living/kitchen/dining rooms have been designed with the living area closest to the windows to maximise daylight amenity in this area of the rooms, the majority of living/kitchen/dining rooms are also multi-aspect which will increase daylight availability. The windows orientated in a southerly direction will benefit from good levels of sunlight amenity, particularly in the mornings when the sun path is largely unobstructed. Overall the proposed habitable rooms are expected to receive adequate levels of daylight and sunlight amenity that are contextually appropriate for the area and commensurate with other developments of a similar scale in the borough.”* Officers are satisfied that the proposed rooms would receive reasonable levels of light with single aspect flats restricted to the south in line with design solution for this site. The flats would receive good ventilation, daylight, sunlight, outlook and privacy with windows at least 16m from nearest windows directly opposite to the west. The applicants have provided a thermal study report as required by Policy D6 (c) of London Plan (2021) which demonstrates that each flat would benefit from a mechanical ventilation heat recovery system, ensuring the building design reduces any risk of overheating.

Blinds are also proposed within the building as part of the strategy mitigating any potential overheating.

- 9.46 The site lies close to London Road and this is an obvious source of noise pollution. To ensure that a reasonable level of amenity for future residents is obtained throughout the year, the proposal would have to be in accordance with the findings of the supporting noise report and noise mitigation measures (double glazing and ventilation systems) will be secured by way of condition.
- 9.47 The applicants have submitted a fire statement identifying aspects such as fire competency, construction method, products and materials to be used, means of escape and evacuation strategy, and passive and active fire safety measures.. This has been bolstered following GLA comments. Officers have reviewed the information alongside our Building Control colleagues and consider the report generally acceptable. Officers acknowledge that it is unreasonable at this stage for detailed management strategies to be in place as this matter will be finalised through the Building Regulations regime. Subject to a condition to include details of fire service vehicle arrangements, risk free waiting facilities at lift location and further information on an operations management plan and the sprinkler system updated to reflect current requirements; the proposal is considered acceptable and would form part of the Stage 2 submission to the GLA to meet D12 of the London Plan 2021. Following consultation with the London Fire Brigade further details would also need to demonstrate the location of fire hydrants, smoke free corridors, emergency measures, cut-off switches, fire doors, lighting sprinkler system and signage. All aspects are covered by a suitably worded condition.

Accessible Housing

- 9.48 Level access is proposed throughout the building. 6 (or 10%) of the proposed units are designed to be accessible 'wheelchair user' dwellings, which satisfies the Local Plan requirement for new homes to comply with Building Regulation Part M4(3) (Wheelchair User Dwellings). The remaining 90% of units would be accessible and adaptable M4(2) dwellings. Planning conditions are recommended to secure compliance with Parts M4(2) and M4(3) of the Building Regulations. The site offers level access routes to wheelchair accessible parking with each of the 4 spaces blue badge permit holders.

Outdoor Amenity Space and Playspace

- 9.49 In line with the London Plan Housing SPG standards each of the units would have their own private amenity space by way of balconies and access to communal amenity space areas. The private balconies range from 5 to 8sqm and the building also includes communal amenity space and child playspace spread over four levels (as detailed within the public realm and landscaping section). This allows opportunity for residents to access areas of open space with direct sunlight throughout the day.
- 9.50 In terms of play space, the child yield calculator expects 27 children to reside in the development, with the development required to provide 261 sqm of play space. The proposal includes 419sqm of play space across the site. The combined shared landscape amenity areas and the private amenity spaces (balconies) would meet with the minimum benchmarks for the play space requirements for 0-17 year olds on-site which is fully supported.

Agent of change

- 9.51 In line with London Plan Policy D13, the upper residential floors have been designed to factor in the proposed ground floor uses in respect to noise and other nuisance generating uses; the full details to be secured through conditions with the development to be completed in line with applicants acoustic survey. The ground floor level has been designed with regard to existing neighbouring occupiers. Details of flues, extracts, sound measures would safeguard neighbouring amenity and ensure that the responsibility for mitigating any potential future noise and nuisance lies firmly on the new development. Further restrictions in terms of hours of operation, service, delivery and service plans and preventing the introduction of alternative noise generating uses would further safeguard neighbouring amenity.

