

PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: 22/04309/FUL
 Location: 32-44 Keeley Road and 31-57 Drummond Road, Croydon, CR0 1TH
 Ward: Fairfield
 Description: Comprehensive redevelopment of the site comprising the demolition of the existing buildings and structures; site preparation works; and the phased development of two new buildings containing residential uses, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage, plant and other associated works
 Drawing Nos: See Appendix 1
 Applicant: BDW Trading Limited
 Agent: Mr Ewan Grunwald (Quod)
 Case Officer: James White / Ross Gentry

	1 bed (2 person)	2 bed (3 & 4 person)	3 bed (4 & 5 person)	TOTAL
Existing	18	73	5	95
Proposed (market housing)	69	44	9	122
Proposed (affordable rent)	0	6	0	6
Proposed (shared ownership)	9	7	0	16
TOTAL (Proposed)	78	57	9	144

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 6b	
Car Parking maximum standard	Proposed
Car free other than Blue badge. 3% of dwellings (4 spaces) provided as blue badge parking from the outset	4 blue badge spaces
Long Stay Cycle Storage minimum	Proposed
78 (at 1.5 space requirement) plus 66 (at 2 space requirement) = 249	250
Short Stay Cycle Storage minimum	Proposed
4	4

1.1 This application is being reported to committee because:

- It is for the erection of a building or buildings with a gross floor space of 10,000 square metres or more.

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning Sustainable Regeneration is delegated authority to issue the planning permission subject to:

- A. Any direction by the London Mayor pursuant to the Mayor of London Order
- B. The prior completion of a legal agreement to secure the following planning obligations:

Affordable housing

- a. 16% affordable housing (by habitable room) with 32% at London Affordable Rent and 68% Shared Ownership
- b. Affordable housing review mechanisms (early and late stage review)

Transport

- c. TfL financial contribution of £53,670 towards improvements and upgrades to the local public transport network
- d. Croydon Council financial contribution of £180,000 for sustainable transport initiatives
- e. Financial contribution to off-site car club space with EVCP of £31,000
- f. Membership to car club for residents for 3 years for each unit
- g. Travel Plan and monitoring for 5 years
- h. Remove access for future residents to CPZ permits and season tickets for Council car parks

Design

- i. Retention of scheme architects
- j. Contribution of £4,309 towards child play space provision

Public Realm

- a. Enter into a S.278 agreement – to include, but not limited to, repaving of the pavements around the building on all street frontages, changes to yellow lines, parking restrictions and parking bay removals, as well as active travel zone key route improvements
- b. Potential to enter into a S.38 agreement for the adoption by the Council of the Drummond Road widened footway

Environmental

- c. Air quality financial contribution of £14,400
- d. Carbon offsetting contribution of £156,708 (subject to review if the energy performance improves during the detailed design stages)
- e. 'Be Seen' monitoring clause
- f. Television mitigation

Employment and training

- g. Local Employment and Training strategy (LETS)
- h. LETS contributions of £90,000 for construction phase

Other

- i. Relevant monitoring fees (per £1,500 per obligation above)

j. Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.

2.4 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings
- 3) Development to have 144 homes (Use Class C3) across two buildings at heights of 5 and 16/25 storeys.

Pre-commencement (pre-demolition)

- 4) Demolition and Construction Logistics Plan (discharged in consultation with TfL and London Trams).
- 5) Demolition and Construction Environment Management Plan
- 6) Contaminated land - intrusive site investigation

Pre-commencement (post-demolition)

- 7) Public Art strategy, designs and implementation (brief and commissioned pieces for elevations including physical samples)
- 8) Wind mitigation in relation to Tower B entrance area
- 9) Sustainable urban drainage strategy

Prior to above ground floor slab level

- 10) Typical façade materials and detailing 1:1 mock-up's, with 1:5/1:10 details to confirm following approval
- 11) 1:1 mock-up's of the crown, showing interface, and of the amenity levels and window/sill details
- 12) External facing materials, including physical samples and detailed drawings of design elements 1:5/1:10
- 13) Building lighting scheme, to include night-time illumination and wildlife sensitive lighting design
- 14) Achieve Secured By Design accreditation
- 15) Vehicle Dynamics Assessment with hostile vehicle mitigation and anti-terrorist measures
- 16) Sufficient ducting space for full fibre connectivity infrastructure
- 17) Wind mitigation (other than in relation to Tower B entrance)
- 18) Whole Life Cycle assessment - actual whole life cycle emissions and post construction monitoring.
- 19) Air Quality and Dust Management Plan
- 20) Petrol / oil interceptors be fitted in car park facilities
- 21) Final details of cycle parking

Pre-occupation

- 22) Hard and soft landscaping (including planting / boundary treatment, furniture and structures / play space / equipment and rooftop amenity)

- 23) Urban Greening Factor minimum 0.35 compliance with further exploration of options to try and secure 0.4
- 24) Communal area management plan stipulating access to all communal areas (rooms and outside space) for all residents within both blocks.
- 25) Detailed Delivery and Servicing Plan
- 26) Refuse collection management plan
- 27) Building maintenance strategy including window cleaning
- 28) Parking Design and Management Plan (including details of the maintenance and repair of the electronic gates and traffic light system utilised)
- 29) Post-construction assessment to review WLC emissions against submitted report
- 30) Post-construction assessment to review circular economy against submitted report
- 31) Travel Plan
- 32) Building fully accessible to all with step free access and evacuation lifts provided

Compliance

- 33) 10% of units M4(3) and 90% M4(2)
- 34) Compliance with measures in Noise and Vibration Assessment October 2022
- 35) Securing biodiversity mitigation and enhancement measures within Biodiversity Net Gain Report October 2022
- 36) Minimum 35% CO2 reduction secured on site
- 37) Compliance with Air Quality Assessment October 2022
- 38) Compliance with Overheating Assessment September 2022
- 39) 110 litre/person/day water consumption target
- 40) All spaces equipped with electric vehicle charging infrastructure
- 41) Compliance with fire statement, detailed design of fire strategy
- 42) All features and materials must comply with Part B of the Building Regulations in relation to fire safety
- 43) Access for all residents (and all tenures) across both blocks provided and maintained in perpetuity to 2 communal rooms at base of Block B
- 44) Noise from air and plant units should not increase background noise
- 45) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Material/detailing conditions information
- 4) Code of practise for Construction Sites
- 5) Site notice removal
- 6) Thames Water guidance related to working near or diverting assets
- 7) Thames Water Groundwater Risk Management permit info
- 8) Thames Water Minimum pressure and flow rates
- 9) Obstacle lighting (Aviation)
- 10) CAA Crane Notification (Aviation)
- 11) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

- 2.5 That the 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.

- 2.6 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Central Croydon and Church Street Conservation Areas as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.7 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.8 That, if by 22nd September the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal is for full planning permission for the demolition of the existing building (which ranges between 4 to 11 storey in height) and the subsequent erection of two residential buildings, forthwith known as Block A (fronting Frith Road) and Block B (fronting Drummond Road).



Figure 1: ground floor layout plan

Block A

- The lower block fronting Frith Road, Block A, extends up to 5 storey in height (ground plus 4 storey) and comprises 27 units.
- All the units within Block A are single level, other than six new duplex homes with individual front doors and gardens to Frith Road. The flats within Block A have a communal entrance off Keeley Road. An internal refuse store is also accessed off Keeley Road and from the lobby area.
- Block A has 1 lift and stair core.

Block B

- The taller building, Block B, extends along the frontage of Drummond Road and steps in height from part-16 (ground plus 15 storey) to part-25 storey (ground plus 24 storey) plus roof top plant and comprises 117 units.
- The ground floor of Block B incorporates a communal entrance off the corner of Drummond Road and Keeley Road, two communal rooms (for resident use across the whole development) and plant. An internal refuse store is also accessed off Keeley Road and from the lobby area.
- Block B has 2 lifts (within one core) and 2 stair cores.
- Basement accommodation is provided for 4 blue badge spaces, plant and cycle storage.
- Between the blocks, stretching between Keeley Road and Drummond Road, is an outdoor communal area. Additional outdoor spaces are proposed on the 5th floor of Building A and the 16th floor of Building B.
- Both buildings are primarily finished in brick and metal work.



Figure 2: CGI of proposed scheme

Amendments

3.2 The following documents were updated during the course of the application:

- Design and Access Statement Addendum
- Revised Daylight and Sunlight Report
- Microclimate Technical Note
- Tree Technical Note
- Biodiversity Net Gain Report
- Health Impact Assessment
- Updates in relation to Energy and Circular Economy
- LBC Highways Response Note

3.3 The following plans were updated during the course of the application:

- Proposed site plan
- Proposed basement floor plan
- Proposed ground floor plan

3.4 These amendments have sought to address consultee and objector concerns where relevant. Given they were largely clarifying the position already shown in earlier documents and are minor amendments in their nature, a further re-consultation was not necessary.

Background

3.5 The existing building was built by Barratt between 2000 and 2003. All the apartments within the scheme were sold to individual occupiers between 2001 and 2003, whilst the site freehold was sold to an investor in 2003.

3.6 Although having no legal interest in the site or legal duty in relation to the building, fire safety checks were carried out by Barratt in 2017. It was discovered that the existing cladding was potentially unsafe and Barratt voluntarily agreed to pay for its replacement.

3.7 Works to remove the cladding identified structural concerns and, after review and further works, residents were moved out of the building in 2019, with Barratt funding temporary accommodation. The works required to make the concrete frame of the building safe were eventually found to be significant, and of a time-consuming and intrusive nature.

3.8 In 2020 it was decided that the best outcome for residents would be for Barratt to offer to purchase their homes at full market value. Barratt would then remediate or redevelop the site.

3.9 The site has been vacant since early 2019 and is currently covered in scaffolding and screening.

Site and Surroundings

- The site has an area of approximately 0.2 ha and is located within a block bounded by Drummond road and Keeley Road.



Figure 3: red edge location plan

- The site is currently occupied by Citiscape, a residential building varying in height from 4 to 11 storeys and comprising 95 flats with a two level basement containing 72 car parking spaces (ground and lower levels accessed from the north east and south east of the site respectively) .



Figures 4 and 5: birds eye views of the existing building

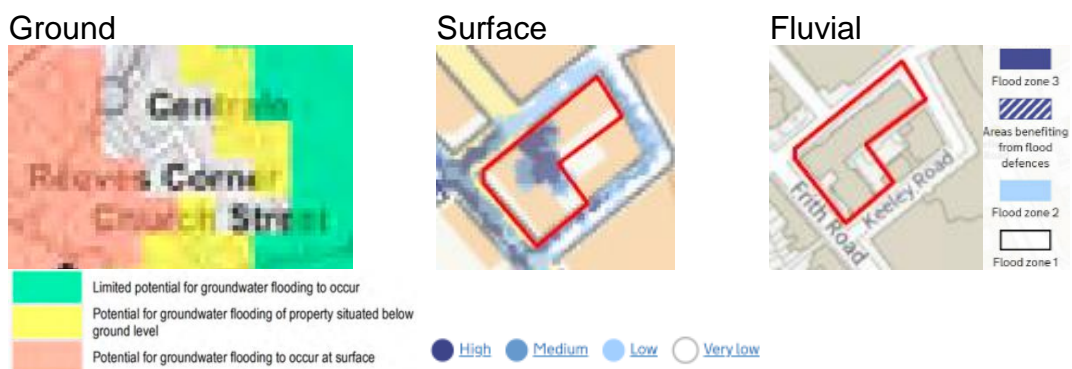
- The surrounding area contains a wide variety of building types and scale, with the rear part of the Centrale shopping centre and its car park surrounding the site to the north, east and south, with two storey terraced housing on the opposite side of Frith Road.
- Keeley House is a relatively modern three-storey development which backs on to the site and contains a children’s nursery on the ground floor with flats above.
- There are some commercial uses located on the opposite side of Drummond Road and Keeley Road to the site.

Planning Designations and Constraints

3.10 The site is subject to the following formal planning constraints and designations:

Site

- Croydon Metropolitan Centre
- Croydon Opportunity Area (within the 'Edge Area' for tall buildings) (See Figures 9 and 10: Extracts from Croydon Local Plan 2018).
- Archaeological Priority Area
- Old Town Masterplan (2014) area, specifically components OT3 (Frith Road and Keeley Road) and OT12 (Drummond Road).
- The site is within Flood Zone 1 'low risk of flooding from rivers and the sea', the majority of the site is also at 'very low' risk from surface water flooding, however, an area in the centre of the site is shown to be at 'medium' to 'high' risk and the site is within a critical drainage area. In terms of ground water there is no data available for the site itself, however, directly to the southwest an area with the potential of groundwater flooding at the surface. To the northeast is an area considered to have a potential for groundwater flooding to property located below ground level.



Figures 6, 7 and 8: flooding maps

- The site has a Public Transport Accessibility Level (PTAL) of 6b, the highest level possible. There are a number of Tram stops within easy walking distance of the site. West Croydon Station is less than 400 metres from the site and East Croydon Station is also a relatively short walk away.



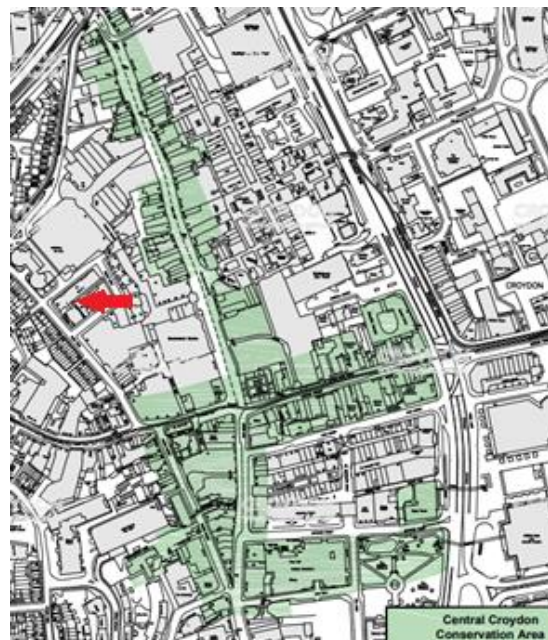
Figure 11.6: Plan of the Central and Edge areas for tall buildings (Policies DM38.3 and DM38.4)



Figures 9 and 10: extracts from Croydon Local Plan 2018

Surroundings

- The site is adjacent to the Church Street Conservation Area (see figure 11), the boundary of which runs along the opposite side of Frith Road to the site and close to the Central Croydon Conservation Area (see figure 12).
- All the roads around the site are within the Central Croydon Controlled Parking Zone.



Figures 11 and 12: Church Street (left) and Central Croydon (right) Conservation Area Maps

Planning History

3.11 The following planning decisions are relevant to the application:

32-44 Keeley Road and 31-57 Drummond Road Croydon

- 97/00263/P Outline planning permission for the demolition of existing buildings and the erection of building comprising 3 to 10 floors to accommodate 74 two bedroom, 17 one bedroom and 4 three bedroom flats.
Approved 09.10.1997.
- 99/03007/P Demolition of existing buildings; erection of building comprising 3 to 10 floors to accommodate 74 two bedroom, 17 one bedroom and 4 three bedroom flats; formation of vehicular accesses and provision of 76 parking spaces (Approval of reserved matters attached to planning permission 97/002630/P).
Approved 28.07.2000.
- 01/02845/RE Amendment to approved scheme (99/03007/P) reducing the number of parking spaces to 73, reducing the number of 2-bedroom flats by one and increasing the number of 1-bedroom flats by one.
Approved 20.02.2002
- 21/5646/ENVS Environmental Impact Assessment (EIA) Screening Opinion Request for the demolition of the existing building and structures and the construction of two replacement buildings up to 18 storey in height comprising up to 131 residential units (use class C3) including a basement car park for up to 10 vehicles and other associated works.
Environmental Impact Assessment Not required. 25.11.2022
- 21/01997/PRE Pre-application for demolition of existing buildings; redevelopment of site to deliver a new residential building and provision of car parking.
- 22-30 Keeley Road Croydon, CR9 1TE
- 83/02920/P Erection of three storey building comprising flats (x2), shops and offices
Permission Granted. 04.05.1984. Implemented.
- 04/04754/P Alterations; conversion of upper floors to provide an additional 5 one bedroom and 5 two bedroom flats and refurbishment of the existing 2 flats.
Permission Granted. 12.05.2005. Implemented.
- 07/02826/P Use of ground floor for purposes within class D1 (non-residential institution)
Permission Granted. 29.08.2007. Implemented.
- 19/0850/CONR Relaxation of Condition 1 of planning permission 07/02826/P to allow continued use of ground floor as a nursery.
Permission Granted. 17.05.2019. Implemented
- 22/05184/PRE Pre-application for demolition of existing building and its replacement with an up to 24 storey building, plus roof garden, comprising nursery on ground and first floor and 97 residential units above. Under consideration.

21/001997/PRE background

3.12 An early iteration of the scheme was presented to the Council's Place Review Panel (PRP) on 16 September 2021. Key images and a summary of comments and key recommendations are given below.



Figures 13 and 14: proposed layout (left) and Drummond Road elevation (right)

- The height could be acceptable, provided it is an exceptionally high quality building.
- Important long range views should be fully rendered to better understand how the development appears in the background.
- The Panel do not think that the Victorian roofscape needs to be referenced in the crown of the tower. They recommend having a stronger, more distinct “Base” “Middle” and “Top”.
- The courtyard requires a strong landscape strategy and active frontages to ensure it is successful and to overcome any issues with daylight/sunlight.
- The Panel strongly advocate internal resident’s amenity spaces and other community uses.
- The Panel strongly recommend grouping the entrances. This would encourage interaction between residents of different blocks and will help build a stronger sense of community. The entrances should be generous enough to facilitate these interactions.
- The Panel stated that there should be no single aspect units in a new build development. They also emphasized the benefits of making the lower block a dual-aspect gallery arrangement.
- Furthermore, the Panel stressed that all new build schemes should comply with the standard social housing mix.
- At present, the elevations appear generic. Further work is needed to ensure the scheme has architectural interest and is contextually appropriate at both short and long range scales.

3.13 The scheme was revised and taken to a further PRP on 18 November 2021. The same scheme was also taken to Planning Committee on the same day. The proposal was for the demolition of the existing building and the erection of 5 and 18 storey buildings, comprising 129 flats.



Figures 15, 16 and 17: CGI's from Drummond / Frith Road junction (left and middle) and proposed layout (right)

3.14 A summary of feedback and main issues raised at PRP and Planning Committee are provided below.

PRP feedback

- They agreed that the proposal is moving in the right direction but it is missing the next layer of detail on the landscaping, mix, tenure and expression.
Officer response: further details have been provided as part of application.

Massing

- Overall massing and building heights are the same as the last PRP, however the treatment of the taller element and crown have been worked through in more detail.
Officer response: none required.
- Comfortable with the mass in the historically sensitive views.
Officer response: none required.
- Raised some concerns over the parapet detail and roovescape of Block A, noting that the geometry does not turn the corner well as normally the side elevation would be flat like in the typical Victorian terraces – where the “butterfly roof” terrace detail would only be front and back elevations.
Officer response: the parapet has been updated to avoid this detail and is such that the pitch is limited to the front and back of the building and the sides remain flat to pick up the approach found of a single pitched roof.
- Further work is needed on the resolution of the roovescape and “saw tooth” parapet detailing.
Officer response: the saw-tooth approach has been simplified as per the response above. The parapet provides a screened edge to the rooftop amenity and incorporates a hidden angled pergola structure echoing the line of the pitch and giving the impression of a more traditional pitched roof when viewed from street level.

- Could become a case study for how to articulate elevations in building “height”, opposite a conservation area in a contemporary way.
Officer response: none required.

Site Layout

- Changes around the ground floor entrances were positive. An entrance off Keeley Road was supported and both blocks can now be accessed from the communal courtyard.
Officer response: none required.
- Welcomed the introduction of a community room and felt that this was in the correct location, having a frontage onto Drummond Road and activating the street. However, the Panel felt it was probably undersized given the number of occupants.
Officer response: the proposals were adjusted following PRP to increase the size and frontage of the communal room onto the communal garden. The proposals include two dedicated residents’ rooms for residents to dwell, interact and hold events and communal activities. The resident room has been located adjacent to the central courtyard at ground floor level to provide an attractive outlook and ensure a link between the external courtyard and the internalised facilities.
- The plant spaces still occupy the best positions on the site and this feels like a missed opportunity and could be reassessed.
Officer response: the plant room has been set back within the envelope of Block B, and no longer has a large frontage onto the courtyard which is now restricted to double door service access. In its place is the dedicated resident’s room.
- Rather than having the corridor of Block B exit off the side by the refuse store, the Panel recommended having the corridor adjacent to the community room. This would provide a more direct access to the communal garden, with a clearer visual connection.
Officer response: residents are now able to move directly from the Block B lobby to the courtyard garden via a single straight corridor without passing through other rooms.
- Do not support the community room itself becoming part of the circulation space as this will be problematic when it is being hired privately.
Officer response: the community room is now self-contained to facilitate private hire within direct access from the central corridor of Block B or via the amenity courtyard.
- Community room could wrapped the entire courtyard frontage of Block B (with the plant behind or to the edge of the site) should be explored.
Officer response: this change has been made with the community room benefitting from dual aspect overlooking the courtyard.
- Developer can set their own floor to ceiling heights. This should remove the need for double height plant spaces or voids facing the courtyard which create blank frontages.
Officer response: the plant spaces are not double height. The area indicated as void over basement plant is necessary to accommodate the change in level across the site. This space does not occupy the full ground floor height onto the

courtyard. It effects the first floor of Block A which provides a raised active floor frontage on to the garden.

Landscape

- Too complicated, the landscape concept should be realistic about what useable space is leftover once defensible planting offsets are taken into account.
Officer response: the proposed landscaping arrangement to the ground floor courtyard have been simplified to optimise the availability of useable communal amenity space for residents.
- External cycle store was very problematic as it takes up a prime area of the site. If has to remain should be simplified and a recessive element of the landscape design.
Officer response: the external cycle store is necessary in order to meet the London Plan cycle parking standards for long and short stay parking. The store has been designed to minimise its size and land take, whilst integrating positively with the wider landscape through provision of a green roof.
- Stronger relationship between the courtyard and the communal room. A flat, hardscape area directly outside the communal room could be considered as an extension of that space.
Officer response: the proposals include a hardstanding terrace outside of the community room to facilitate and encourage movement between the two spaces and aid future events and communal activities.
- Sweeping route through the courtyard currently feels unresolved. Slope offers opportunities e.g. raised terraced planting beds with seating.
Officer response: raised planting beds feature throughout the proposed development.
- Concerns over the fragmentation of play - consolidated in one area would be ideal. Play on roof top gardens needs to be looked at in more detail.
Officer response: the development's play provision has been consolidated to the roof terraces of Block's A and B. The development is able to fully meet its play provision for 0-11 year old children. Due to the limitations of the site, it has not been possible to provide older child play space, so a contribution has been secured in lieu of this.
- Generally supportive of play features which can be integrated within the landscape and furniture. Highlighted need for bespoke play, rather than off-the shelf products.
Officer response: the play features details shall be secured via planning condition.
- Landscaping to the top of Block A are a bit underwhelming. Visualizations for Block B roof terrace look great, but questioned how realistic this was at 18 storeys.
Officer response: the roof terrace landscaping arrangement for Block A were simplified in response to the feedback and now provide a range of play features and seating set within high-quality planted gardens for the enjoyment of residents. The proposed landscaping for the Block B roof terrace is broadly similar to that presented to PRP. It should however be noted that the Block B roof terrace has been relocated to level 16, and is now less exposed from the elements on account of the additional massing that the terrace adjoins (up to 25 storeys).

Boundary Treatments

- Not convinced by the heavy railing and gate treatment to Keeley Road. Suggested to use softer treatments and low level planting etc.
Officer response: gates remain, particularly from a security perspective and are considered, on balance, acceptable.
- Low brick walls to Frith Road could be acceptable, provided the brick is consistent with the building.
Officer response: the brick wall is shown to match the brick used on Block A and can be secured by condition.

Design

- Too many single aspect units for a new build. However, they think that the repositioning of entrances and cores, and addition of extra windows on the side flanks of Block A does go some way towards addressing their concerns and could be a reasonable compromise.
Officer response: the design has evolved and now contains 72% homes with a dual aspect which is a significant uplift on the existing building.
- Further work on the single aspect duplex flats facing onto Frith Road.
Officer response: these are six 2 bed duplex comes, of which two now have dual aspect.
- Ensure any 3 bed units have a secondary aspect to improve their overall quality.
Officer response: dual aspect to the 3 bed homes has been maximised with 6 of the 9 units achieving dual aspect.
- Would it be possible to get some duplexes to step up and over the plant void which is less than 1m in height in Block A to resolve this awkward condition and then step down into the shared courtyard.
Officer response: given the change in level across the site, the change in level of the garden and the depth of the building this has not been possible to accommodate.
- Unsure about the usability and comfort of projecting balconies at 18 storey.
Officer response: the balcony approach has evolved to accommodate projecting balconies at the higher heights only where they are recessed in a corner and semi-recessed balconies in other locations.
- All flats must meet the Mayor's standards.
Officer response: all homes comply.

Architectural Expression

- Broadly supportive of the materials and metalwork.
Officer response: whilst the materials are the same, primarily brick and metalwork, the colour palette has evolved, to become warmer across both blocks.
- Although still looks too grey and highlighted that samples will need to be provided.
Officer response: the grey palette is no longer proposed, whilst the final material will be subject of planning condition.

- Asked if alternative materials (i.e terracotta) has been explored as an alternative to a fully brick building.
Officer response: brick has remained the principle material, but the palette has been amended to a warmer red multi brick to compliment the character of the Conservation Area.
- Distinction between the brown and white tones is acceptable, but not supportive of the use of white panelling to first floor windows in Block B. Suggested to use the rustic brick infill here instead.
Officer response: the approach to the ground and first floor has evolved and no longer include white panelling to the first floor.
- More interest could be added to the side flanks of Block A, particularly around the plant room.
Officer response: the approach to the flank walls of Block A has evolved with the integration of soldier course brick detailing, additional windows, and space for public art/signage provided.
- Requested more playfulness in the articulation of the façade. The canopy could also be developed to be more of a feature of the design. It was suggested that some public artwork might help.
Officer response: opportunities for public art on the side façade of Block A have been included and would be the subject of a planning condition.

Sustainability

- Sceptical that roof top heat source pumps will function over these distances. More detail will be needed.
Officer response: in line with policy requirement to supply clean energy, an energy centre using Air Source Heat Pumps (ASHP) is proposed, with a proportion of back up energy from high efficiency gas boilers. ASHP typically include roof-mounted units with associated equipment located within a ground floor plant room. These systems incorporate dedicated insulated heating risers to optimise efficiency and avoid overheating.
- Investigate how zero carbon could be achieved and be clear on targets and go above and beyond the minimum measures.
Officer response: the development is able to achieve a site wide 56% reduction with a financial contribution making up the shortfall.

Planning Committee feedback

Residential redevelopment of site

- Noted the history and welcomed there were proposals to redevelop the site.
Officer response: none required.

Height

- Mixed response. Some Members were concerned with the height of the building, other Members encouraged the applicant to build the development furthest away from the conservation area higher, and this would help to improve viability and so provide a greater affordable housing offer.
Officer response: although PRP were comfortable with the massing given these comments (and officers) the massing of the development was amended with an

increase height to northern part of site, with Block B split into a taller and lower element, which also allowed the scheme to respond better in key views (such as from the CA within Surrey Street looking north).

- Expressed some concern regarding the character of the Drummond Road site as they felt as though the appearance was bland and they had a desire to make the site look more attractive. More detailing would be required to enable the building to appear more interesting.

Officer response: see PRP response comment on this matter.

Design

- Suggested that the balconies should be inset rather than overhang the highways.

Officer response: see PRP response comment on this matter.

- Would prefer more distance between the tower and the smaller block.

Officer response: there has been no change in this regard, however, the distance between the blocks is not considered to harm the amenities of future occupiers or the general townscape.

Affordable housing provision

- Incorrect for the applicant to act as though the building should be considered as vacant rather than being unfit for purpose.

Officer response: none required.

- Not persuaded that the affordable housing should apply solely to the uplift.

Officer response: whilst the submitted viability appraisal and commentary does include vacant building credit, the affordable housing is not applied solely on the uplift, but on the whole of the new development.

- Encouraged the applicant to achieve policy compliance with the Council's affordable housing proposal.

Officer response: the affordable housing offer is policy compliant.

- If there was a viability issue Members encouraged the applicant to build the development furthest away from the conservation area higher, and this would help to improve viability and so provide a greater affordable housing offer.

Officer response: this suggestion was followed and the scheme is now policy compliant in terms of affordable housing.

Other

- Concerns regarding the impact of the development on the heritage assets, highlighting the fact that there was a similar sized tower located close by.

Officer response: officers consider the heritage impacts to be less than substantial in their nature, with a review of heritage matters provided in more detail within Section 8 of this report.

- When the application comes before committee they would like to see the cumulative impact of the development on heritage assets and would like to test any potential wind tumbling effects caused by the development.

Officer response: a full heritage, townscape and visual impact appraisal has been submitted as well as a microclimate report, covered later in section 8. Subject to conditions no concern is raised.

- Welcomed the introduction of a green roof and wanted to see more effort made in regards to sourcing materials, as well as an approach to construction that would endeavour to reduce the carbon footprint of the development as much as possible.

Officer response: Circular Economy and Whole Life Cycle Carbon principles have been adopted and incorporated by the development including the eventual choice

of building materials, which where practical are to be locally sourced and selected having regard to their environmental impact.

3.15 A number of key changes have been made to the scheme following PRP and Planning Committee feedback, as well as ongoing dialogue with officers, summarised below:

Layouts

- Increase in communal resident space.
- Review of plant, bin and bike locations within the building.
- Incorporation of second stair into core of taller building Block B.
- Reduction in car parking spaces.
- Review of Block B layout to integrate semi-recessed balconies.
- Layout amendments to Block B to pick up height split of 16 and 25 storeys within building.
- Uplift in dual aspect homes.
- Increase in accommodation from 129 to 144 homes.

Scale and massing

- Block B height adjusted from single 18 storeys to split 16 and 25 storeys, to ensure the building appeared more slender in townscape and heritage views, particularly views along Surrey Street.

Appearance

- General amendments to appearance to pick up layout and massing changes.
- Alterations to Block A parapet pitch.
- Further detail given to both blocks including façade depth, brick and metalwork details.
- Change to material palette and colour to a warmer tone of brick.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of two blocks (5 and 16/25 storeys) comprising residential accommodation is supported and aligns with the desire for growth in the Croydon Opportunity Area.
- The proposed development would provide 16% affordable housing by habitable room, which amounts to 22 homes, at a 32 to 68 split between London Affordable Rented (LAR) homes and intermediate shared ownership (SO) homes. This offer has been independently scrutinised and is the maximum reasonable affordable housing policy compliant provision.
- The mix of units is supported by a Registered Provider and includes a portion of family accommodation.
- The application site is situated within an appropriate location for a tall building; the height and mass of the two blocks has been assessed in relation to its impact from a wide range of viewpoints and found acceptable, including in relation to its impact on heritage assets near and far.
- The design, appearance and detailed façade treatment of the development is of high quality as required for tall buildings and would significantly improve the quality of public realm, particularly given the state of the existing building.
- Officers have sought to limit any heritage harm, with less than substantial harm on heritages assets identified, however, the impact is outweighed by the public benefits.

- Whilst there would be some harm to the amenities of surrounding occupiers, particularly in relation to daylight impacts to the flats above Keeley House, these would not be so unduly harmful as to refuse planning permission on this ground.
- The standard of residential accommodation would be acceptable, as all homes would meet the Nationally Described Space Standards and would have sufficient private amenity space. All homes would have acceptable outlook, with the majority receiving good lighting levels.
- The proposed development is located in a highly sustainable well connected location which makes it suitable to be car free, with exception of disabled parking provision. The proposed development would not have an adverse impact on the operation of the highway generally, and could potentially help to facilitate future (cycle and footpath) highway improvements.
- The environmental impacts, including wind, noise, light, air quality, biodiversity, land contamination and flooding, are acceptable subject to mitigation proposed through a combination of conditions and s.106 agreement.
- Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions.
- There are no aviation or archaeological impacts. Television mitigation, delivering employment opportunities and crime prevention through design can be secured through conditions and s.106 agreement.

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

Historic England – Listed Buildings (Statutory Consultee)

5.3 Historic England provides advice when engagement can add most value. They responded stating they have no advice in this case.

Historic England – Archaeology (Statutory Consultee)

5.4 No archaeological requirement or conditions

Health and Safety Executive – Gateway (Statutory Consultee)

5.5 Satisfied with the information provided with the application (including the fire statement). Headline response is 'content'.

LLFA (Statutory Consultee)

5.6 No objection. A pre-commencement (but post-demolition) condition is recommended.

Environment Agency (Statutory Consultee)

5.7 No comment (no consultation required).

GLA (Statutory Consultee)

5.8 Land use principles

- The principle of the redevelopment of the site for the re-provision and uplift of residential floorspace is acceptable.
[Officer comment: the recommendation endorses this position].

5.9 Housing

Housing Mix

- Supportive of the housing mix from a strategic perspective, subject to Croydon confirming it meets local need.

Affordable housing

- The scheme proposes 16% affordable housing with a tenure split of 32% London Affordable Rent to 68% Shared Ownership. Further discussions with the Council and GLA are necessary to confirm whether the proposed tenure split is appropriate in this instance, based on identified need.
- This provision fails to meet the Fast Track Route threshold and at this stage, the applicant has not demonstrated that the proposed 16% affordable housing represents the maximum viable amount of affordable housing. A viability assessment has been provided to GLA Officers for scrutiny and interrogation. Early and late-stage reviews, and affordability/eligibility requirements must be secured.
- The use of grant funding to increase the affordable housing provision and engage with a Registered Provider as investigated as appropriate.

[Officer comment: The mix accords with policy. Further correspondence has been received by officers from the GLA viability team challenging the amount of affordable housing, particularly in relation to Benchmark Land Value and profit levels. The viability assessment submitted has been independently reviewed and LBC officers are satisfied the scheme secures the maximum reasonable quantum and mix of affordable homes. Early and late stage reviews would be secured. The applicant has confirmed they have explored opportunities of grant funding but it has not been found feasible].

5.10 Urban design and heritage

Tall buildings, scale and massing

- Heights of the proposal are consistent with the wider and immediate townscape in scale and character.
- Massing approach generally responds successfully to the immediate urban context through articulated massing of different heights.
- Due to the slim nature of the site, the top eight storeys of the tallest building include an inefficient layout of only three units per floor. Due to the resulting impacts on the scheme's viability, the applicant should consider reducing or redistribution this massing.

Development layout and access

- The provision of front doors responds to the existing context of Frith Road and activates the streetscape. While the proposed tall building responds to the existing townscape.

- Due to gates there is a missed opportunity to create a more socially inclusive development and improve north-south permeability through the land within the site.
- Access to the two communal rooms at the bottom of Block B should be secured for all residents (including the LAR residents).
- A comprehensively master planned development that incorporates this neighbouring site, Keeley House, would be supported and the applicant and the Council are accordingly encouraged to pursue this option as this would achieve better place making outcomes.

Residential Quality

- Further information to be provided to GLA Energy Officers in relation to the overheating assessment.
- It is noted that the proposed cores serve between 3 units and six units per floor across the scheme, however, the provision of natural light within the stairwell of Block A should be considered, as well as demonstrate that adequate ventilation is provided within cores.

Architectural quality

- CGIs provided with the application generally present a high-quality scheme.
- Use of brick as the predominant material for Block A is supported, and the pitched roof parapet of this building responds to Victorian Terraces located to the south-west of the site along Frith Road.
- Applicant has demonstrated consideration to articulation detail for the Block B tower elements of the scheme.
- Success of the architectural approach will be dependent on the use of the highest quality materials.

Play space

- Falls short, notably due to a lack of play space provision for the 11+ age group. Off-site contribution should satisfy the needs of the development whilst continuing to meet the needs of existing residents in the surrounding areas.

Fire safety

- Satisfied that the fire statement has been prepared by a suitably qualified assessor.
- Evacuation lifts should be secured by condition.

Inclusive access

- 26 wheelchair units are proposed, within one bedroom intermediate and market housing tenures.
- Should work to provide wheelchair units provided across all tenures, including low cost rented housing tenures, and across a range of unit sizes.

[Officer comment: the matters in support are noted and covered in detail in the main body of this report. The top eight floors have three units per core and whilst it is noted this would impact on viability, LBC officers have sought slenderness to the upper floors to limit impact on the Central Croydon Conservation Area to the south. The landscaping between the Blocks is for the residents – this was explored as public space but would have compromised future occupier external space, could have led to security issues and is challenging given the land level

changes and the retained portion of the basement on the Drummond Road side, meaning steps would have been required down. Keeley House have been contacted by the applicant and whilst officers accept a comprehensive redevelopment would be the preferred option, we have this application before us to determine and do not consider there would be grounds for refusal on this basis. Ongoing dialogue is taking place between the application and GLA officers in relation to overheating. In terms of the play space, a contribution is recommended to off-set the deficiency in on-site provision].

5.11 Heritage

- The proposals result in less than substantial harm to the significance of designated heritage assets. Further consideration to public benefits is required prior to Stage II.