Housing Quality Summary

- 9.52 Overall, the proposed development would provide well-designed homes which would offer a sense of arrival and place of retreat, in line with CLP 2018 and the London Plan, as well as the aspirations of the London Housing SPG. The homes themselves would offer residents a combination of good outlook, privacy, sunlight and daylight, internal spaces and private amenity spaces. There would also be well-designed communal landscaped gardens and playspace. Overall, the proposal would all offer an acceptable standard of accommodation.

Commercial/community quality

- 9.53 In terms of the commercial/community floorspace, the design offers high floor to ceiling heights, which allows for mechanical ventilation systems to be fitted in the ceiling void, good sound insulation and accommodating measures for vibration transfer mitigation. The commercial/community frontage would have generous windows with integrated louvres and has been designed with flexibility in mind so that it can accommodate all permitted uses and be attractive to the widest possible commercial market or appropriate community uses. Other requirements, such as back of house facilities, dedicated bike and waste store, toilets and kitchenette have also been incorporated. Details of ventilation systems would need to be secured by condition.

Impact on neighbouring amenity

- 9.54 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. Neighbours have objected to the proposal in reference to loss of natural light, overlooking and privacy, outlook, noise and disturbance and security issues.
- 9.55 The proposed site has residential development surrounding on all sides with distances varying from 8.1m to the proposed development to the north (currently under construction) to 41.2m to the rear of cottages in Dartmouth House. (As shown in diagram below)

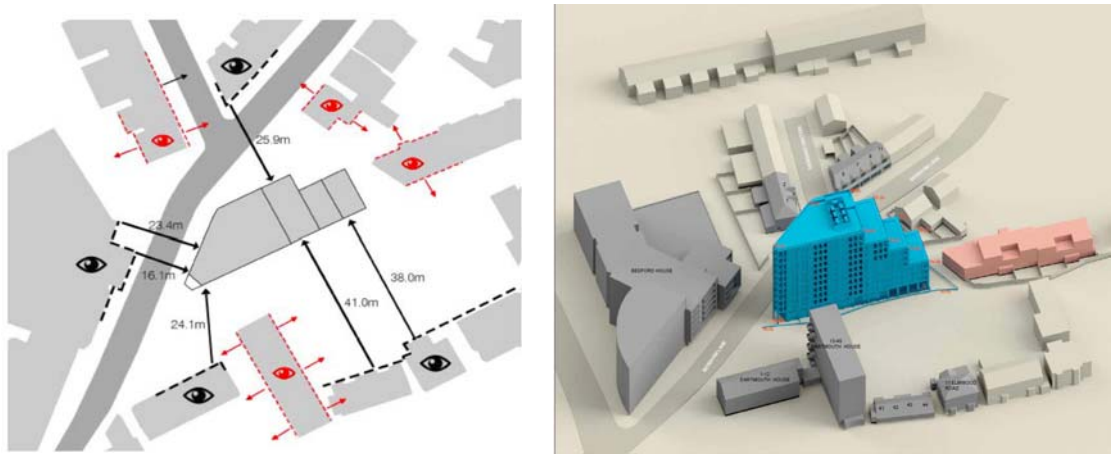


Image 11 Separation distances between the development and neighbouring buildings indicated on plan and 3D depiction.

Light issues

9.56 The applicants sunlight/daylight report (SDR) has been based on BRE Report 'Site Layout Planning for Daylight and Sunlight: A guide to good practice Second Edition' (2011).

9.57 The GLA's Housing Supplementary Planning Guidance (published March 2016) states the following with regard to daylight and sunlight amenity at paragraphs

"BRE guidelines on assessing daylight and sunlight should be applied sensitively to higher density development in London, particularly in central and urban settings, recognising the London Plan's strategic approach to optimise housing output (Policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development (Policy 3.3). Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London" (see Appendix 3 for definitions)

9.58 The proposed building would be 26m from terrace houses Nos.5 – 11 Bensham Lane located opposite to the north. The applicants SDR identifies these windows to be habitable rooms. The windows to properties 7-11 using the Vertical Sky Component (VSC) would retain 0.80 times its existing daylight value and would meet BRE test. The SDR identifies that existing daylight light levels to no.5 would be slightly below this 0.70 to 0.78 however the daylight/distribution (DD) to these rooms would be in line with BRE requirements with negligible changes in the lit area of these rooms. In terms of sunlight the results show each of the properties would continue to receive acceptable level of annual probable sunlight hours (APSH) including during the winter in line with BRE standards. The report has also considered overshadowing of these neighbours gardens and found that each would retain at least 2 hours of direct sunlight to at least 0.80 times the area in line with BRE guidance.

9.59 The proposed building would be 25m from nos.1 and 2 Kelling Gardens with no.1 opposite on the corner of the junction with Bensham Lane. 10 of the 11 windows in no.1 would comply with BRE Guidance with acceptable level of VSC and D/D

levels. The exception being a single window in the ground floor side elevation facing Bensham Lane which would have a reduction of 0.47% in VSC and reduced from 98% to 51% in DD. However this window faces south and in terms of sunlight would receive acceptable level of APSH including during the winter in line with BRE standards. All the windows in no.2 Kelling Gardens would comply with BRE guidelines using both VSC and DD with no windows facing south. The rear gardens of these properties would retain at least 2 hours of direct sunlight to at least 50% of each garden meeting BRE requirements.

9.60 The proposed building would be 16m-24m from the 3-5 storey block of flats at Bedford House (max 8 storeys) located opposite to the west 26 of the 46 windows of Bedford House would comply with the guidelines using the VSC test retaining at least 0.80 times their existing VSC value. The 20 windows not meeting the guidelines would retain between 0.52 and 0.75 times the existing VSC value, so equating to some major adverse impact. The DD results show that of the 38 rooms tested, only 5 rooms would not achieve BRE guidance retaining between 0.71 and 0.77 marginally below the BRE Report recommendation of 0.80. A significant number of the flats have windows beneath projecting balconies which restrict daylight. Further testing demonstrates that the VSC levels without balconies but with proposed development would be higher than the existing conditions, ie: with the balcony but without development. This the applicants state demonstrates that the form of development of Bedford House impacts on the internal receipt of light. Officers accept this approach as it is allowed for in the BRE guidance. In terms of sunlight 30 of the 38 rooms would comply with the BRE for APSH and 36 rooms would comply with the guidelines for sunlight in the winter months. A similar test without balconies show that all 38 rooms would comply with BRE guidance demonstrating further that the design of Bedford House accounts for impacts on light for these neighbouring occupiers. Given the flexibility to be applied when assessing daylight and sunlight, alongside the balcony testing, the impact on these adjoining occupiers is, on balance, acceptable.

9.61 The proposed building would be between 14m-42m north of the block of flats at Dartmouth House which comprises three sets of buildings, a three storey (flats 1-12) and nine storey block (flats 13-40) and a terrace of four bungalows (nos.41-44). The applicants SDR for flats 1-12 shows kitchen and bathrooms in the west elevation set back beneath a recessed covered walkway. 3 of the 8 windows would have acceptable level of VSC with the remaining windows experiencing only a small reduction (of 1.1% to 1.5%) in levels which are unlikely to be perceptible to occupiers with acceptable DD levels of at least 0.8% their former value. Given the site is to the north of Dartmouth House, there is no requirement for sunlight to be tested. Each of the flats 13-40 have windows to a duplex layout with the single windows facing north secondary windows to living room/kitchen and bedrooms. These windows would have acceptable levels of VSC with only minor reductions (retaining 0.77 to 0.78 times) to kitchen windows, however DD shows full compliance; with all windows located within 90-degrees due south receiving acceptable levels of both annual and winter sunlight. The proposal would result in a moderate adverse reduction (0.67-0.75) in VSC to the kitchen and bathroom windows of each of the bungalows below the BRE level 0.80, with each of these rooms receiving at least 58% DD. However the main

living areas and bedrooms would face south and therefore would be unaffected by the proposal ensuring acceptable level of accommodation for these occupiers.