[Officer comment: LBC officers agree with this conclusion – see Heritage section below].

5.12 Sustainable development

Energy

- The proposal is estimated to achieve a 56% reduction in CO2 emissions compared to 2013 Building Regulations. This falls short of the net zero-carbon target, although it meets the minimum 35% reduction on site. A carbon offset payment is required to be secured. The energy strategy should be further refined to fully comply with requirements.

Whole life-cycle carbon (WLC)

- A WLC assessment template in full should be submitted and condition suggested to report on the development's actual WLC emissions.

Circular economy

- Whilst the fire safety issues associated with the existing cladding are acknowledged, further information should be provided regarding the structural issues of the existing building. Further evidence should also be provided to demonstrate that alternatives to demolition have been explored (including partial retention), and that the potential benefits of demolition and rebuilding of homes should be balanced against the wider social and environmental impacts.
- Revised circular economy statement (including a redevelopment audit and pre-demolition audit) required.
- A condition should be secured requiring the applicant to submit a post-construction report.

Digital connectivity

- Sufficient ducting space for full fibre connectivity infrastructure should be secured by condition.

[Officer comment: an updated energy strategy has been provided alongside an obligation for payment of the carbon offset contribution. A WLC assessment template and circular economy statement template have also been submitted, with conditions recommended. LBC officers are content that demolition is the preferred option given the condition of the current building].

5.13 Environmental issues

Flooding

- The Flood Risk Assessment provided for the proposed development generally complies with Policy SI.12 of the London Plan

Sustainable drainage

- Drainage strategy should be re-visited to incorporate the attenuation volume above ground where possible, or robust justification should be provided as to why pumping cannot be avoided. Rainwater harvesting should be included within the proposals, and hydraulic calculations to back up the proposed attenuation volume should be provided to include a range of return periods and storm durations.

Water efficiency

- Water efficient fittings, and water metering are proposed, which are supported and the proposal generally meets the requirements of the relevant policy.

Open space

- Consideration of access to open space across the site, including a new courtyard garden and roof gardens for residents is demonstrated.
- Should review opportunities for publicly accessible space, green where possible, for public use rather than just users of the site.

Biodiversity

- Recommendations in the Preliminary Ecological Appraisal should be implemented.
- Ecological Management Plan (EMP) to support long-term maintenance and habitat creation should be secured by condition.

Green infrastructure and urban greening

- Well-considered approach to integrating green infrastructure and urban greening.
- Urban Greening Factor (UGF) score of the proposed development as 0.35, which is below the target set by Policy G5 of the London Plan (0.4 for residential proposals)
- Should review the urban greening proposed, seeking to improve the quality or quantity, to increase the application's UGF and the surface cover type drawing should be updated to show permeable paving.

Trees

- Confirmation required that no trees are to be removed as part of the application. If trees are to be lost set out how this has been accounted for through replacement tree planting.

Air quality

- Further information is required to determine whether the proposed development is compliant with London Plan air quality policies. Conditions are suggested in relation to on-site plant / Air Quality and Dust Management Plan).

[Officer comment: the LLFA raise no objection to the drainage strategy, the green space between the buildings is for public use and not for the public, conditions secure the biodiversity enhancements, the UGF score of only 0.35 does count

against the scheme and only one poor quality tree is for removal and would be replaced].

5.14 Transport

- (See TfL comment below).

5.15 Conclusion

- The principle of demolition the existing homes and rebuilding new homes on the site could be accepted, subject to the addressing the circular economy requirements in respect of demolition of the existing building. However, in the absence of a verified viability position, the affordable housing provision falls short of policy expectations and is wholly unacceptable.

[Officer comment: updated circular economy information has been provided. In terms of affordable housing the viability assessment submitted has been independently reviewed and LBC officers are satisfied the scheme secures the maximum reasonable quantum and mix of affordable homes. Early and late stage reviews would be secured].

Transport for London (TfL) (Consultee)

5.16 Healthy Streets

- Significant reduction in car parking plus street greening is welcomed, however, reliance upon on-street servicing undermines the healthy streets benefits unless suitable locations can be identified.

[Officer comment: the scheme reuses the existing basement which is supported and given the ramp down and space requirements for blue badge spaces, would not allow servicing to from within the site. The proposal seeks on-street servicing to both blocks, with loading bays suggested outside the bin stores to both blocks. These would be secured through s278 highways agreement. The Drummond Road pavement would be increased in width and would not be impacted by the servicing which would enhance the east-west connection through the Centrale shopping Centre from North End for pedestrians].

5.17 Cycle Parking

- Cycle parking spaces meets the minimum standards.
- Dimensions of the cycle parking should be confirmed in line with the London Cycling Design Standards (LCDS).
- Dedicated ramp to basement is welcomed. The ramp gradient should be confirmed to ensure suitability for all users.

[Officer comment: noted and conditions recommended. The ramp gradient would be 1:17].

5.18 Car Parking

- 4 car parking spaces for disabled persons, access will have a signal-controlled gate and will require the removal of existing on-street parking, which will require agreement with Croydon Council.

- The amount of car parking proposed is compliant with the London Plan and should be accompanied by a Parking Design and Management Plan.
- All spaces equipped with electric vehicle charging infrastructure which should be secured by condition.

[Officer comment: noted and conditions recommended].

5.19 Trip Generation and Impact

- Trip generation is generally accepted.
- Contribution of £53,670 to account for the scale of development is requested to support the necessary public transport enhancements.

[Officer comment: noted and contributed secured in the heads of terms].

5.20 Construction and Deliveries

- All servicing and deliveries are proposed to take place on-street. Delivery and Servicing Plan (DSP) should be secured by condition.
- Construction Logistics Plan (CLP) should be secured by condition and discharged in consultation with TfL and London Trams.

[Officer comment: conditions recommended].

Crime prevention (Consultee)

5.21 The Crime Prevention Officer has been in dialogue with the applicant and has confirmed that many of their concerns have been taken into account and measures incorporated. Subject to a planning condition to achieve Secured By Design accreditation, no objection is raised. The below comments are included for completeness.

5.22 Perimeter and Basement

- Good defensible space to protect the front of the properties, other than side windows on end units.
- Site is secured by a gate which is preferred, as this will prevent unwanted access into the private communal residents' areas.
- Basement access should be secured.
- Cycle store being split up is welcomed.
- All storage needs to be robustly secured.

5.23 Amenity

- Doors need to be certified security doors.
- Management strategy should be adopted over the use of amenity spaces, including roof garden which should be locked out of hours.

5.24 Compartmentation, glazing and access control

- Block B will need to be security compartmentalised, whereby residents can only access the floor on which they live and any communal amenity space (can be

done by lobbying the stair core and either lobbying the lift access areas or using a destination control lift).

- Audio visual call panel should be available on each level.
- Air lock should be created at the communal entrances to ensure the secure delivery of post and to prevent tailgating into the buildings.
- Ground floor glazing, private entrance doors and access control to accredited standards.

[Officer comment: a Secured By Design accreditation condition is recommended]

Thames water (Consultee)

5.25 Raised no objection with the following comments:

- Highlights requirements under Building regulations (part H) that protection to the property to prevent sewage flooding should be incorporate and a Groundwater Risk Management Permit from.
- Advises applicant to read Thames Water guidance related to working near or diverting pipes / waste water assets
- No objection if follows the London Plan sequential approach to the disposal of surface water.
- Requests a Groundwater Risk Management informative.
- No objection raised with regard to waste water network and sewage treatment works infrastructure capacity.
- Recommends an informative relating to minimum pressure and flow rate available.
- Recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. (condition)
- Thames Water should be informed if using mains water for construction purposes.

[Officer comment: informatives and conditions are recommended].

Gatwick (Consultee)

5.26 No objection.

Heathrow (Consultee)

5.27 No safeguarding objections.

NATS (Consultee)

5.28 No safeguarding objection.

London Fire Brigade (Consultee)

5.29 No response.

6 LOCAL REPRESENTATION

6.1 A total of 40 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised

in the local press. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 5 Objecting: 4 Supporting: 1 Commenting: 1

No of petitions received: 0

6.2 The following local groups/societies made representations:

- Mid-Croydon Conservation Area Advisory Panel (objecting)

6.3 No Councillor, London Assembly Member, MP or MEP made representations.

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objection	Officer comment
Character and design	
<p>Should be bigger (creating a more affordable housing).</p> <p>Conservation area to the south side of the site, with nothing of any real architectural or cultural relevance, closest building of significance would be the Church (St. Johns) and a tall building would act as a counter point to this.</p> <p>Very detrimental to the conservation area.</p> <p>Should not be brick so not indistinguishable, but a statement building.</p> <p>Very little architectural merit and not in keeping with area.</p> <p>Overdevelopment.</p> <p>Out of scale, proportion and character with immediate neighbour.</p> <p>Obtrusive by design</p> <p>Limited detail of relationship with Keeley House – proposal will exacerbate this poor relationship</p> <p>Should not prejudice development opportunities at neighbouring property and optimum use of sustainable brownfield sites should be achieved. A draft concept scheme for the neighbouring property is submitted so</p>	<p>The scheme increased during pre-application discussions and is now policy compliant in terms of affordable housing.</p> <p>The tall building has been assessed in the context of surrounding townscape and heritage aspects. This is covered in the 'design and impact on character of the area' and 'heritage' sections below.</p> <p>Officers consider that the architectural approach is of exceptional quality. The townscape merits are covered in the 'design and impact on character of the area' sections below.</p> <p>There are a number of supporting documents that considered the surrounding context, including Keeley House. The impact on Keeley House is addressed in the 'impact on neighbouring amenity' section below.</p> <p>This matters is covered in paragraphs 8.137 and 8.138.</p>

the application site can be addressed in this context.	
Neighbouring amenity	
<p>Overbearing and dominant (could have been addressed through redevelopment of whole island).</p> <p>Loss of daylight / sunlight (breach of BRE guidelines).</p> <p>Overshadowing.</p> <p>Loss of privacy.</p> <p>Create a sense of enclosure / overbearing presence.</p> <p>Noise.</p> <p>Important to ensure ongoing symbiotic relationship with nursery. Use of outdoor nursery space should not be curtailed by development.</p>	<p>These matters are addressed in the 'impact on neighbouring amenity' sections below.</p>
Quality of accommodation	
1 and 2 bedroom unit's not suitable living spaces for families.	The housing mix complies with the policy requirement, covered in the 'housing mix and affordable housing' sections below.
Transport	
Traffic and highways.	These matters are addressed in the 'access, parking and highway impacts' sections below.
Other	
<p>No confidence in the wind analysis.</p> <p>Infrastructure in the area (nurseries, doctors, schools, etc) already oversubscribed.</p>	<p>A thorough and detailed microclimate report has been produced by consultants that have a broad range of experience with tall buildings, including within London. Additionally the testing process included Wind tunnelling testing. Conditions will ensure that required mitigation will be included within the final build. This is covered in the 'environmental impact' section below.</p> <p>The development will be subject to a significant CIL payment which contributes to infrastructure. The site is in a highly sustainable location in walking distance of multiple transport links and the Town Centre.</p>
Non-material matters	
Little communication / engagement with neighbours. Unfortunate as sites would form a readily identifiable island site.	This is not a material consideration and representation has carried out by the council in accordance with procedure.

Support	Officer comment
Houses and greens spaces welcomed.	Noted.
Allowing the application will enable the removal of the current building which is now an eyesore with its temporary structure supporting it as well as providing both private and affordable housing in a design that is much more fitting to its surroundings.	Noted.
Once the structural and cladding issues had been identified, Barratt Developments PLC acted in an exemplary manner by buying back all the 96 leasehold flat interests at market value as well as the freehold. This was a decision supported by all the leaseholders. Barratt Developments PLC no longer owned the freehold or leasehold interests in Citiscape but proceeded anyway. This course of action prevented both the emotional and financial distress that residents of other developments of this nature have had to face.	Noted.

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- GG2 Making best use of land
- GG4 Delivering homes Londoners need
- SD1 Opportunity Areas
- SD6 Town centres and high streets
- D2 Infrastructure requirements for sustainable densities
- 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
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure

- H8 Loss of existing housing and estate redevelopment
- H10 Housing size mix
- S4 Play and informal recreation
- HC1 Heritage conservation and growth
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S11 Improving air quality
- S12 Minimising greenhouse gas emissions
- S13 Energy Infrastructure
- S14 Managing Heat Risk
- S15 Water infrastructure
- S16 Digital connectivity infrastructure
- S17 Reducing waste and supporting the circular economy
- S112 Flood risk management
- S113 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban design and local character
- SP5 Community facilities
- SP6 Environment and climate change
- SP8 Transport and communication
- DM1 Housing choice for sustainable communities
- DM10 Design and character
- DM13 Refuse and recycling
- DM14 Public art
- DM15 Tall and large buildings
- DM16 Promoting healthy communities
- DM17 Views and landmarks
- DM18 Heritage assets and conservation
- DM19 Promoting and protecting community facilities
- DM23 Development and construction
- DM24 Land contamination
- 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
- DM38 Croydon Opportunity Area

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). 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 natural environment (Chap 15)

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents (including London Planning Guidance) which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- Croydon Opportunity Area Planning Framework (2010)
- Conservation Area General Guidance SPD (2013)
- Central Croydon Conservation Area Appraisal and Management Plan (2014)
- Church Street Conservation Area Appraisal and Management Plan (2014)
- Old Town Masterplan SPD (2014)
- Waste and Recycling in Planning Policy Document (October 2018)
- Section 106 Planning Obligations in Croydon and their relationship to the Community Infrastructure Levy (2019)

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Sustainable Transport, Walking and Cycling guidance (2022)
- Housing Design Standards LPG (2023)

- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- National Model Design Code (2021)

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Heritage
4. Housing mix and affordable housing
5. Quality of residential accommodation
6. Impact on neighbouring amenity
7. Access, parking and highway impacts
8. Environmental impact
9. Sustainable Design
10. Other Planning Issues
11. Conclusions

Principle of development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher target of 2,079 homes per year.

8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small-sites housing target of 641 per year.

8.4 The principle of residential use had already been established with the existing development and the site is therefore one in which intensification and increased housing delivery in line with policy, should be encouraged. However, whilst the above policies seek to maximise the re-use of previously developed land and buildings a balance must be struck between developing land for more efficient housing use and protecting character/heritage/neighbouring amenity etc. Therefore the principle of intensifying residential use in this location is acceptable, subject to satisfying the criteria of other relevant policies, which are addressed within the rest of this report.

Design and impact on character of the area

8.5 London Plan Policy D9 requires locations appropriate for tall buildings to be identified through the development plan (see below) and requires assessment of impacts from a visual, functional and environmental impact. All these aspects are considered throughout the various sections of this report. Policy SP4.5 of the Croydon Local Plan relating to tall buildings states that they will be encouraged only in the Croydon Opportunity Area, areas in District Centres and locations where it is in an area around well-connected public transport interchanges and where there are direct physical connections to the Croydon Opportunity Area, Croydon Metropolitan Centre or District Centres. The application site lies within the Croydon Opportunity Area and Croydon Metropolitan Centre and has an excellent PTAL, as such it is a site acceptable as a location for a tall building.

8.6 CLP Policy SP4.6 (and supported by DM15) states four criteria for tall buildings in order for them to be acceptable in these locations:

- a. Respect and enhance local character and heritage assets;
- b. Minimise the environmental impacts and respond sensitively to topography;
- c. Make a positive contribution to the skyline and image of Croydon; and
- d. Include high quality public realm in their proposals to provide a setting appropriate to the scale and significance of the building and the context of the surrounding area.

8.7 CLP Policy DM15 requires their location in PTAL4 and above, to be of exceptional quality, respond positively to nearby heritage assets and include active ground floor and inclusive public realm.

8.8 The Croydon Local Plan 2018 has a place specific policy DM38, Croydon Opportunity Area Framework, which is relevant to this site. The site lies within the defined Edge area of the Croydon Opportunity Area. The policies seek to enable development opportunities, including public realm improvements, to be undertaken in a cohesive and coordinated manner complemented by masterplans. Policy DM38.4 (edge area) states a tall building may be acceptable where it can be demonstrated that there will be limited negative impact on sensitive locations and that the form, height, design and treatment of a building are high quality.

8.9 It is considered that the proposal building does comply with the above criteria, discussed in detail in the design and environmental impact sections of this report.

Height and Massing

8.10 The massing of the building has been rigorously tested in terms of its townscape impact. During pre-application discussions the massing and height was generally supported, however, officers did have some concerns about the slab like nature of Block B, especially when viewed from some of the mid length views e.g. Surrey Street. In response to this the mass of Block B was split resulting in the proposed scheme of two buildings, a 5 storey block fronting Keeley Road and a part 16, part 25 storey building in a stepped form that extends along Drummond Road. The approach to utilising the eastern half of the site for the higher element is considered appropriate, providing more relief from surrounding lower level buildings to the west. This also fits with the general upward gradient in the heights of buildings from east to west, from residential to commercial buildings, albeit at a lower level (see image below).

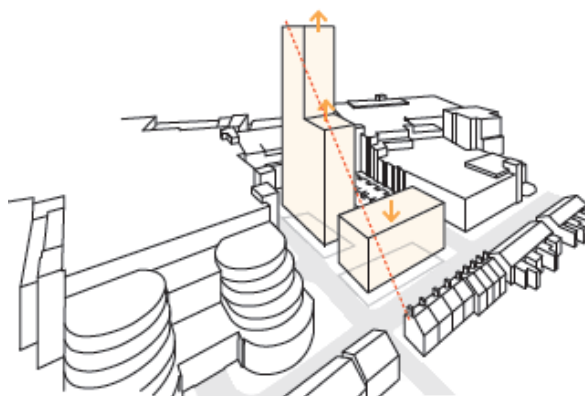


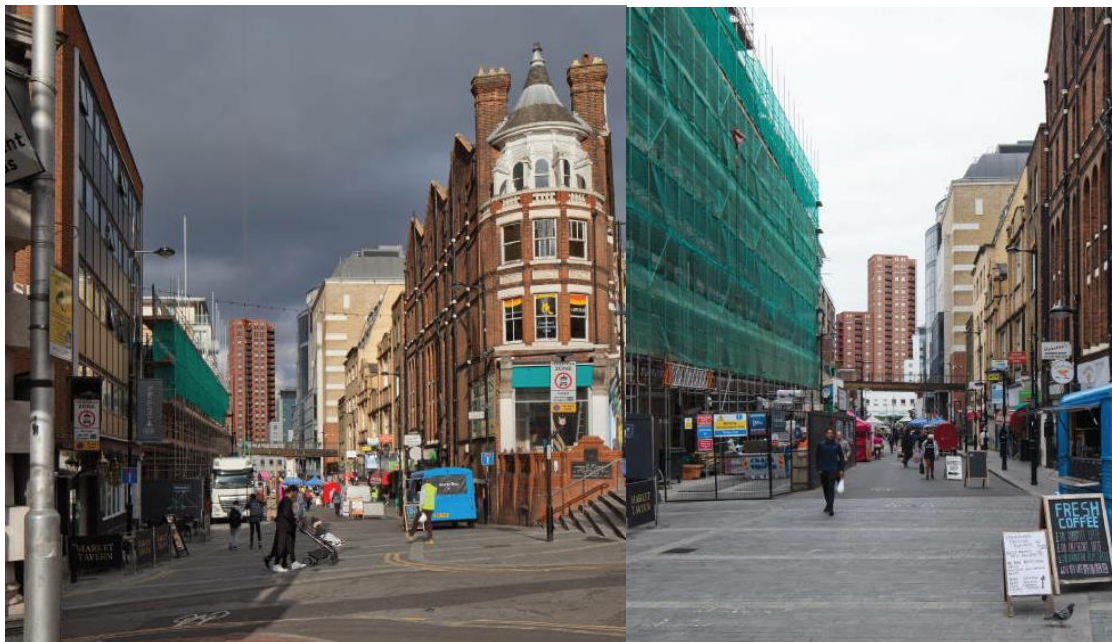
Figure 18: sketch showing massing transition

8.11 Block A, at 5 storey, respects the opposing built form and again reflects the character of increasing height from west to east, as evident in the image below.