- 9.62 The proposed building would be 34m from the rear of no.11 Elmwood Road located to the south east. The SDR shows that 6 of the 10 windows assessed would comply with VSC levels. 3 of the 4 windows not meeting levels would be marginal below requirements 0.76 - 0.78 (minor adverse) with the outstanding window receiving 0.63 (moderate adverse) level below BRE value of 0.80. In terms of DD 7 of the 8 rooms assessed would comply with the outstanding room receiving 0.77 times its former value (minor adverse), marginally below 0.8. The report makes the point that the dense garden of this neighbour would form additional obstruction of the development during summer months. This relationship is acceptable.
- 9.63 The site at Barnacle Works currently under construction lies 9m at its nearest point to the north of the application site. However none of the habitable windows of this development would face the application site and therefore the proposal would have limited impact in terms of daylight and sunlight. In terms of overshadowing the external areas of this site would retain at least 2 hours of direct sun on 21st March. Likewise on the 21st June the report states that amenity areas would retain high levels of sunlight in compliance with BRE guidance.
- 9.64 The proposed building would be 17m from nos.20 and 20a Bensham Lane located to the north east, with a first floor obscured glazed bathroom window and ground floor high level obscure glazed window in the flank elevation of no.20 facing the application site. Any light to these rooms would be impacted by the obscured glass and existing building on the site. Officers accept overshadowing analysis only as windows in side elevations are not fully protected in planning terms and guidance suggests a flexible approach. In terms of overshadowing the external areas of this site would retain at least 2 hours of direct sunlight to at least 0.8 times the area on March 21st and in excess of 90% of the area on June 21st.
- 9.65 The proposal would be 70m south of properties in Constance Road and therefore these houses were not included in the light survey. The proposal would not impact unduly on these neighbours amenity in relation to light impact.
- 9.66 Overall the report demonstrates that the majority of properties would not be adversely affected by the development. Given the flexibility to be applied when assessing daylight and sunlight, officers conclude that the development would have an acceptable impact on the daylight and sunlight amenity to the neighbouring residential properties.

Overlooking, privacy, outlook

- 9.67 The proposed building would be 26m from properties to the north (5-11 Bensham Lane and 1 Kelling Gardens) compliant with minimum window to window distances (18m) set out within the SPD in terms of privacy and outlook. The combination of the massing of the building at the furthest southern point of the site and its set back from Bensham Lane would limit any potential impact in terms of outlook and reduce any potential of overlooking and privacy for these neighbours.

- 9.68 The proposed building would be 16m – 24m from the 3-5 storey element of Bedford House to the west. Due to the reasonable distances and position the proposal is unlikely to lead to serious loss of amenity for these neighbours in terms overlooking or privacy. The proposal would create a development to mirror that of Bedford House creating a similar outlook for occupiers and neighbours which is common across the Borough where sites lie directly opposite each other.
- 9.69 The proposal would maintain reasonable separation between 14m – 42m from flats and houses in Dartmouth House to the south. Due to the building position and orientation with Dartmouth House the proposal would not result in undue overlooking to the secondary kitchen or bedroom windows of these flats with no direct loss of privacy for these neighbouring occupiers.
- 9.70 The proposal building would be between 34-42m from the houses in Elmwood Road nos. 11, 13, 15 to the south east. The proposed building would be compliant with minimum window to window distances in terms of privacy and outlook. The step up in form would limit the building impact in terms of overlooking on to the rear garden of no.11 with the first 6 floors of the building being nearest to this neighbours garden. An assessment of window openings along the boundary with no.11 identifies 9 windows to 3 flats at levels 1-3 (three secondary living room windows and six to bedrooms, in addition to balconies for each flat); 3 further secondary windows to 3 more flats at levels 4-6 in addition to balconies. The inclusion of obscured glazing 1.7m up from internal floor level to these windows and details of balcony screening to these 6 flats would safeguard neighbours amenity and reduce the potential for overlooking. Furthermore the applicants point out that the impact of an establish tree line to the rear garden of no.11 further would further reduce the impact of the development on neighbour amenity. To conclude, the rear 10m of these properties would be safeguarded, as required by policy DM10.6.
- 9.71 No windows would exist in the flank elevation of the proposed development currently in construction at the rear of 2 Bensham Lane to the north. The potential occupiers of this site are therefore unlikely to be directly impacted in terms of overlooking, privacy or outlook. The building would be 17m from the flank elevation and garden of 20 Bensham Lane. The building would step up away from this neighbour and is unlikely to significantly impact in terms of overlooking, outlook or loss of privacy.

Noise

- 9.72 The site is surrounded by a number of neighbours that could be affected by the development during demolition, construction or on completion. The applicants have submitted a Construction Logistics Plan (CLP). Environmental officers require further confirmation of the information submitted, the details of which would be updated to reflect amendments in the proposal and secured by pre-commencement condition. Rigorous construction environmental management plans would be required to detail a range of mitigating measures to reduce these impacts insofar as possible and to minimise highway impacts during the construction phase.
- 9.73 The proposed residential activity would create similar noise environment to that which currently exists. The proposed commercial use would need to be

constructed to suitable standard to safeguard internal noise, ventilation and extracts. Furthermore regard would need to be given to hours of use and overall general operation in order to safeguard neighbouring amenity (to be controlled through conditions of hours of use and an updated delivery and servicing plan). Environmental officers consider that the proposal would need to follow the recommendations, proposal and specification of the applicant's acoustic report to be controlled by condition.

Impact on the Surrounding Environment

Microclimate

- 9.74 The applicants have submitted an independent qualitative assessment of the likely wind conditions around the scheme. The wind assessment considered the existing conditions surrounding the site and the affect the development may cause. The meteorological data indicates that prevailing winds blow from the south-west throughout with secondary winds blowing from the north east during the spring. Winds from other directions do occur, and are considered within the assessment; however, their impact tend to be low, due to being relatively infrequent (compared to the prevailing directions).
- 9.75 The report identifies that all thoroughfares would have suitable wind conditions for the intended use and would not require mitigation measures. The wind microclimate at ground level is expected to be suitable for sitting to standing use during the windiest season, with no instances of strong winds likely to occur at the site or in the surrounding area. It is therefore suitable for intended pedestrian use.
- 9.76 The entrance to the commercial unit on the south-west corner of the development would be expected to have strolling wind conditions during the windiest season. The report suggests mitigation measures such as setting back the entrance point by at least 1.5m. All other entrances would be expected to have standing or calmer wind conditions during the windiest season which is suitable for the intended use and would not require mitigation measures. All balconies and terraces (including external amenity areas at levels four, seven and nine) would be expected to have standing to sitting wind conditions during summer season which is suitable for the intended use and would not require mitigation measures. Officers accept the findings of the wind report. The Lawson method is generally considered as the model to establish suitable pedestrian conditions. Given the report findings, the surrounding environment and limited impact officers are satisfied that proposal would not adversely impact on pedestrian movement subject to appropriate mitigation along this part of Bensham Lane. A pre-commencement condition is recommended to ensure further wind analysis and any mitigation measures are outlined in the landscaping scheme.

Land Contamination

- 9.77 An Independent assessment of the applicants Phase 1 contamination report has identified the site as previously used for motor vehicles prior to its storage activity. The site displays a low to moderate risk to potential occupiers and ground water receptors. Therefore given the sensitivity of the proposed development a Phase 2 Intrusive Investigation should be undertaken. This should include chemical analysis of soil and groundwater, in conjunction with a programme of hazardous

gas monitoring to be undertaken, assessed and approved by the LPA prior to the commencement of work on-site, to demonstrate its suitability for residential use. This is proposed to be secured via conditions.

Air Quality

- 9.78 The site is in an Air Quality Management Area (AQMA). The submitted air quality assessment states that there would be no exceedances of either short term objectives for NO₂ and that the development would be neutral in terms of construction and transport impacts. The air quality assessment found that the implementation of a range of appropriate site management practices to control dust emissions would significantly reduce the potential for adverse dust effects associated with the various stages of the works. The report identifies that residual effects, effect of construction vehicles, overall operation effects and future concentrations would not be significant. However notwithstanding these findings in line with policy DM23 to promote high standards of development and construction throughout the Borough environmental officers require a contribution of £6,300 towards air quality improvements to mitigate against non-road transport emissions to be secured via the S.106 agreement.

Flood Risk and Sustainable Drainage

- 9.79 The application site is located within Flood Zone 1 and a low risk for surface water flooding. The submitted Flood Risk Statement sets out the strategy for managing roof runoff routed to site drainage, run off from soft and hard landscaping and inclusion of an attenuation tank routed to Thames Water sewers.
- 9.80 The submitted strategy and overall approach meet most of the LLFA requirements; water flows across the site, the impact of permeable surfaces on site, meeting greenfield run off rates, water storage capacity levels, long term storage requirements; benefits of drainage strategy and details of off-site works. However, further clarification and additional information is required. Most of the points refer to infiltration testing with clarification of drainage scheme flow rates. The applicants have agreed to a pre-commencement condition to undertake the onsite infiltration testing prior to works.
- 9.81 Thames Water have requested conditions concerning any potential piling on site and for the need for the applicants to apply for a ground water risk management permit (all of which are to be added). In addition to this various informatives advising the applicant on measures covering surface water, waste water network, sewage treatment with direct contact with Thames Water to minimise groundwater discharges into the public sewer are to be included. Officers consider that subject to the recommended conditions and informatives, the proposal would be acceptable in terms of drainage and flood risk.