Figures 19 and 20: CGI from Tamworth Road (left image) and Frith Road (right image)

8.12 Officers are supportive of the 25 storey taller element of Block B. Whilst a reduced shoulder of 14/15 storeys may improve the step change in height the current 16 storeys is considered to acceptably mediate this. This includes the view along Surrey Street and the impact upon the conservation area (see images below), particularly as there is a good amount of 'sky space' either side of the taller element so that an unacceptable level coalescing is avoided. Overall officers are supportive of the massing across the site, with a suitably slender form to Block B that provides a more sensitive response to the townscape context.



Figures 21 and 22: views towards site from Surrey Street

8.13 Equally the height and massing would not be out of keeping with the wider trend of building heights found across Croydon centre, as demonstrated by the section below

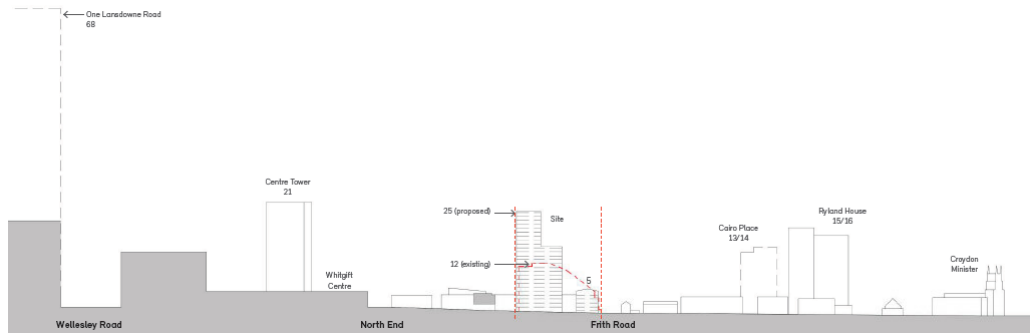


Figure 23: section drawing showing wider Croydon context

Layout and Public Realm

8.14 The use of two separate blocks, allows for a generously sized communal area between the buildings and the stepping in height as discussed above. Accordingly the layout across the site works well, particularly at ground floor level where a significant extent of active frontage is created (see image below). Removing the existing basement plinth and ventilation ducts from along the Frith Road frontage and replacing a blank and unattractive wall at street level with an active frontage is a significant positive aspect. This is a requirement of Local Plan policy DM15.



Figure 24: ground floor site layout



Figures 25 and 26: existing (left) and proposed view (right) of Frith Road elevation

8.15 In addition to this the pavement on this side of Drummond Road is to be widened, by up to 0.7m. This is enabled by the removal of the current basement wall along Drummond Road. This is a benefit of the scheme and will enhance the east/west connection through the shopping centre which is promoted in the Old Town Masterplan

(see details below). A S.278 highways agreement would secure funding from the developer to resurface all of the pavements around the building.

8.16 The Council have been working on public realm improvements in this area that would include upgrading the public highway from North End down to the Frith Road / Drummond Road junction and across to the Frith Road / Keeley Road junction, including the creation of contraflow cycle lanes (note the developer would fund the works to the southern side pavement of Drummond Road and eastern side of Frith Road outside their site). A contribution towards sustainable transport measures of £180,000 has also been secured to mitigate the scheme and promote alternative sustainable modes of travel. This contribution could be put towards these highway improvements.

8.17 These aspects align with the relevant intentions of the Old Town Masterplan components OT3 and OT12 in this location, which seek to:

OT3

- Increase footfall;
- Activate blank frontages;
- Improved pedestrian connections to the area to increase the level of passing trade (particularly from North End)
- Improve north-south cycle movement through the area.

OT12

- Enhance the east-west connection through the Centrale shopping Centre from North End for pedestrians and cyclists.
- Increase tree planting and greenery along Drummond Road.
- Encourage activation of street frontages along Drummond Road.
- Traffic calming.

8.18 The internal layout at ground floor includes the placing of generous sized entrance lobbies in two prominent corners of the development. With the addition of an area for public art on the Block A Drummond Road return the scheme allows for a much greater level of activation along Drummond Road, which is welcomed. Officers recommend that the public art piece is embedded within the brickwork of the façade (rather than a piece that is 'tacked on') and therefore will need to be developed as early as possible, and a condition could secure this.

8.19 These entrance spaces also connect well with the interior of the site, particularly the Keeley Road entrance which allows views through to the communal landscape areas, as can be seen in the images below.



Figures 27 and 28: plan showing entrances shaded blue (left) and Block B entrance (right)



Figures 29 and 30: Block A entrance – outside (left) and inside (right)

8.20 Overall officers are supportive of the site layout, which has been rigorously reviewed throughout pre-application and which is now considered to provide a good level of space between the two blocks, whilst allowing for a design that both improves and engages with the wider street scene.

Appearance

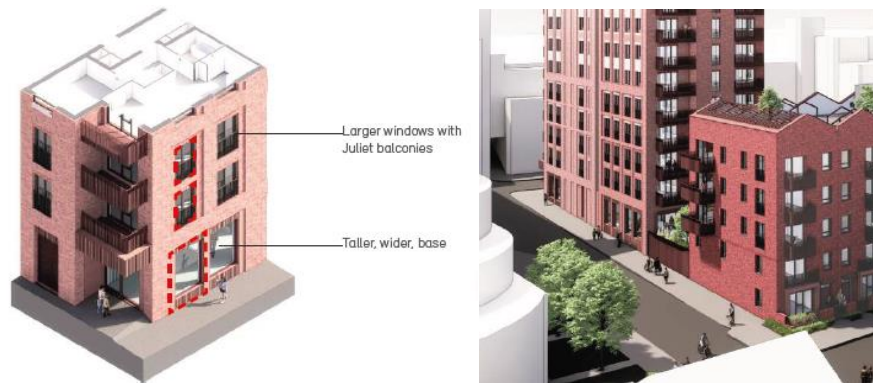
8.21 The local area surrounding the site is distinguished by two distinct urban character areas. The historic Old Town to the south and the mid-20th century central area to the north, including the Centrale and Whitgift shopping centres along North End. Frith Road along the south-western edge of the site, forms the boundary between these distinct areas. Block A sits opposite this threshold and the design of this building incorporates a level of design that demonstrates a good relationship with the surroundings buildings. A significant amount of analysis in relation to the contextual and character of this area underpins the design of block A, with notable features such as the Ground floor living room windows have been enlarged and framed to reflect the house bay windows, there is a consistent building line, upper floor apartments have been arranged to pair balconies and windows to create a consistent rhythm along the façade, a soldier course band of bricks runs around the building at first floor level picking up on the red brick band detailing of the terrace and rain water pipes have been located within the facade such that they aid in the subdivision of the facade to read as six sections, similar to the plot width of houses, as can be seen in the image below.



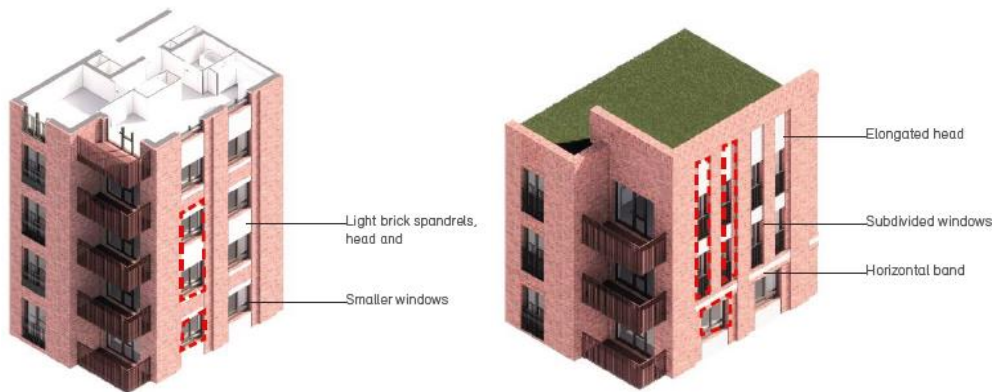
Figure 31: street view of Block A

- 8.22 Whilst the opposing properties tend to be finished in a yellow stock brick or rendered, there is a large amount of red brick buildings within the Conservation Area, so that the choice of a red brick as a base material would not be out of keeping.
- 8.23 The challenge for Block B is to make a transition away from the smaller domestic scale and context of the Frith Road and the Church Street Conservation Area, whilst respecting the wider Croydon context and adding interest and detail throughout. As such the composition of the elevations and their materiality play an essential role in breaking up the massing and providing relief, design interest and contributing positively towards local character. Pre-application designs drew heavily on the mid-20th century influences from central Croydon and had a rather flat grey appearance. As such a greater similarity between the blocks was suggested with a preference for the block B tonal material palette to follow that of block A, along with greater depth and interest.
- 8.24 The material palette consists two main bricks of differing tones (a lighter red/ pink multi brick) to the façades, complimented by an off-white brick to window surrounds linking the floors. Two mortar types are also proposed to differentiate between the lower (shoulder) and higher sections of block B - darker mortar to match the brick on the 16 storey element, and a lighter contrasting mortar on the 25 storey element. There are shared metalwork details to balconies, canopies, screens and gates across both blocks. The reddish metalwork colour would complement all the selection of bricks. The quality of the bricks and metalwork is paramount and would be secured by condition, subject to this the materials would provide sufficient depth and variation to create a successful appearance without over complicating the design.
- 8.25 Block B now has a very deep shadow gap (1m x 1.2m) between the two main elements of the building and projecting brick piers which create vertical subdivision and the perception of greater slenderness across the block. Horizontally the block has a clear distinction between the base, middle and top. At the base larger window openings are provided and align with the height of Block A (see images below). The middle floors are grouped using material tone and detailing above and below window openings. The top of both parts of the building are expressed as a taller element - single and double

storeys plus the roof parapet. The fenestration on these upper floors is further subdivided to pair narrower fully opening windows and Juliet balconies to each larger window below.



Figures 32 and 33: base of Block A (left) and Base section with Block A context (right)



Figures 34 and 35: middle segment of Block A (left) and Crown of Block A (right)

8.26 There are good reveal depths across both blocks (Block A and B are proposed as 185mm and 285mm (100mm brick pier plus 185mm window reveal respectively). Overall the design, detailing and materials are of a high quality finish, but would need to be secured by a robust condition.

8.27 Policy D4 of the London Plan promotes ongoing involvement of the original design team to monitor design quality of a development through to completion; given the importance of the architects in this matter their retention is proposed to be secured through the S106.

Landscaping

8.28 There is one tree on site (Keeley Road / Frith Road junction), which is in a poor condition, and therefore no objection to its removal. In terms of proposed landscaping there are three main areas where Residents can enjoy communal outdoor space. These are in the form of the garden courtyard at ground level, and, the two roof gardens provided for each building (all residents can access these spaces).



Figure 36: site wide landscaping locations

8.29 The ground floor space is more functional, and somewhat split, due to the ramp providing a route down to the basement, short stay cycle storage and the need to provide a route in from Keeley Road (and both buildings having doors into the courtyard). However, the area does provide excellent spill out space from the communal resident's rooms at the base of Block B.



Figures 37 and 38: area outside indoor communal area of Block B (left) and landscaping area between blocks (right)

8.30 The shared amenity spaces on top of both blocks are well considered, provided areas for rest, play and large areas of soft landscaping. The provision of landscaping throughout the development is acceptable.



Figures 39, 40 and 41: roof level amenity spaces (upper left), CGI of Block A roof level landscaping (lower left) and CGI of Block B roof level landscaping (upper right)

8.31 London Plan policy G5 requires major development to contribute to greening, setting a target score of 0.4. Urban greening calculations have been carried out, demonstrating the site achieves a score of 0.35 made up of the landscaping proposed at ground floor, terrace and roof levels. This includes biodiverse and intensive green roofs, as well as trees, shrubbery, climbing plants and ground flora. The policy recommends a target score of 0.4 for developments that are predominantly residential, which the scheme would fall just short of. The submission identifies potential options to increase the UGF score, including increasing areas of extensive green roof and increasing areas of green walls. However, both were discounted as extensive green roofs could not be used as amenity for residents (so would reduce the communal space) and there are fire safety concerns in relation to green walls. On balance this position is accepted by officers, subject to a condition requiring the minimum 0.35 score to be achieved, but also with further exploration of options to try and secure 0.4.

8.32 London Plan policy G6 requires that any development seeks to provide biodiversity net gain. The Biodiversity Net Gain Assessment identifies a net increase in ecological value of 1,836%. Considered there is a significant improvement over the existing site and that most parts that could be soft landscaped have been this aspect of the scheme

is acceptable. In addition the ecological appraisal has been independently assessed and no objection were raised subject to securing biodiversity mitigation and enhancement measures, which can be secured by condition.

Heritage

8.33 As outlined above, the proposed height, massing and layout successfully integrates with the general townscape and although Historic England have raised no specific comment about the proposed scheme, the impact on heritage assets needs to be given particular consideration.

8.34 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires (at section 66) with respect to listed buildings, that special regard is paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess. With regard to conservation areas (at section 72), it requires special attention to be paid to the desirability of preserving or enhancing their character or appearance.

8.35 The NPPF places strong emphasis on the desirability of sustaining and enhancing the significance of heritage assets, and affords great weight to the asset's conservation. It states that:

“great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm”

8.36 Any harm to a designated heritage asset, including from development within its setting requires “clear and convincing justification”, with less than substantial harm weighed against the public benefits delivered by the proposed development.

8.37 With regard to non-designated heritage assets, paragraph 203 of the NPPF states that:

“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing...applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

8.38 Policy DM18 of the Local Plan permits development affecting heritage assets where the significance of the asset is preserved or enhanced. Policy SP4 requires developments to respect and enhance heritage assets, and Policy DM15 permits tall buildings which relate positively to nearby heritage assets. London Plan Policy HC1 states that developments should conserve historic significance by being sympathetic of the assets' significance and setting along with HC3 that protects strategic and local views. This policy goes on to state that new development can make a positive contribution to the views, and this should be encouraged.

8.39 The setting of a building is defined as ‘the surroundings in which a heritage asset is experienced’ in the glossary to the NPPF *“It's extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance of may be neutral.”*

- 8.40 The site is not within a Conservation Area, however, the site lies immediately adjacent to the Church Street Conservation Area and the Central Croydon Conservation Area is located to the east and south, just beyond Centrale, approximately 55m away. There are no statutorily designated heritage assets on the site, but a number of listed and locally listed buildings within the wider area. The development will be visible in the setting of the Conservation Areas and some other nearby heritage assets due to its height and form.
- 8.41 A detailed Townscape, Heritage and Visual Impact Assessment was submitted as part of the application. This assesses the impacts of the proposal on a range of nearby heritage assets, accompanied by views. The analysis of the views used the Zone of Theoretical Visibility approach (ZTV) to assess where views may be impacted. From this study it can be seen the key heritage impacts are a) the setting of the Church Street Conservation and longer-range views from Surrey Street within the Central Croydon Conservation Area.
- 8.42 Whilst the existing building rises from 5 to 11 storey, the proposal would significantly increase this height and at a quicker transition from the predominately 2 storey Victorian residential housing within the Church Street Conservation Area, as visible in the images below. As such the Church Street Conservation Area is the most affected designated heritage asset, as the proposed development is in close proximity and prominent in a number of the views of this asset. The massing and consequent articulation of volumes (stepping up in height away from the Conservation Area) have been designed to mediate the relationship between the houses and the height of Block A and Block B beyond, which has helped to limit the harm being caused to the setting of this Conservation Area. A reinstatement of a street frontage to Frith Road is a welcome improvement, along with public realm upgrade works, nevertheless, the height of the development adjacent to the Church Street Conservation Area would impact the setting in short and medium length views. Whilst this element of the development is considered to cause some harm, in terms of the setting of the designated heritage asset, officers have concluded that the harm caused would be less than substantial.



Figures 42 and 43: view from Frith Road, facing north west towards the Site without (left) and with (right) proposal

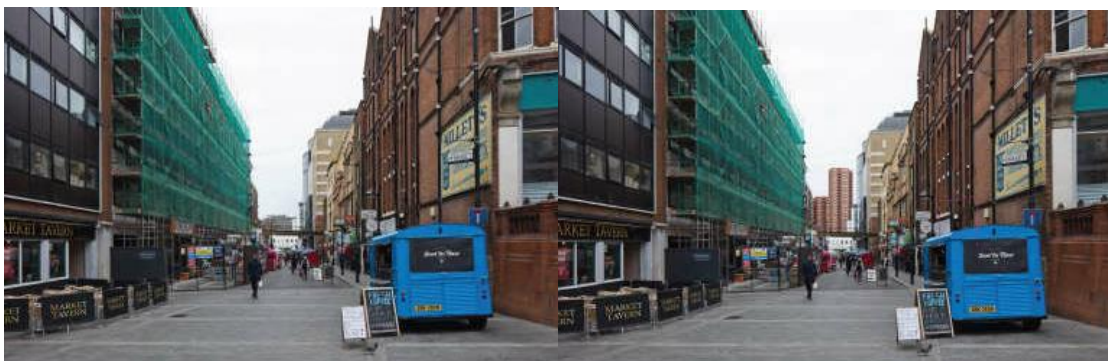


Figures 44 and 45: view from Tamworth Road at the junction with Frith Road towards the Site without (left) and with (right) proposal



Figures 46 and 47: view from the north-western pavement of Drummond Road, opposite Maclean House towards the Site without (left) and with (right) proposal

8.43 Likewise, the building would be visible at the end of views north from Surrey Street leading to some harm to the setting of the Central Croydon Conservation Area, which can also be placed at “less than substantial” as understood by the NPPF. This harm has been reduced and mitigated by the design which still allows for side sky space between the buildings either side of Surrey Street (it is worth noting that there is not a designated or local view along Surrey Street).