Light Pollution

- 9.82 To avoid excessive light pollution, a condition is recommended requiring external lighting, including details of how it would minimise light pollution.

Sustainable Design

- 9.83 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon

emissions. In line with Policy SI 2 of the London Plan and SP6.2 of the CLP (2018) the development proposals should make the fullest contribution to minimising carbon dioxide emissions (in major developments this must be zero carbon). The applicant's energy statement confirms that 35% minimum carbon reduction based on the SAP report of 2012 to ensure emissions over Part L 2013 as identified under the London Plan 2021 and CLP 2018. The remaining CO2 emissions to be offset through a financial contribution.

- 9.84 The development includes improvements in accordance with the energy hierarchy 'Lean, Clean, Green' outlined in Policy SI2 of the London Plan (2021) by providing high levels of building fabric, airtightness, reduction in thermal bridging, energy efficient lighting and system controls, mechanical ventilation controls, roof mounted air source heat pumps a communal photovoltaic panel system installed on the upper most of the roof area with commercial area benefiting from air to air VRF heating and cooling system. The proposed rooftop solar panels can be supported in principle, subject to further details provided by condition, including its visual impact from the streetscene, and townscape view to ensure that there is no addition to the perceived height of the building. With respect to "Be Lean" the proposal demonstrates a 10% and 17% reduction from energy efficiency measures for residential and non-residential elements respectively in accordance with London plan policy. In addition to "Be Clean, Be Green" the proposal includes an ambient loop distribution network (with heat pumps) with connections should a district heating network become available in the future. The non-residential space will also be fed by the communal heating system. Details of the heat pumps would ensure that the proposal complies with London Plan guidance.
- 9.85 In line with Policy S12 the applicants have submitted a Whole Life Carbon Assessment which sets out the requirements to calculate and reduce Carbon emissions. This report captures the likely operational emissions, from construction over the entirety of the buildings life. This identifies the minimum requirements in respect to the building substructure, superstructure, product stage, construction stage, replacement stage and operational energy use at design stage prior to technical design. The report outlines a potential saving of 339.4 – 599 tonnes of residual carbon. A condition requiring that the proposal adopts the strategy should ensure significant carbon reduction on this site.
- 9.86 The scheme is expected to achieve at least 70% reduction in "Be Lean", 68% reduction in "Be Clean" and 50% reduction in "Be Green" measures; through the combination of energy demand reduction measures and the heat Network and CO2 emissions shortfall. The shortfall would be covered by a carbon offset payment of £54,580 in accordance with GLA rate of £95 per tonne which would be secured through the S.106 agreement and will be used towards funding off-site energy efficiency projects within Croydon. Furthermore the applicants state that the proposal would also meet the minimum water efficiency standard of 110 litres per head per week.
- 9.87 In line with reducing waste (and policy SI7 London Plan 2021) the applicant has produced a circular economy statement which identifies steps towards reuse of materials; reduction in construction material demands, waste management, waste generation and performance management. The GLA has stated that the

submitted statement outlines how these targets can be achieved and concludes that the approach aligns with the circular economy guidelines. A condition requiring the proposal is in accordance with the statement findings would ensure the proposal would accord with this requirement.

Transport, Parking and Highways

9.88 The site has a Public Transport Accessibility Level (PTAL) of 5 very good (on a scale of 0-6b, where 6b is the most accessible). The site is well served by public transport, 71m north of London Road which is part of the Transport for London (TfL) Strategic Road Network which provides a number of bus routes. The site is located 100m north of the District Centre which contains a number of local amenities/shops. The site is in close proximity to West Croydon Station (850m) and lies within CPZ North which is operational Mon-Sat 9am-5pm with waiting restrictions in front of the site operating between the same hours; but no loading restrictions exist.

Parking

9.89 Due to the high PTAL, 4 car parking spaces are provided (3 accessible/disabled parking spaces and 1 car club vehicle spaces). The development is to be car-free which is welcomed by the GLA, TfL and considered acceptable by officers. The proposal provides accessible parking spaces above the 3% required under the London Plan. The GLA requirement to extend this level to 10% through off site provision (if required) would be secured through a contribution for on-street disabled parking to be secured through s.106 agreement, the cost to be agreed with Transport officers. The applicants have provided swept path manoeuvres to the proposed parking spaces to demonstrate that vehicles can access and egress the site safely in forward gear.

9.90 Policy SP8.12 of CLP (2018) encourages the delivery of electric vehicle charging infrastructure throughout the borough to improve air quality and decarbonise private transportation over the plan period. In line with this policy the 4 car parking spaces would be provided with active EVCP's, which would be conditioned.

9.91 The applicants transport assessment differs from officers' view in relation to possible trip generation associated with the site. The applicants have however provided further information clarifying the proposed commercial/community uses associated with the site. Officers agree that a condition restricting the proposed uses to Classes E(g) ii, iii, F1 and F2 (excluding place of worship) only should ensure that no other uses would be permitted without appropriate assessment on the transport network.

Cycle storage

9.92 Officers are satisfied with the level of cycle storage provided which has been increased to the 110 spaces required by TfL together with staff storage and visitor cycle parking in line London Plan requirements. Details of cycle storage would confirm dimensions in all core areas, including aisle widths and identify the type of stands (for larger bikes) proposed and ensure a mix of Sheffield Stands. The applicants have confirmed that there will be no two tier racks. Electric sockets and a repair area for cycles with a pump etc will be required in the store or adjacent area the details to be secured by condition. The staff cycle store is

welcomed and the condition would ensure that its meet the same criteria as the residential store in terms of type of racks used widths of aisles and doors etc.

Refuse and recycling storage

- 9.93 In line with Council policy DM13 of CLP (2018) refuse storage is shown on the ground floor for the residential and commercial elements. The commercial element will require a separate trade refuse agreement, to be secured by condition. The furthest bin in the residential refuse store is within the 20m drag distance to the public highway for collection. A refuse management plan will need to be put in place prior to commencement of the development confirming the residential bin sizes/capacity and commercial collection details. A 10sq.m area for bulky goods is provided and considered acceptable. There will be a requirement for a dropped kerb to facilitate the collection of the bins however this will form part of the section 278 highways agreement.

Deliveries and servicing

- 9.94 The applicants have proposed that delivery and servicing for the commercial premises will take place from the north of the site. In accordance with GLA and TfL comments a detailed delivery and service plan confirming both residential and commercial uses identifying vehicle drop off/access points; number of trips and regard to current delivery and waiting restrictions would need to be submitted to the LPA for approval prior to occupation to ensure an acceptable arrangement.

Highway improvements

- 9.95 Any new crossovers would need to be reconstructed to current standards, and be no wider than 5-5.5m in width. Details of the proposed crossovers including vehicular and pedestrian sightlines will need to be provided prior to commencement. The applicants have agreed that all existing crossovers that are not to be reused will be removed as part of a s278 agreement at their cost. A condition survey of the public highway will be required prior to any works commencing on site. The improvement of the area of pavement immediately in front of the site (including paving material/design) would be secured through the s106 agreement through both the public realm schedule and will require engagement with highways and a highways agreement.

Sustainable transport

- 9.96 Policy SP8.13 of the CLP (2018) requires new development to contribute to the provision of electric vehicle charging infrastructure, car clubs and car sharing schemes, as well as promoting sustainable transport options such as cycling. The applicants have agreed to £37,000 in addition to 1 on site car club, 3 year car club memberships for future residential occupiers and 1 years membership for commercial operator to be secured through the s106 towards improvements towards sustainable transport. Furthermore, the s106 will remove access to all types of parking permits and contracts in council run car parks for the site as per policies in the Local Plan.

Other Planning Issues

- 9.97 A TV and Radio signal impact assessment shall be secured via s.106 to ensure that there is no interference to the reception of digital terrestrial television services or digital satellite television services within an agreed survey area.

9.98 In order to ensure that the benefits of the proposed development (including those required to mitigate the harm caused) reach local residents who may be impacted indirectly or directly by the proposal's impacts a contribution for skills, training and employment strategy for the construction phase of £27,500 and given the commercial unit also for the operational phase of £3,984, to be secured through s.106 obligation.

9.99 The development is liable for a Community Infrastructure Levy (CIL) payment to ensure that development contributes to meeting the need for physical and social infrastructure, including educational and healthcare facilities across the borough.