Figures 48 and 49: view from Surrey Street, close to junction with High Street facing northwest towards Croydon's Town Centre towards the Site without (left) and with (right) proposal

8.44 The proposed building, given its height, would have the potential to impact on important listed buildings within the town centre. Views of the Grade I listed Minster were tested but it can be seen from analysis that whilst the building can be seen from the area around the Minster, it would not directly compete with the Minster tower and would tend to sit within a backdrop of other taller buildings on the skyline, such similar impacts occur from other viewpoints within the Minster Conservation Area and overall, the impact is considered as relatively low and the lower end of less than substantial.



Figures 50 and 51: view from St Johns Road looking towards Croydon Minster and the Site without (left) and with (right) proposal

8.45 A number of views from within the courtyard of the Grade I Whitgift Almshouses, and one outside, were tested. One view (view point 18) shows that from a certain area in that courtyard the proposal would be visible over the ridge (see image below). A degree of harm exists but the proposal's mass would merge with other structures and the impacts could be seen as being towards the lower end of the scale.



Figures 52 and 53: view from south-east corner of Almshouses courtyard towards the Site without (left) and with (right) proposal

8.46 The taller element of the scheme would be visible from within the Croydon Minster Conservation Area. Whilst this would clearly be understood and experienced as part of the diverse urban townscape context beyond the boundaries of the conservation area, due to the strong and important connection between the Minster itself and the Conservation Area it sits within, and that a less than substantial impact on the Minster has been established above, the setting of the Conservation Area would also be impacted to the same degree, that being the lower end of less than substantial.

8.47 There are a number of heritage assets within the wider area where the proposed scheme could be seen within the setting, however, the impact is neutral as discussed below.

8.48 The taller element would also be visible within the setting of a group of Grade II Listed Buildings, namely No. 120 Church Street, Elis David Almshouses and the Rose and Crown Public House. However, there is a significant distance between these buildings and the proposed scheme, and as with the Croydon Minster Conservation Area the proposed building would be understood and experienced as part of the diverse urban townscape context that defines the shared setting of these Listed Buildings and would not there would not detract from an appreciation of them individually or as a group.

- 8.49 Wandle Park is a Locally Listed Historic Park and Garden and therefore classified as a non-designated heritage asset. There would be limited visibility of the taller element of the Proposed Development and given the built up and varied townscape character of central Croydon in this location no harm is identified.
- 8.50 No direct harm to the fabric of any designated heritage assets would occur as a result of the proposal. It is considered the proposed development would have a less than substantial impact on the setting of the Church Street and Central Croydon Conservation Areas. In addition to this the impact on both the Grade I buildings, Whitgift Almshouses and Croydon Minster, would be at the lower end of less than substantial. There is no harm identified to further surrounding heritage assets.
- 8.51 It is also important to draw member's attention to the recent 103-111 High Street appeal decision (reference 20/03841/FUL), which forms a material consideration. This site is visible in views south along Surrey Street and, like this application site, sits outside the Conservation Area. The scheme was refused on two grounds, one of which was adverse impact on the heritage assets, including the Central Croydon Conservation Area. Whilst the Planning Inspector did agree there would be less than substantial harm (at the lower end) caused from the 29 storey building, this heritage refusal reason was not upheld by the Planning Inspector. He concluded that the harm would be outweighed by the public benefits of the scheme, in that case delivery of homes, affordable units and employment provisions, as is the case for this scheme.

Balance

- 8.52 As harm has been identified to heritage assets the provision of paragraph 202 of the NPPF to weigh any harm against the public benefits of the scheme is enacted. When weighing the proposed harm to designated heritage assets against public benefits of the scheme - any harm is given considerable importance and weight. A balanced judgement toward harm caused to non-designated heritage assets is also required. Public benefits can include heritage benefits and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.53 No direct harm to the fabric of any designated heritage assets would occur as a result of the proposal, however, harm has been identified to Central Croydon Conservation Area, Church Street Conservation Area, Croydon Minster Conservation Area, Croydon Minster (grade I listed) and Whitgift Almshouses (grade I listed) and therefore the statutory presumption toward preservation or enhancement has not been met. The level of harm is in each case less than substantial, and the lower end in relation to the latter three heritage assets. The number of assets affected adds further weight to the overall harm caused.
- 8.54 Public benefits...“could be anything that delivers economic, social or environmental progress as described in the 2021 NPPF” The NPPG continues stating that...“public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit”. The development does deliver a number of public benefits, including housing provision, a quantity of which would be for affordable housing delivered on site including wheelchair accessible homes, an improved public realm, including the replacement of the existing building with a high quality scheme (which includes reinstatement of a street frontage to Frith Road), a contribution towards wider transport network

improvements (particularly pedestrian and cyclist) and short-term employment derived from the construction of the development.

- 8.55 It is considered that these public benefit are sufficient to outweigh the less than substantial harm identified to the heritage assets outlined above and therefore as per requirements of the NPPF, making a balanced judgement as to the scale of harm and the significance of the asset, the impact is considered to be acceptable. Notwithstanding this, it is essential that the development provides an exceptionally high design quality in relation to materials and other detailed matters at planning conditions stage. This is to ensure that the building, which is visible in the setting of heritage assets, is one of which is perceived as being of excellent contemporary design which responds appropriately to its historic context.

Housing Mix and Affordable Housing

Housing Mix

- 8.56 Croydon Local Plan 2018 (adopted February 2018) policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 allows for setting preferred mixes on individual sites via table 4.1. Applying table 4.1 to this site (Central setting with a PTAL of 4, 5, 6a or 6b within Retail Core area) shows a requirement of 5% 3+ bedrooms units unless there is agreement from an affordable housing provider (that these are not viable or needed). 6% (9) of the homes would be three beds, thereby meeting the policy standard.

Affordable Housing

- 8.57 Policy SP2.4 of the Croydon Local Plan 2018 seeks to negotiate to achieve up to 50% affordable housing, subject to viability. Part b) of the policy seeks a 60:40 ratio between affordable rented homes and intermediate (including starter) homes unless there is agreement that a different tenure split is justified (a minimum of three Registered Providers should be approached before the Council will consider applying this policy). The policy also requires a minimum provision of affordable housing as set out in policy SP2.5, which requires a minimum provision of affordable housing to be provided either:

a) Preferably as a minimum level of 30% affordable housing on the same site as the proposed development or, if 30% on site provision is not viable;

b) If the site is in the Croydon Opportunity Area or a District Centre, as a minimum level of 15% affordable housing on the same site as the proposed development plus the simultaneous delivery of the equivalent of 15% affordable housing on a donor site with a prior planning permission in addition to that site's own requirement. If the site is in the Croydon Opportunity Area, the donor site must be located within either the Croydon Opportunity Area or one of the neighbouring Places of Addiscombe, Broad Green & Selhurst, South Croydon or Waddon. If the site is in a District Centre, the donor site must be located within the same Place as the District Centre; or

c) As a minimum level of 15% affordable housing on the same site as the proposed development, plus a Review Mechanism entered into for the remaining affordable housing (up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on-site provision is not viable, construction costs

are not in the upper quartile and, in the case of developments in the Croydon Opportunity Area or District Centres, there is no suitable donor site.

- 8.58 The London Plan (2021) sets a strategic target of 50%, but allows lower provision to be provided dependent on whether it meets/exceeds certain thresholds, or when it has been viability tested. It should be noted as the London Plan (2021) was adopted after the Croydon Local Plan (2018), where there is a policy difference, then the most recently adopted policy should take precedent.
- 8.59 Policy H6 of the London Plan (2021) requires developments to provide 30% as low cost rented homes, either as London Affordable Rent or Social rent, allocated according to need and for Londoners on low incomes, 30% as intermediate products which includes London Living Rent and London Shared Ownership, with the remaining 40% to be determined by the borough.
- 8.60 The proposed development would provide 16% affordable housing by habitable room, which amounts to 22 homes. The tenure split would be 32% London Affordable Rent (6 x 2 bed 4 person – the duplex units located in Block A) to 68% Shared Ownership (9 x 1 bed 2 person and 7 x 2 bed 3 person – three 2 bed 3 person units are located in Block A with the rest within Block B) by habitable room, which translates to 6 London Affordable Rent units and 16 shared ownership units.
- 8.61 The application was subject to a financial viability appraisal (FVA), which has been scrutinised independently by Gerald Eve (GE). Furthermore, the GLA viability team have sent a report further to their Stage 1. This challenges a number of the FVA inputs as well as GE's review. This is particularly in relation to the Benchmark land value (BLV). The applicant has come to a BLV through two Alternative Use Value (AUV) approaches, namely a refurbishment of the existing building and redevelopment with an office building. In officers view both the AUV approaches adopted by the applicant should be discounted. The first is for the existing building being to be refurbished to provide 95 private residential units for either private sale or Build to Rent, however, minimal information to support this case has been provided and appears to have disregarded the fact that for the existing building to be fully refurbished with key structural changes taking place, a new planning permission would be required, which would require a policy compliant provision of affordable housing. No affordable housing is included, and as a result this approach is disregarded as it is not a realistic alternative use for the site. The second is for an office scheme, however, this would not be acceptable on the site due to the requirement for there to be no loss of residential accommodation. The evidence presented by GE to come to the BLV is supported by officers.
- 8.62 Additionally sensitivity tests also show that the proposed scheme is currently unviable and cannot afford further affordable housing. The conclusion (for both the applicant and GE's review) is that the scheme is in deficit. The applicant indicates a £8,656,376 deficit, whilst the Council's independent review suggests £3,542,135. The difference is mainly due to GE adopting higher values, some reduced costs and the different approach taken on BLV. Officers acknowledge the extent of deficit, but weight needs to be given to the uniqueness of this case. Despite being unviable, the applicant needs to recoup some of the costs incurred by repurchasing the building due its structural faults which made it unsafe and not fit for occupation. In addition to this the applicant is also looking to re-provide residential units in Croydon, along with a portion of affordable housing that was not previously provided previously but for which there is great need. This acts as a unique example of best practice in relation to the

management and resolution of historic fire safety issues in light of the Grenfell tragedy, which is strongly welcomed.

- 8.63 With 30% on-site provision established as not viable, Policy SP2.5 (b) is engaged, but there are no 'donor sites' available. Part (c) of SP2.5 requires an absolute minimum on site delivery of 15%, with a review mechanism up to equivalent 50% overall provision, provided 30% is not viable and construction costs are not in the upper quartile. The applicant proposes 16% affordable housing by habitable room that has been independently reviewed as the maximum reasonable, which exceeds the minimum policy requirement, the legal agreement would secure a review mechanism (more in the paragraph below) and construction costs are not in the upper quartile (as confirmed by GE). Therefore the offer meets the minimum provision of affordable housing as required by Policy 2.5 of the Croydon Local Plan 2018.
- 8.64 The Mayor of London's Affordable Housing and Viability SPG states that where developments meet or exceed 35% affordable housing without public subsidy (subject to the tenure mix being to the satisfaction of both the LPA and GLA), such schemes can follow the 'fast track route', whereby they are not required to submit viability information and will only be subject to an early viability review. The proposal does not meet 35% and is therefore public subsidy is not available, nor can the scheme follow the 'fast track' route. Schemes that do not qualify for the 'fast track' route, must follow the 'viability tested' route which this application has done. London Policy H5 (f) states that (non-phased) viability schemes will be subject to early and late stage review mechanisms, which are recommended. This would capture any changes (for example increase in home prices/reduction in construction costs) which may result in increased affordable housing provision and/or contribution. For clarity, officers adopt the deficit provided in the GE independent review for the purposes of the affordable housing review mechanisms.
- 8.65 In terms of the tenure split, SP2.4 b) permits a variance from 60:40 (affordable rented to intermediate) if a Registered Provider agrees a different tenure split is justified. Evidence from three Registered Providers has been submitted and confirms that a mixed tenure block comprising rented and shared ownership units within Block B would be challenging in terms of future management and keeping service charges affordable for the rented properties. Block A works because the LAR homes are the duplexes accessed from Frith Road, so they have independent access thus avoiding the no need for certain service charge elements (such as internal cleaning or hared corridors), with 3 shared ownership homes on the first floor and private for sale above. Block B than contains 13 shared ownership homes with the remainder private for sale. Therefore Policy SP2.4 is met and the 32:68 split is supported. This also meets London Plan policy H6 on affordable housing tenure, as the minimum 30% is secured as London Affordable Rent.
- 8.66 The applicant's planning statement states that as well as the minimum site requirement compliance, the affordable housing offer could be made via vacant building credit (VBC). Croydon Local Plan Policy DM3 deals with VBC, promoting redevelopment by applying a vacant building credit such that affordable housing requirements will only apply to the net increase in floor space. The scheme would achieve an uplift of 62% affordable housing by habitable room on the uplift only. However, the FVA states the following "*The existing building is considered to meet the relevant tests for application of the Vacant Building Credit (VBC). This approach would effectively adjust the policy target for affordable homes to a proportion of the net uplift in area compared to the existing building. However, given GLA policy requiring viability testing for VBC*

schemes and the outcomes of this testing (indicating the proposal is substantially in excess of what would usually be considered to be the maximum reasonable level), the VBC approach has not been considered further". On this basis the policy test for whether VBC is applicable or not has not be undertaken as part of report.

8.67 The GLA has suggested that the scheme's viability could be improved if the layout of three flats per floor on the tallest part of the site was made more efficient. The only way to do this would be to raise the shoulder, however, given the importance of the side sky space (as indicated above in the heritage and Design and impact on character of the area sections) this would have negative townscape and heritage impacts so exploring this option has not been suggested. Officers feel the appropriate balance has been struck between delivery of affordable housing and heritage impacts, and have this scheme before us to determine.

Quality of residential accommodation

8.68 London Plan 2021 policies D5 inclusive design, D6 housing quality and D7 accessible housing seek the highest standards of accommodation for future occupiers. Policy sets out quantitative and qualitative standards, including minimum floor space and amenity standards for new builds in order to promote high quality living accommodation.

8.69 Croydon Local Plan policy SP2.8 relates to quality and standards, requiring all new homes to meet the standards set out in the Mayor of London's Housing SPG (now covered in D6 identified above) and the National Technical Standards 2015. Croydon Local Plan policy DM10.4 has a number of requirements in relation to providing private amenity space for new residential development. The relevant policy points seek a high quality design; a functional space, a minimum amount (5sq m per one/two person unit and extra 1m² per person after that), minimum of 10m² per child of new play space. Croydon Local Plan policy DM10.5 requires the inclusion of high quality communal outdoor amenity space that is designed to be flexible, multifunctional, accessible and inclusive.

8.70 The Department for Local Government and Communities Technical Housing Standards 2015 is also relevant.

Size and layout

8.71 All of the proposed residential homes meet and many exceed the minimum floor space standards set out in the London Plan (2021). All homes would have private amenity space that meets or exceeds policy standards.

8.72 London Plan (2021) states that developments should maximise the provision of dual aspect units, with single aspect units only provided where it considered to be a more appropriate design solution in order to optimise capacity, and where it can be demonstrated they will have adequate passive ventilation, daylight, privacy and avoid overheating. The layout of the scheme has helped to maximise the amount of dual aspect units, at 72% and there are no single aspect north facing units, which is welcomed. An overheating assessment was submitted which demonstrates the proposal maximise passive and active design measures, reducing the risk of overheating as far as practical.

Daylight and sunlight

8.73 The applicant has submitted a sunlight and daylight report that has been carried out in accordance with 2022 BRE guidance. In terms of daylight, the assessment considers

the spatial daylight autonomy (sDA) - see Appendix 2. 90% (326) of the total rooms tested (363) meet or exceed the sDA levels recommended for dwellings. Of those falling short, 16 (4.4%) of these are open plan Living/Kitchen/Dining (LKD) fall short of the level recommended level for rooms including a kitchen (200 lux), but do comply with a slightly lower level recommended for living areas (150 lux) so can be considered acceptably daylighted rooms. A further five LKDs (1.4%) and four bedrooms (1.1%) fall short only marginally (achieving over 40% or more of their area, instead the required 50%). The remaining rooms that fail are eight LKDs (2.2%) and four bedrooms (1.1%). These are all found at the lower levels, up to third floor. In addition to their location, the LKDs have balconies, which reduces the daylight ingress, but the trade-off is accepted, given the importance for private outdoor space. The four bedrooms are all at first floor, two located to the rear elevation of Block A directly opposite Block B and the other two facing the Central car park. Given the challenging nature of the site and the very high proportion of compliance, this is acceptable.

8.74 In terms of sunlight, of the proposed dwellings 96% of them (138) would meet or exceed BRE guidance. The majority of these units (119) would achieve the recommended sunlight exposure to the main living space which is preferable. Six units do not achieve the 1.5 hours of sunlight on 21 March. The only unit falling short in Block A is located on the first floor, behind the rear elevation. It falls short by only two minutes and so it is still considered to provide adequate levels of sunlight throughout the year. The remaining five units are located at the north corner of Block B, on first to fifth floor. Having a northerly aspect, these units have an inherently lower expectation for sunlight. Given the challenging nature of the site and the very high proportion of compliance, this is acceptable.

8.75 Outdoor amenity spaces have also been tested and shows that the three communal outside areas all exceed the BRE's minimum recommendation.

8.76 Overall an acceptable level of sun and day light is achieved. Officers are also satisfied that where BRE standards have not been achieved that this is due to a combination of factors including site optimisation, site characteristics and design considerations.

Outlook and privacy

8.77 Paragraph 6.80 of the Croydon Local Plan states "*A minimum separation of 18-21m between directly facing habitable room windows on main rear elevations is a best practice 'yardstick' in common usage and should be applied flexibly, dependent on the context of the development to ensure that development is provided at an acceptable density in the local context*".

8.78 The ground floor units on Frith Road have an area of defensible space and are duplexed so retain a good level of privacy. The units at the rear of Block A (at the lowest level) are both raised and protected by defensible space from any overlooking from the communal outdoor space. The flank elevation of Keeley House closest to Block A does not have any flank windows so would not result in any loss of privacy to future occupiers. Block A has good levels of outlook and privacy from neighbouring buildings.

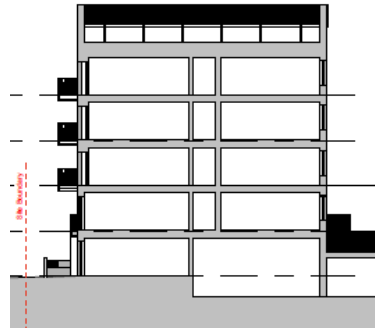
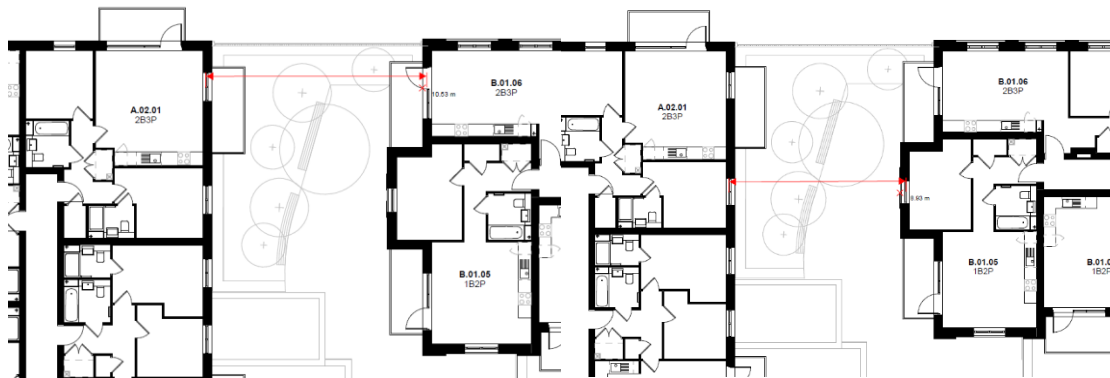


Figure 54: section drawing of Block A (Frith road to the right and landscape area to the left)

8.79 The closest distance between habitable windows on Blocks A and B is approximately 9m with the majority of units separated by 10.5m. Whilst these distances are relatively limited, the units that are subject to this proximity have other windows within the units that are not directly overlooked. On this basis the relationship, in terms of outlook and privacy between the units in Tower A and B is, on balance, considered acceptable.



Figures 55 and 56: window to window distances between Block A and Block B

8.80 There is sufficient separation between the proposed units and the commercial properties (where clear windows are evident on the upper two floors above the shops on the ground floor) on the opposing side of Keeley Road for there to be no detrimental impact on the future occupiers privacy or outlook.

8.81 Keeley House is located to the south east of Block B. The Keeley House elevation (see image below) facing Block B is staggered, with no flank windows on the closest element, two windows (first and second floor both serving a bedroom) on the middle part and a number of neighbouring windows on the furthest element (in terms of habitable rooms, they serve bedrooms and living rooms). The proposed development has moved approximately 1m closer to the south east boundary and therefore towards Keeley House than the existing building.

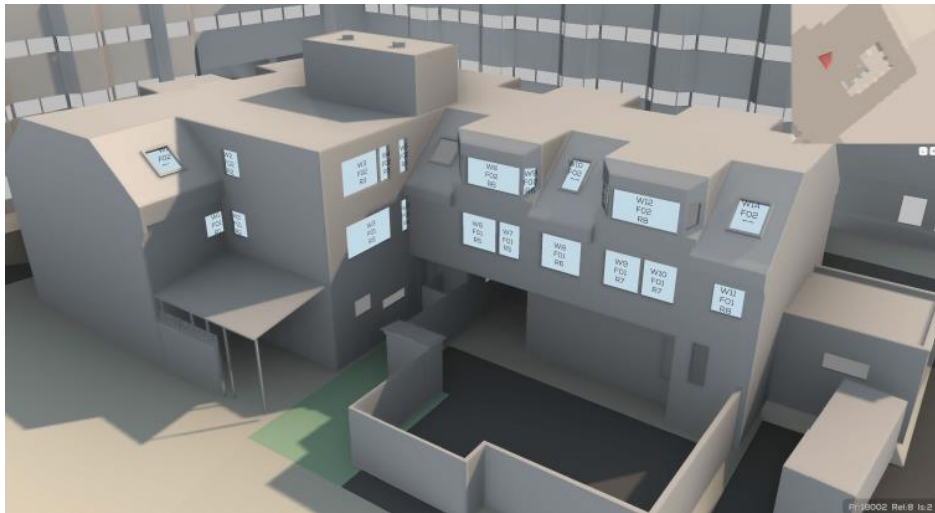
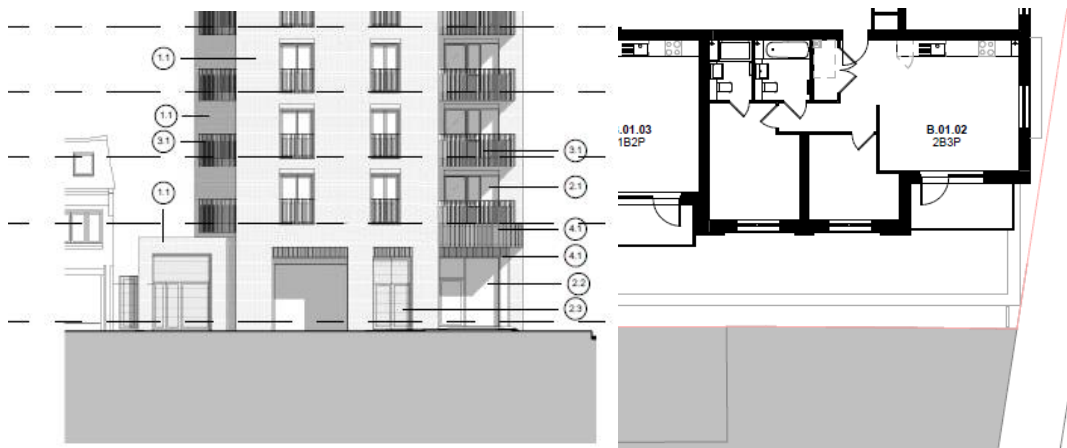
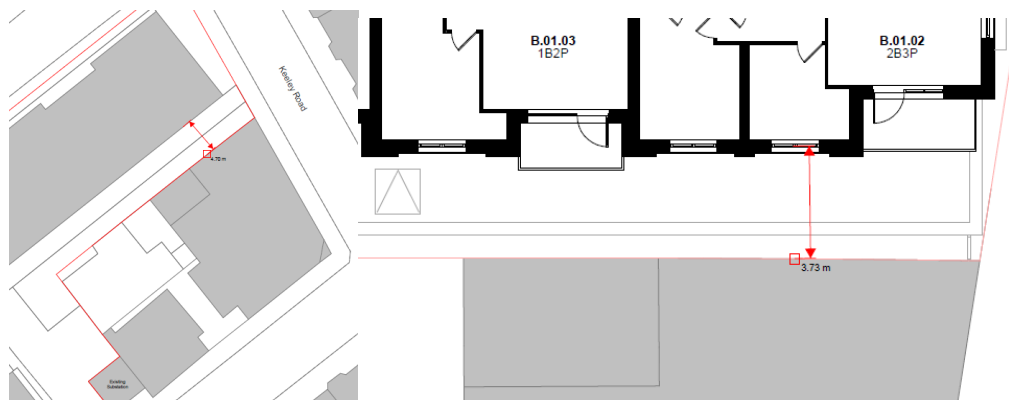


Figure 57: window map of Keeley House

8.82 Proposed units B.01.02 and B.02.02 are located on the 1st and 2nd floor by the blank part of the Keeley House elevation. They are sited at a distance of approximately 3.7m and there are no neighbouring windows in direct alignment. These units are dual aspect with the living rooms fronting Keeley Road, on that basis the outlook and privacy of these units is acceptable. It is worth noting there are existing flats (albeit currently unoccupied) within existing building that have a similar relationship.



Figures 58 and 59: Keeley Road elevation of Block A showing relationship with Keeley House (left) and location of unit B.01.02 (right)

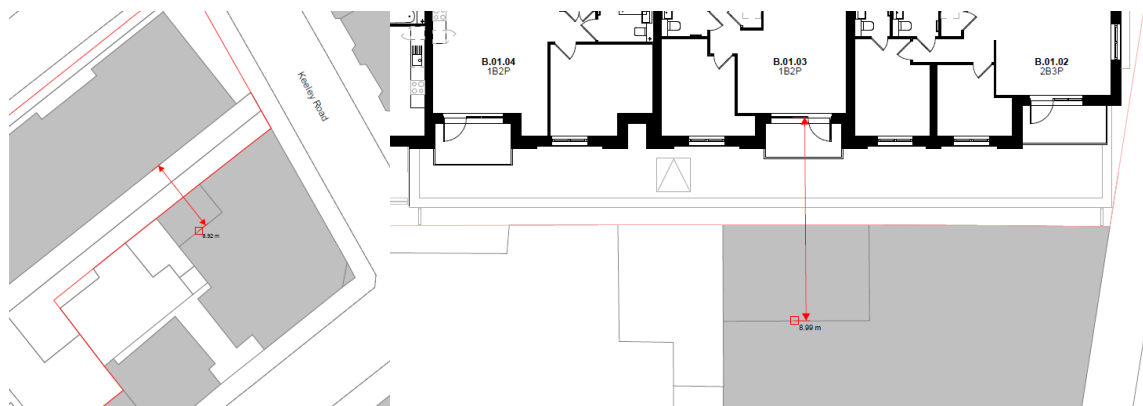


Figures 60 and 61: existing with 4.7m separation (left) and proposed (right) 3.7m separation distances between Block B and Keeley House

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

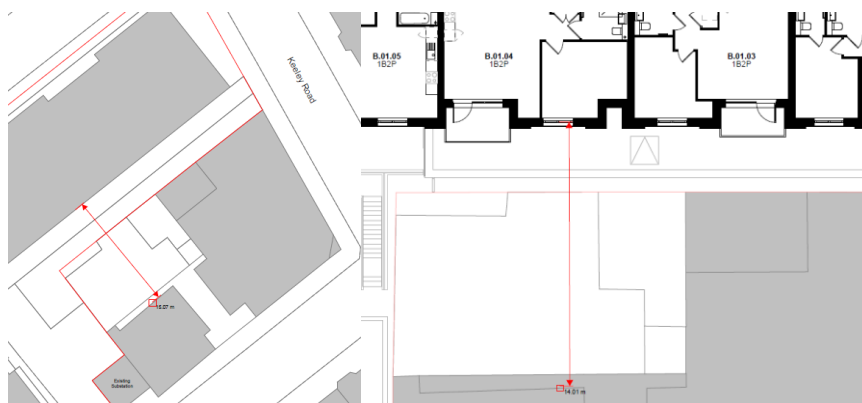


Figures 62 and 63: relationship between existing building and Keeley House close up (left) and at a distance (right)



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

8.84 The widest area between the Block B and Keeley House would be 14m (a decrease in 1m from the current separation). There would be a number of habitable room windows facing each other at this distance, however, given the existing relationship this separation would still provide adequate levels of privacy and outlook for future occupiers, especially given the built up town centre context



Figures 66 and 67: existing 15m separation (left) and proposed (right) 14m separation distances between Block B and Keeley House

- 8.85 Block B is 12.75m (at its closest point) from the Central Shopping Centre to the north, which is consistent with the established relation with the existing building.
- 8.86 In conclusion on outlook and privacy, whilst officers acknowledge the separation distances in a number of instances are well below the 'yardstick' of 18-21m, that distance should be applied flexibly, dependant on the context. In this case, the context of the existing building on site and its established relationship for the occupiers of those units (when they were occupied) forms a consideration that should be given considerable weight.

Wind

- 8.87 The submitted wind study (which utilised wind tunnel testing) indicates that all of the balconies and ground floor shared outdoor space would achieve wind conditions that are suitable for their intended external amenity use without mitigation. Subject to mitigation (screening and a roof to the garden pergola with porosity no greater than 50%), which can be secured by condition, the upper level shared terrace would also be suitable for their intended uses.

Noise

- 8.88 The agent of change policy (D13 of the London Plan) puts the responsibility for mitigating impacts from existing noise generating uses (in this case a nursery at Keeley House) on the proposed noise-sensitive development.
- 8.89 The Environmental Health officer has reviewed the submitted noise and vibration assessment, and raises no objections, stating that the recommendations (namely the provision of enhance glazing and ventilation of appropriate specification as detailed with the assessment and limits on plant noise) are appropriate and should be secured by condition.

Private/Communal Amenity Space and Child Play Space Provision

- 8.90 London Plan policy SP4 play and informal recreation seeks, for residential developments, good-quality, accessible play provision for all ages and at least 10sqm of playspace should be provided per child. Croydon Local Plan policy DM10.4 and DM10.5 set minimum requirements for the provision of communal amenity space and children's play areas that will be required in new flatted development. This scheme must provide a minimum of 10m² per child of new play space, calculated using the Mayor of London's population yield calculator.
- 8.91 All homes would have access to private amenity space in the form of a balcony which meets policy standards.
- 8.92 Communal amenity space has been designed to provide places for resting, socialising and play, whilst also increasing biodiversity. The images of benches, tables and play equipment are welcomed and alongside other features, providing a range of different spatial experiences and cater for multiple users. Detailed plans and specifications for play equipment, along with the soft and hard landscaping, will need to be secured by condition (given the changes possibly required by microclimate mitigation) and the requirement to understand density of planting.

8.93 A total of 1,018sqm (306sqm (courtyard), 519sqm (Block A roof), 193sqm (Block B roof)) of landscaped communal amenity space would be provided across the development, which is a significant amount and supported.

8.94 The proposal identifies 244sqm of play space across the two roof terraces, which would cover the need for age groups 0-4 and 5-11 and exactly meets the requirement for these age groups. Play space for all pre-secondary school children is accommodated on site.

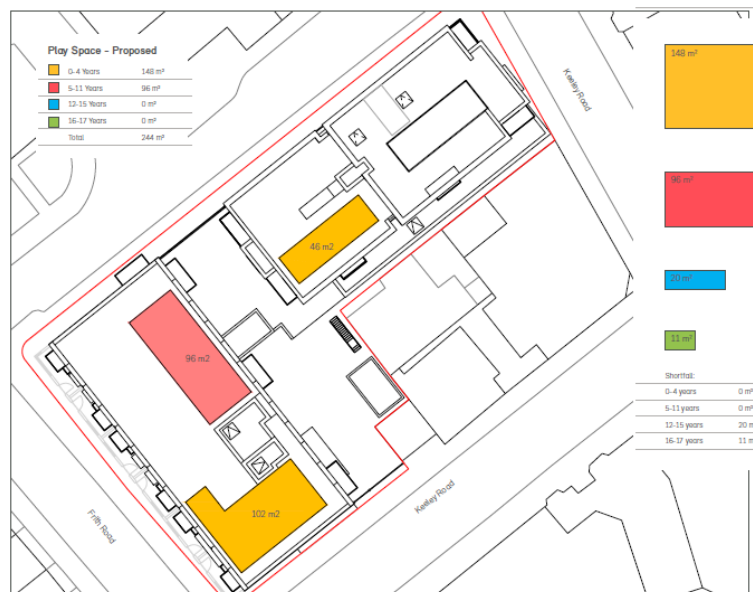


Figure 68: location of play space within development

8.95 Although there is space within the overall landscaping areas the proposal does not provide play space for the 12-15 and 16-17 year age ranges (with a requirement for 31sqm), highlighting that due to the sites constraints to provide meaningful play for older children these children will be encouraged to visit Wandle Park, which is within close proximity. Whilst this position is accepted the scheme stills needs to mitigate against the shortfall of older children play space. A financial contribution of £4,309 will be secured in lieu of this shortfall based on the costs of equipping an area of approximately 31sqm with suitable equipment and including an allowance for future maintenance.

8.96 The noise impact assessment additionally found the outdoor spaces within the scheme to be suitable without mitigation, as confirmed by the environmental health officer.

Fire safety and accessibility

8.97 Although fire safety is predominantly a building regulations issue, policy D12 of the London Plan 2021 requires developments to achieve the highest standards of fire safety for all building users. The policy sets out a number of requirements, with the submission of a Fire Statement (an independent fire strategy produced by a third party suitably qualified assessor) setting out how the development has been designed and will function to minimise fire risk.

8.98 Policy D5 B 5) of the London Plan requires that in all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

- 8.99 The fire statement has been drafted by a Director of MSC Fire Engineering Ltd who is registered with the Institute of Fire Engineers as a Member of the Institute. The report has been checked by an Associate Director of MSC Fire Engineering Ltd who holds a BEng (Fire), is a chartered engineer (CEng) and is registered with the Institution of Fire Engineers as a Member of the Institute. The statement has therefore been prepared by a suitably qualified assessor. The GLA have confirmed they are satisfied with the submission in relation to fire.
- 8.100 The Health and Safety Executive (HSE) have reviewed the submission and are satisfied with the information provided, raising no substantive objections. Block A contains a single stair that represents the only route for evacuation and firefighting operations. Building B contains two stairs that serve all the upper floors. One of the stairs stops at the ground floor and only one serves the basement, which the HSE confirm as the correct solution for this development.
- 8.101 Both blocks will be provided with an evacuation lift, with Block B also being provided with a fire fighting lift as it is over 18m. This will ensure safe and dignified emergency evacuation for all users in line with London Plan (2021) policy D5 and can be secured by condition.
- 8.102 Supplementary comments have been provided by the HSE (which do not form part of the substantive response) highlighting that the single stair in Block A connects with the refuse store by way of a protected corridor and that the refuse area also has direct access to the outside. Connecting any ancillary area to a stair is only suitable for a small building (under 11 m in height, whereas Block A is 12m) or a building that contains at least two stairs serving all upper floors. The HSE state that some internal alterations may be required which are unlikely to affect land use planning considerations. This has been raised with the applicant's fire engineer, who has confirmed in their view these matters can be overcome. Given that this element would not materially impact planning matters, no objection has been raised from the HSE and that separate regulation (Building Control) will be required for these elements, the scheme is considered acceptable in terms of fire.
- 8.103 10% (14 units) would meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and the remaining units would meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and therefore satisfy Policy D7 of the London Plan and can be secured by condition. It is important to note that all of the M4(3) units are contained within Block B, which is logical as the blue badge parking is all located within the basement accessed via the lift core of this Block. This does mean that there are no M4(3) units within the London Affordable Rented homes, but the 6 units are all duplexes where M4(3) compliance is more challenging. This is on balance accepted.
- 8.104 Overall, the proposed development would provide well-designed homes that would provide a high standard of residential accommodation.

Impact on neighbouring amenity

- 8.105 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. This can include a loss of privacy, daylight, sunlight, outlook or an increased sense of enclosure. There are a number of buildings surrounding the site requiring consideration in terms of

daylight/sunlight impact. This aligns with the requirements of Policy D9 of the London Plan in relation to tall buildings.

8.106 Paragraph 6.80 of the Croydon Local Plan states “A minimum separation of 18-21m between directly facing habitable room windows on main rear elevations is a best practice ‘yardstick’ in common usage and should be applied flexibly, dependent on the context of the development to ensure that development is provided at an acceptable density in the local context”.