Conclusion

9.100 The proposed development would introduce a significant amount of new housing, including a mix of unit sizes and genuinely affordable housing in the form of London Affordable Rent units, as well as Shared Ownership units. In addition the scheme would provide an improved commercial unit with increased employment potential. The proposed development is of a high quality design and would ensure a good standard of accommodation for new residents and their neighbours. The development would be car-free, environmentally sustainable and would comply with the aspirations of the Development Plan in this regard. The proposal constitutes a strict departure based on height, but this is clearly outweighed by other material considerations. The residual planning impacts would be adequately mitigated by the recommended s.106 obligations and planning conditions.

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

9.102 It is recommended that planning permission is granted in line with the officer recommendation for the reasons summarised in this report.

Appendices

AP1: Drawing numbers

- BEN-AST-XX-XX-DR-A 01 0000 Site location plan - Existing
- BEN-AST-XX-XX-DR-A 01 0600 Site location plan - Proposed
- BEN-AST-XX-B1-DR-A 01 0709 Proposed Plan B01
- BEN-AST-XX-00-DR-A 01 0710 Proposed Plan L00
- BEN-AST-XX-01-DR-A 01 0711 Proposed Plan L01
- BEN-AST-XX-02-DR-A 01 0712 Proposed Plan L02
- BEN-AST-XX-03-DR-A 01 0713 Proposed Plan L03
- BEN-AST-XX-04-DR-A 01 0714 Proposed Plan L04
- BEN-AST-XX-05-DR-A 01 0715 Proposed Plan L05
- BEN-AST-XX-06-DR-A 01 0716 Proposed Plan L06
- BEN-AST-XX-07-DR-A 01 0717 Proposed Plan L07
- BEN-AST-XX-08-DR-A 01 0718 Proposed Plan L08
- BEN-AST-XX-09-DR-A 01 0719 Proposed Plan L09
- BEN-AST-XX-10-DR-A 01 0720 Proposed Plan L10
- BEN-AST-XX-RF-DR-A 01 0721 Proposed Roof Plan
- BEN-AST-XX-XX-DR-A 01 0800 Proposed Elevations
- BEN-AST-XX-XX-DR-A 01 0801 Proposed Elevations - Northeast, Southwest and Southeast
- BEN-AST-XX-XX-DR-A 01 0900 Proposed Sections

Landscape Plans

- BEN-AST-XX-00-DR-L 01 5710 Proposed Ground Floor Plan
- BEN-AST-XX-ZZ-DR-L 01 5711 Proposed Roof levels Plan
- BEN-AST-XX-ZZ-DR-L 01 5712 Proposed Planting Plan
- BEN-AST-XX-ZZ-DR-L 01 5713 Proposed Tree Plan

AP2: Planning Policies and Guidance

The following lists set out the most relevant policies and guidance, although they are not exhaustive and the provisions of the whole Development Plan apply (in addition to further material considerations).

London Plan (2021)

- GG2 Making best use of land
- GG4 Delivering homes Londoners need
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D10 Basement Development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change

- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S4 Play and informal recreation
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

Croydon Local Plan (2018)

Strategic Policies:

- SP2 Homes
- SP3 Employment
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication

Local Plan Policies:

- DM1 Homes
- DM8 Development in edge of centre and out of centre locations
- DM10 Design and character
- DM13 Refuse and recycling
- DM14 Public art
- DM15 Tall and large buildings
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM27 Protection and enhancing biodiversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

Place Specific Policy

- DM36 Broad Green and Selhurst

Supplementary planning Guidance SPG

- London Housing SPG, March 2016.
- Homes for Londoners: Affordable Housing and Viability SPG, August 2017.
- National Technical Housing Standards, 2015.
- National Planning Practice Guidance, 2014.
- Supplementary Planning Document (SPD2) Suburban Design Guide 2019.
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Sustainable Design and Construction (April 2014)
- Play and Informal Recreation (September 2012)
- All London Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007) Croydon
- SPG12 Landscaping Design
- Public realm Design Guide 2019
- Section 106 – Planning obligations in Croydon and their relationship to the community infrastructure levy

AP3: Daylight to existing buildings

The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either: the vertical sky component (VSC) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%) known as “the VSC test” or the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value known as the “daylight distribution” (DD) test.

Sunlight to existing buildings

The BRE Guidelines stipulate that the sunlight of an existing window may be adversely affected if the centre of the window: receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual winter probable sunlight hours between 21 September and 21 March (WPSH); and receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period; and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours. If one of the above tests is met, the dwelling is not considered to be adversely affected.