8.107 There are a number of commercial units to the north east, east and south east of the site all within Centrale shopping centre and the ground floor of Keeley House (nursery). Given the nature of these units and the existing built form on the site it is not considered that there would be any harm sufficient to warrant a refusal reason. It is considered that the most critical relationships to consider are the residential units on the opposing side of Frith Road and the flats within Keeley House.

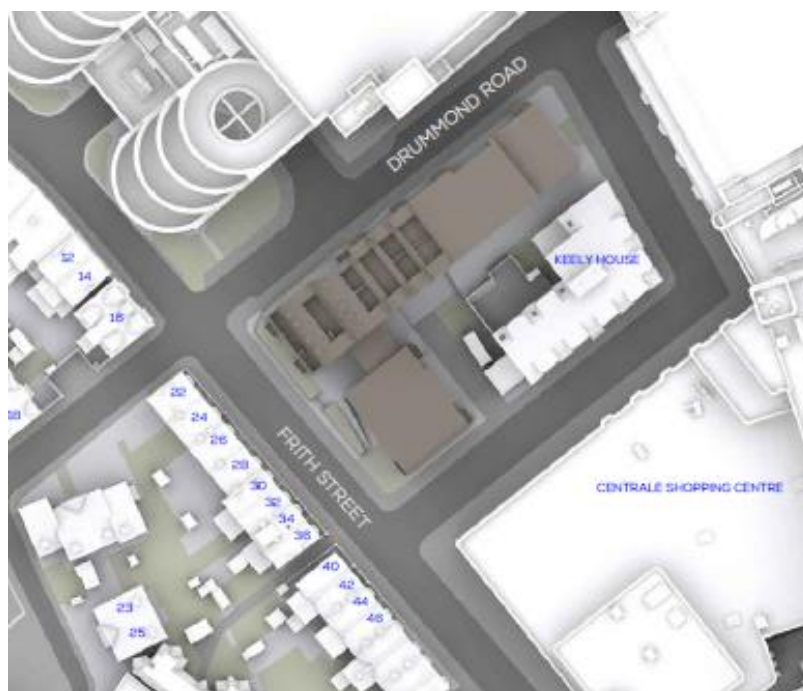


Figure 69: surrounding neighbouring properties

Outlook and Privacy

Frith Road

8.108 Numbers 22-36 are two storey buildings opposite the site and separated from the existing Citiscape building by approximately 17.5m - 19m (going from No.22 to 36). Block A would be slightly closer to some of these properties, resulting in separations of approximately 17.5m - 16.5m (going from No.22 to 36) and taller across the whole Frith Road frontage, increased from 4 to 5 storeys (with gable frontages above). Although the proposed building is slightly closer to these neighbours, and there would be more windows, the distances are considered sufficient to prevent against any harmful overlooking. Properties No.16 (and northwards) and No.40 (and southwards) are not in direct alignment and further removed, and as such no harmful loss of privacy would occur. Although Block A is taller and within closer proximity (in part) the opposing buildings are dual aspect; this internal layout and the distances mentioned above is sufficient to preclude any harmful loss of outlook.

Keeley House

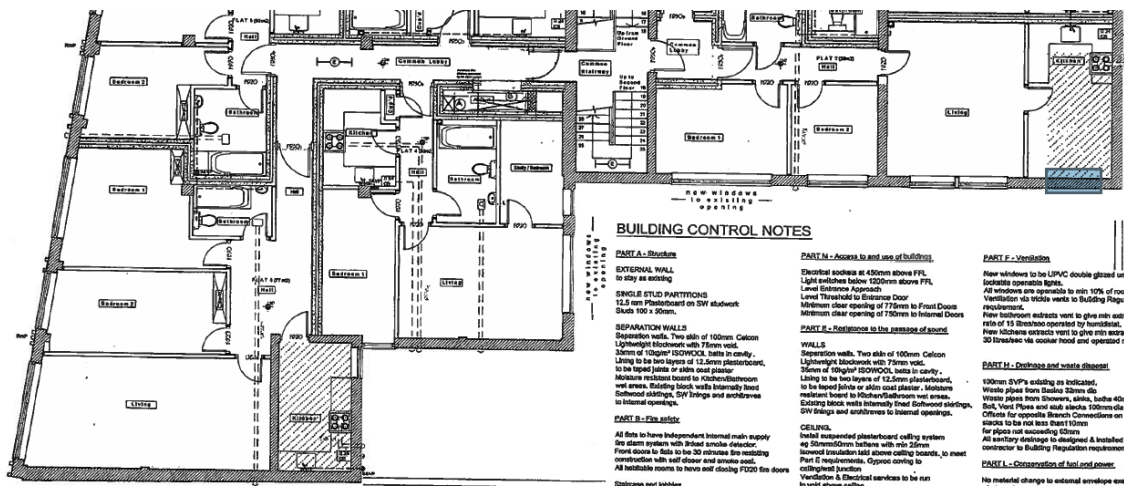


Figure 70: Keeley House First floor layout

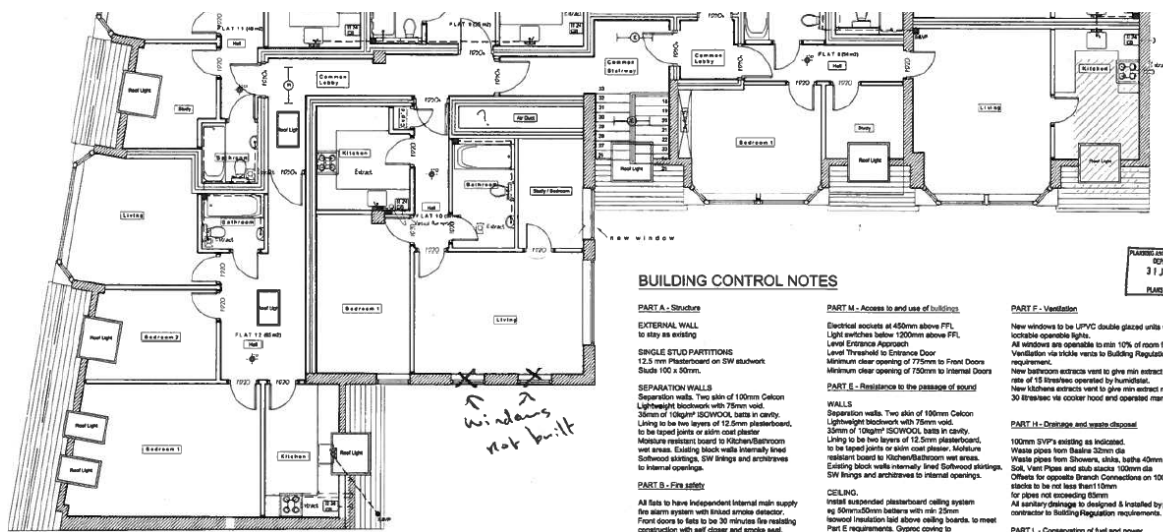


Figure 71: Keeley House Second floor layout

8.109 Flats 6 and 12 (bottom left flat within figures 70 and 71 above) have no windows facing towards the site and are not considered to have their outlook or privacy materially harmed by the proposal.

8.110 Flats 4 and 10 have the same layout, with the living room and bedroom/study room facing towards Block A. The distance from Block A and angle of orientation from Block B would mean that any overlooking would be from an oblique or far distance to such an extent that it would not result in harmful overlooking, especially above and beyond the existing arrangement. There is a bedroom window within each of these flats that faces towards the application site with a separation distance of between approximately 7.9m (to edge of balcony) to 8.9m (to the inset areas). This distance is very similar to the existing situation of approximately 8.9m and the existing building also has balconies facing Keeley House. Given the existing situation, the fact these flats are dual aspect with habitable rooms facing Block A which has a greater separation and the rooms facing Block B are bedrooms whereby the main use is for sleeping the relationship is considered, on balance, to be acceptable.

8.111 Flats 2 and 8 have all rooms facing towards Block B at a distance of 14m, which is only 1m less than the existing arrangement. Given this and the built up nature of the area, where a certain level of overlooking and intrusion is not uncommon, no significant additional harm to the occupier's amenities beyond that which currently exists on site from the existing building is envisaged.

8.112 Overall, given the existing situation, density of the surrounding built form and closely related development in a central location it is expected that there will be a degree of mutual overlooking and visual impact for occupiers, so is on balance acceptable.

Daylight and Sunlight

8.113 Paragraph 125 of the NPPF states, in part c) that *“local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”*.

8.114 The Mayor of London’s Housing SPG also endorses a flexible approach to daylight and sunlight, stating:

“An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

8.115 Furthermore, the OAPF notes that *“It is recognised that in heavily built up areas such as the Croydon Opportunity Area, new development will inevitably result in some level of overshadowing and overlooking of neighbouring properties and amenity spaces. It should be noted that the existing pattern of development in the central part of the COA is not conducive to the application of normal planning guidelines for sunlight and daylight. As such, as part of new development proposals, there will need to be a flexible approach to the protection of natural light for existing properties.”*

8.116 Officers consider that, given the central Croydon location and the fact a tall building already exists on site, this it is a site where flexibility to BRE standards can be applied.

8.117 The daylight and sunlight report covers the potential impacts of the proposed scheme on neighbouring buildings. A series of residential properties were considered (including those in Tamworth Place and North End) but only those that did not adhere to the numerical values set out in BRE are discussed below. The buildings that have been assessed are as follows and can be located in figure 69 above:

- 22 to 36 Frith Road
- Flats within Keeley House

22 to 36 Frith Road

- 8.118 22 to 36 Frith Road are a row of terraced houses located directly opposite to the west of the scheme.
- 8.119 In terms of daylight, 42 windows and 18 rooms were assessed using the Vertical Sky Component (VSC) test – see Appendix 2. Of the 42 windows tested, 11 (26%) remain BRE compliant. Of the 31 windows that do not meet, three remain compliant against the VSC to room assessment.
- 8.120 Of the remaining 28 windows, 20 would experience minor adverse changes, with six of these 20 windows retaining in excess of 20% VSC and a further 10 retaining a mid-teen value in excess of 15% VSC which has been established as acceptable on appeal decision where tall buildings are located and flexibility should be applied. The remaining four windows are all located on ground floors and are return windows on the front bays, limiting daylight receipt. These windows form part of the a bay window, with the room benefiting from two further window panes and the rooms themselves will retain in excess of 15% VSC. The final eight windows will experience a moderate adverse impact, but will retain a mid-teen value in excess of 15% VSC.
- 8.121 In terms of daylight distribution, 18 rooms were assessed using the No Sky-Line test (NSL) – see Appendix 2. Of the 18 rooms assessed, seven (39%) would experience no noticeable alteration in daylight distribution. Of the 11 rooms that do not comply, 10 rooms would experience minor and moderate adverse impacts. The final room, a bedroom to no. 30 Frith Road, would experience a major adverse impact (a 46% reduction).
- 8.122 In terms of sunlight, 8 windows have been assessed (as they are orientated within 90 degrees due south) using the Annual Probable Sunlight Hours test (APSH) – see Appendix 2. Of the 8 windows assessed, six (75%) remain BRE compliant. The two windows which do not meet serve 24 and 26 Frith Road, experiencing minor adverse reductions of 30% and 26% respectively. These windows are orientated at 84 and 82 degrees from due south and as a result they will only have an oblique access to sunlight and it would be difficult for these windows to meet the target values.
- 8.123 Whilst there are breaches of the BRE guidelines as identified above, generally good levels of daylight and sunlight are retained for 22 to 36 Frith Road. Whilst moderate and major adverse impacts are not ideal, taking into account the context of a relatively dense urban environment in the CMC, OAPF and ‘edge area’ (where tall buildings may be acceptable) and the fact a number of the failures are to a certain extent due to the self-limiting form of the bay windows, no objection is raised by officers.

Keeley House

- 8.124 Keeley House is a mixed use building with commercial use at ground floor and flats above.
- 8.125 It would appear that the Keeley House permission from 04/04754/P (conversion of upper floors to provide an additional 5 one bedroom and 5 two bedroom flats and refurbishment of the existing 2 flats) was not built out exactly as per the approved plans, particularly in terms of window positions. It would appear to be more in accordance with the subsequently approved Building Control plans (this has confirmed to be the case by an agent representing Keeley House). The daylight and sunlight

report was updated during the course of the application so that the window mapping diagram does reflect the as built window positions on this building.



Figures 72 and 73: Keeley House rear elevation (left) and window mapping (right)

- 8.126 The 04/04754/P planning permission was granted with the existing Citiscape building in place. This permission accepted the homes within Keeley House would experience relatively low levels of daylight. Consequently, any change in massing on the application site will inevitably result in larger proportional reductions.
- 8.127 In terms of daylight, 22 windows and 16 rooms were assessed using the Vertical Sky Component (VSC) test. Of the 22 windows tested, 11 (50%) remain BRE compliant. Of the 11 windows that do not meet, one remains compliant against the VSC to room assessment.
- 8.128 Of the remaining 10 windows, four would experience minor adverse changes, four experiencing moderate adverse changes, with the final two windows experiencing major adverse impact (63% reduction for a bedroom in Flat 4 and 45% for a bedroom in Flat 10). All of these, with the exception of one window, have existing low levels of VSC between 2-11%, so a relatively modest absolute change of between 1.5-3.6% causes a disproportionate large percentage change. The final window that would fail would see an absolute change in VSC of 4%, which is unlikely to give rise to a noticeable change, whilst the room has a lower absolute change of 2.6%.
- 8.129 In terms of daylight distribution, 16 rooms were assessed using the No Sky-Line test (NSL). Of the 16 rooms assessed, 14 (88%) experience no noticeable alteration in daylight distribution. The two rooms that do not comply experience major adverse impact in excess of 40% reduction (98% reduction for a bedroom in Flat 4 and 85% for a bedroom in Flat 10). Both of these rooms are bedrooms, with absolute changes of 3.9% and 4.4% meaning it is unlikely to be a noticeable change. Furthermore, the BRE acknowledges that bedrooms are less important than other habitable uses. It is also important to note that these two bedrooms that receive a major adverse impact appear to have been created without planning permission (albeit now exempt from enforcement action given the length of time that has passed). It is also worth noting seven windows will see an improvement in sky visibility, ranging from 21-209% improvements.
- 8.130 In terms of sunlight, 7 windows have been assessed (as they are orientated within 90 degrees due south) using the Annual Probable Sunlight Hours test (APSH). Of the 7 windows assessed, all remain BRE compliant.
- 8.131 Overall the loss of daylight to Keeley House outlined above is regrettable and this has to be balanced against some improvements. Weight is given to the 04/04754/P

planning permission accepting relatively low levels of daylight for homes within Keeley House, meaning any change in massing will result in larger proportional reductions. Taking this into account, combined with the opportunity area location, the relatively dense urban environment, the fact the brownfield site contains a vacant building and the policy steer to apply application of the BRE guidance flexibly (noting sunlight compliance), when balancing the benefits of the scheme against the harm of these impacts, officers raise no objection.

Microclimate

8.132 Paragraph 6.71 of the Croydon OAPF states that new buildings, in particular tall buildings, will need to demonstrate how they successfully mitigate impacts from microclimate conditions on new and existing amenity spaces. In particular, new tall buildings in the COA will need to show how their designs do not have a negative impact on wind (downdrafts and wind tunnelling). This is endorsed in DM38.4 of the Croydon Local Plan and D9 of the London Plan.

8.133 A wind report has been submitted in support of the application that reviews the impact of the proposal on nearby and surrounding land. The land to the rear of Keeley House has been included within this assessment and shows that there would be no wind safety concerns and that the area is suitable for sitting and standing which is suitable for the current use of this area.

Noise and disturbance

8.134 London Plan policy D13 Agent of change is relevant in relation to some neighbouring commercial businesses. Croydon Local Plan policy DM23 seeks to limit noise disturbance through high standards of development and construction.

8.135 Whilst population density would increase, the development is not considered to result in a harmful increase in noise and disturbance. A new outside space would be created at ground floor between the two blocks, but is not considered to harm amenity from noise given the adjoining neighbouring outdoor spaces serve a car park and nursery space. Moreover, this is a built up urban area and a degree of noise and disturbance is not uncommon.

8.136 During construction there would undoubtedly be an impact on neighbouring occupiers, including the nursery. A construction logistics plan would ensure the build-phase is managed appropriately, minimising disturbance towards neighbouring properties, and can be secured by condition. Furthermore, disruption due to construction is only temporary, limited to the site and is of medium-term duration.

Other

8.137 Interested parties have raised a concern that the proposed development would prejudice the development potential of Keeley House. Firstly, there is currently no consent to develop this site, nor a planning application under consideration. Secondly, the existing context cannot be ignored when considering whether the development of the application site (to such an extent as proposed) prejudices the development potential of the Keeley House site. The application site has an existing flank elevation of habitable room windows and balconies facing across the whole Keeley House plot (and up to a level significantly higher level than Keeley House), and as such, it is unlikely that any meaningfully taller development than the existing Keeley House could be developed on the neighbouring site without serious impacts on the existing (albeit now vacant) building. Despite the Keeley House pre-application submitted, officers consider there is currently very limited potential to develop the Keeley House site and

its development potential is therefore not materially harmed by this proposal. It is noted that the scheme for consideration does include habitable room windows facing Keeley House that are closer in footprint by 1m and this is covered in detail above.

8.138 The GLA (and representative of the Keeley House site) have stated that a comprehensively master planned development that incorporates the neighbouring site, Keeley House, would achieve better place making outcomes and the applicant and the Council are encouraged to pursue this option. Whilst this position is noted, the applicant has confirmed that they have met with and exchanged correspondence with the owner of Keeley House and their representatives on multiple occasions, yet no joint movement of sites has been made. It is also noted that the owners of Keeley House have submitted a pre-application which only proposes a scheme on their site. Given this the co-working of these two sites appears unlikely to happen in the immediate future and there is no demonstrable evidence received to delay the determination of this application for this reason.

8.139 Additionally, the scheme would not compromise the development potential of the Centrale Shopping Centre to north of the site in the future, given the proposed building would have a very similar separation distance with windows in the northern elevation as the existing building.

Access, parking and highway impacts

8.140 The site has a Public Transport Accessibility Level (PTAL) of 6b, on a scale of 0-6b, where 6b is the most accessible, so has an excellent level of accessibility to public transport links.

8.141 The site has existing vehicular access points from Keeley Road from the north east and the south east, which has not been in operation for a number of years. The Council have since located parking bays in front of this access point. Drummond Road has a restriction in place with no waiting and no loading at any time. Frith Road and Keeley Road have no waiting restrictions between 8am to midnight 7 days a week. The car parking bays on street are for permit holders only or pay and display (for a maximum of two hours).

Access: Vehicular

8.142 The existing vacant building had 95 units with 73 on-site car parking spaces within a basement accessed via Keeley Road. The proposal comprises 144 residential units, including 4 blue badge car parking and 250 cycle parking spaces at basement level.

8.143 When the site was operational vehicles accessing the basement from Keeley Road would wait on-street whilst the gates were opened. The proposal would continue to be accessed via Keeley Road on the northeast side, with some modification, including the removal of the parking bays on street. Only one vehicular access point will remain given the reduction in parking.

8.144 The basement would have a signal-controlled system to allow for the safe transit of vehicles. The gates have been pushed back to 5m from the footway to allow for cars to pull in and not wait on the road. This is welcomed and is a more desirable outcome than waiting on Keeley Road. LBC Transport Officers note that the ramp would not be 90 degrees to Keeley Road and have recommended that the access is re-aligned. However, the access to the basement is not being altered in the proposed scheme.

Given further examination of the existing condition and the orientation of the building, it is considered in this instance, a grounds for refusal would not be substantiated and the departure from this requirement would be acceptable given the access and egress arrangement identified on drawing 21-082-T-011-A.

It has been noted by LBC Transport Officers that two cars may find passing each other difficult and that there is a pinch point at the bottom of the ramp, where the width is 2.4m. The minimum distance is 2.6m for two cars to pass together. This is acknowledged, however given the small number of cars operating in the basement, it is considered unlikely that this situation would arise frequently. Although the arrangement and constrained space is not ideal, no objection is raised by officers.

Access: Pedestrian

8.145 Pedestrian access is proposed on Frith Road and Keeley Road allowing access to Blocks A and B respectively with access to the internal courtyard accessed via a secure gate on Keeley Road. The maisonettes would have direct access from Frith Road with the communal entrances located on both sides of Keeley Road. LBC Transport Officers noted that the sightlines for the vehicle access point on Keeley Road should be revised to be located within the red line boundary in order to maintain safe passage for pedestrians taking this route. The applicant has since adjusted the sightlines, improving vehicle visibility and pedestrian safety.

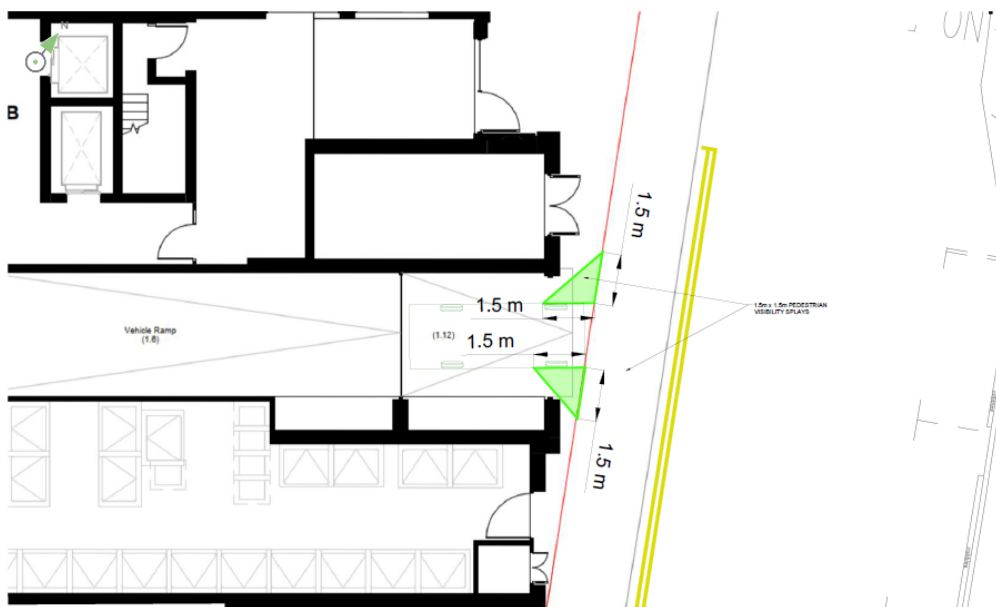


Figure 74: Keeley Road access with visibility splays

Car Parking

8.146 As noted above, it is proposed that there will be a substantial decrease in car parking within the site given it would be a car-free development, with the exception of 4 blue badge spaces at basement level. The proposal aims to decrease the usage of vehicles to minimise its contribution to air pollution and to encourage sustainable modes of travel. Given the PTAL of this location, aligning with London Plan Policy T6 and SP8 of the Croydon Local Plan, a car free development is supported. The Croydon Local Plan states that there is an on-going climate emergency and active and sustainable travel, in order to reduce congestion and air pollution, will be encouraged in order to improve quality life and quality of place.

8.147 Policy T6.1 of the London Plan requires disabled persons parking to be provided for new residential developments, ensuring as a minimum 3% of dwellings at least one designated disabled persons parking bay per dwelling is available from the outset. The proposed scheme would provide 3% blue badge, which equates to 4 parking bays. The applicant has provided amended plans following LBC Transport Officer comment on the location of the disabled bays, in relation to the columns in the basement. The updated plans show that the bays and the hatched area around will now not be impeded by columns and allow ease of access for the residents.

8.148 Policy T6.1 of the London Plan 2021 states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20% of the spaces should have active charging facilities, with passive provision for all remaining spaces. The proposed scheme proposes 100% of the spaces provided would have active electric charging points from first occupation, exceeding the minimum standard.

Cycle parking

8.149 The proposed development would be dedicating the majority of the basement space to cycle parking, encouraging a more sustainable mode of travel. The minimum requirement, as set out in the London Plan, is for 249 long stay spaces and 4 short stay spaces. It is proposed that the development would provide 250 long stay spaces as 16 accessible spaces (8 enlarged Sheffield Stands), 28 Sheffield Stands, and 206 two tier stands.

8.150 The London Cycle Design Standards sites that lifts should have minimum dimensions of 1.2m by 2.3m, with a door opening of 0.9m. This is important for access to locations such as cycle parking areas, which has been provided. The proposed lift would be 1.1m by 2.1m which is marginally smaller than the minimum requirement. This minor size shortfall is regrettable, but this is not the sole entrance/exit for cycles; the cycle store is also accessible via a ramp between the two blocks (to the rear of Block A). Whilst LBC Transport Officers raise concern about the size of the lift, given the additional choice of the ramp, no objection is raised.

8.151 Residents from Block A would be required to walk 30m across the communal outdoor area to the entrance of Block B to access their cycles. It is important to note that an earlier iteration of the scheme had cycle parking within the ground floor of Block A, but PRP commented that it would limit activation to the frontage and encouraged the applicant to relocate to within the basement. Therefore a balance has been struck between ease of access for cycle users and activation of the frontage, which officers support.

Waste

8.152 The applicant has submitted an Operational Waste Management Strategy that outlines the proposed strategy. The applicant has estimated the weekly waste generation for the development and the number of containers required would fit within the waste stores. The metrics that have been used are in accordance with LBC's Waste and Recycling in Planning Policy Document. Each unit will have integrated waste bins for residual waste, recyclables and food waste and each block will have a residential waste store at ground floor level as indicated below.

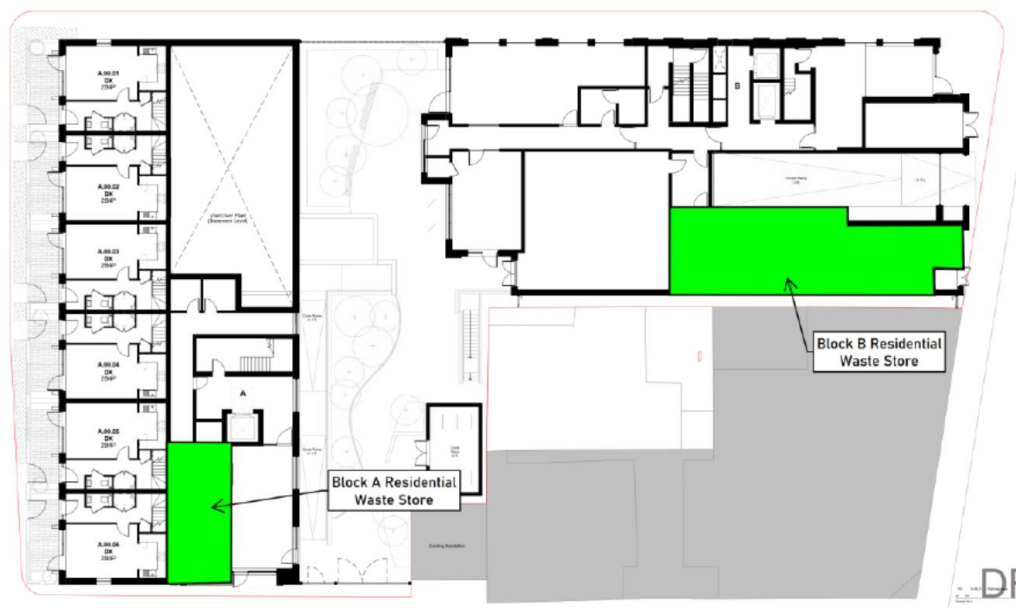


Figure 75: location of the bin stores for Block A and Block B

8.153 It is noted that the drag distance for Block B exceeds the maximum limit of 20m, as it would be approximately 25m to the rear of the store from a refuse lorry. This would require an alternate waste management plan. It is expected that full details of the proposed collection arrangements, including agreement on the operator who will be carrying it out, will be specified within a condition in a detailed refuse collection management strategy. This strategy must also detail how refuse collection will be managed within the building by the facilities management team.

Delivery and servicing

8.154 An Outline Delivery and Servicing Plan (DSP) has been submitted as part of the application. Deliveries and servicing trips are proposed to remain as when the site was operational and will occur on street on Frith Road and Keeley Road. It is expected that the most frequent deliveries will be from small vehicles with occasional heavy good vehicles.

8.155 All servicing and deliveries are proposed to take place on-street. London Plan Policy T7 requires the provision of space off-street to facilitate servicing with on-street loading bays used only when it is not possible. It is acknowledged that the site constraints do not allow for on-site servicing given the basement being retained and so, in this instance, it is accepted. A final DSP will be conditioned to demonstrate that there are suitable locations that are safe and limit their potential impact. TfL have noted that a total of 42 vehicle trips are proposed in the Transport Assessment which appears to be low, therefore further scrutiny should be included within the DSP when this condition is submitted for discharge.

8.156 The applicant has agreed to fund a S.278 agreement for highway works around the site to include removal of parking bays, servicing bays and dropped kerbs where necessary for refuse and servicing, as well as resurfacing the highway.

Construction logistics

8.157 An outline Construction Logistics Plan has been submitted. Given the scale of the development, a tailored condition requiring the submission of a detailed CLP is recommended to ensure that the construction phase of development does not result in

undue impacts upon the surrounding highway network and adjoining occupiers, such as the nursery.

Sustainable Transport

8.158 Sustainable travel is a key policy consideration within policies SP8, DM29 and DM30 of the Croydon Local Plan. Given that the development would be car-free (aside from blue badge spaces) and considering the nature of the development, increased walking, cycling and public transport use is expected. To mitigate against this and improve connections for all transport modes, improvements to the highway network immediately surrounding the site in line with the Council's future vision for the area are to be secured. This would be secured through both a S.106 financial contribution of £180,000 and a S.278 highway works agreement. A contribution of £53,670, as requested by TfL, will also be secured via the S.106 legal agreement.

8.159 A financial contribution of £31,000 will also be secured for the provision of an off-site car club space within the town centre, as well as membership for future residents of the scheme for 3 years and removing access for future residents to Controlled Parking Zone permits and season tickets for Council car parks.

Active Travel Zone (ATZ)

8.160 The applicant has identified some potential upgrades to the local highways network as part of their Active Travel Zone assessment to support the development. The improvements have been identified in 5 key routes between the site and several key destinations. The improvements that have been outlined within the ATZ assessment will be funded by the applicant through a S.278 agreement.

Travel Plan

8.161 In order to ensure that the identified modal shift is adequately supported, and barriers to uptake of more sustainable transport modes can be addressed, a Travel Plan and monitoring for five years along with a financial contribution to allow this is to be secured through the S.106 legal agreement.

Environmental impact

Air quality

8.162 The whole of Croydon Borough has been designated as an Air Quality Management Area and therefore a contribution is required towards local initiatives and projects in the air quality action plan which will improve air quality targets helping to improve air quality concentrations for existing and proposed sensitive receptors.

8.163 The Council's Environment Consultant has raised no objection to this aspect of the proposal subject to securing a contribution (£14,400) and the recommendations within the air quality assessment being followed. These can be secured by S106 and condition.

Contamination

8.164 Croydon Local Plan policies DM24.1 to DM24.3 relate to land contamination and development proposals located on or near potentially contaminated sites. Such sites need to be subjected to assessments and any issues of contamination discovered should be addressed appropriately e.g. through conditions.

8.165 The majority of the site is covered by built form of a residential nature and the proposal includes amenity areas that are effectively raised from the current

arrangement, and as such no significant issues of environmental concern are envisaged. However, it would be prudent to require an intrusive site investigation, which can be secured by condition.

Flooding and drainage

8.166 The site is within Flood Zone 1 (low risk) and an area of surface water flood risk. The majority of the site has a low level risk of surface water flooding, but there is a localised area (where an existing ramp / basement is) that shows a medium and high risk of surface water flooding when viewing the EA's flood mapping. However, the site specific flood report demonstrates that the site is at an actual low level of surface water flooding due to the limited flow depths of around 150mm and the existing built environment, which would prevent flows being conveyed towards the site from the wider catchment. In terms of ground water there is no data available for the site itself, however, due to presence of an existing basement and the smaller size of that incorporated into the proposal, it is not anticipated that there would be any obstruction (or greater risk) to groundwater flows beneath the site.

8.167 The applicant has provided a Flood Risk Assessment and Drainage Strategy. It is proposed to attenuate surface water using a combination of green and blue roofs, filter drains, pervious hardstanding and attenuation tank located between adjacent to the external stair access from the courtyard to the basement. The Lead Local Flood Authority have reviewed and assessed this information and raise no objection to this aspect of the scheme. Additionally Thames Water have reviewed the information and raise no objection, but do recommend a condition and informatives, which are included within the recommendation.

Construction Impacts

8.168 A Construction Environmental Management Plan is to be secured by a condition, to ensure adequate control of noise, dust and pollution from construction and demolition activities, and to minimise highway impacts during the construction phase.

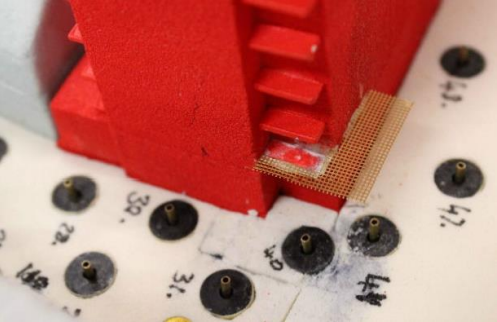


Light pollution

8.169 External lighting is proposed around the development, but a final scheme has not been developed. Whilst the principle of this is acceptable light from the proposed illuminations can cause a nuisance to local residents and as such further details indicating proposed light specifications, spread and lux levels is required, these details can be secured by condition.

Microclimate

8.170 Croydon Local Plan policy SP4.6 states that tall buildings will be required to minimise their environmental impacts. Paragraph 6.71 of the Croydon OAPF states that new buildings, in particular tall buildings, will need to demonstrate how they successfully mitigate impacts from microclimate conditions on new and existing amenity spaces. In particular, new tall buildings in the COA will need to show how their designs do not have a negative impact on wind (downdrafts and wind tunnelling). This is endorsed in D9 of the London Plan 2021.

8.171 The wind report identifies that the majority of the site would have wind conditions suitable for the intended uses. However, there are a few locations within and around the development where resultant wind speed requires mitigation due to either not being suitable for the intended purpose or a safety concern. These areas and the mitigation proposed are summarised in the table below.

Location	Concern	Mitigation required
<p>North eastern corner of Block B (probe location 40)</p>	<p>Strong winds which would be a safety concern to more vulnerable pedestrians</p>	 <p><i>Canopy - 50% porous, 2.5m deep on north-western side, 1m deep on north-eastern side</i></p>
<p>Southern corner of Block B (probe location 79)</p>	<p>Strong winds which would be a safety concern to more vulnerable pedestrians</p>	 <p><i>Canopy - 50% porous, 4.5m x 2.5m.</i></p>
<p>Mid-level terrace of the Block B (probe locations 100 and 101)</p>	<p>Strong winds which would be a safety concern to more vulnerable pedestrians</p> <p>And</p> <p>Unsuitable for the intended uses</p>	 <p><i>Addition of more solid elements to the rooftop pergola to ensure porosity no greater than 50% and rotated so it is parallel with the southern façade of Block B;</i> <i>and</i> <i>L-shaped screening to the mid-level terrace (~50% porous, 1.5m tall, 3.5m x 3.5m).</i></p>
<p>Entrance to the existing building on Keeley Road (probe location 27)</p>	<p>Unsuitable for the intended uses</p>	<p>Mitigation same as that shown in probe location 40 above.</p>

8.172 The mitigation measures are yet to be fully designed, however, given the prominent location of the Block B entrance and the possible townscape implications of the required canopy mitigation, officers requested the architects undertake a study to show potential options and provide the comfort needed that wind mitigation could be designed to complement the building and not appear as a retrofit bolt on. Six potential

options were submitted, see images below, which have been reduced in size to ensure they fit within the application site.



Figures 76, 77 and 78: Options 1, 2 and 3 (left, middle and right respectively)



Figures 79, 80 and 81: Options 4, 5 and 6 (left, middle and right respectively)

8.173 A technical note from the microclimate consultants has also been submitted to supplement this exercise. It is understood that mitigation in the form of just a canopy – now reduced in size to fit within the site (options 1 and 2) may marginally exceed safety criteria for more vulnerable pedestrians. As such additional mitigation measures would be required to compliment a canopy (options 3-6). Although option 3 would not work from a future amenity perspective and options 5 and 6 relies on planting, which is notoriously difficult to manage and maintain for the lifetime of the building (especially if within a planter), option 4 does show that a canopy with additional features can be designed to a visually acceptable level. Officers are sufficiently comforted that appropriate mitigation on this corner can be suitably designed, however, it would be prudent to make sure that the final design of the future mitigation in this corner is wind tunnel testing to show compliance, as well as having an acceptable final design. This can be secured by condition prior to any construction taking place. It is also noted that the technical note suggests further wind tunnel testing should be carried out prior to commencement of above ground works, which is agreed and the condition can be worded accordingly.

Sustainable Design

Carbon emissions

8.174 Policy SP6.3 requires new development to minimise carbon dioxide emissions and seeks high standards of design and construction in terms of sustainability in accordance with local and national carbon dioxide reduction targets. This requires new build residential development over 10 units to achieve the London Plan requirements or National Technical Standards (2015) for energy performance (whichever is higher). In line with the London Plan (2021), new dwellings in major development should be Zero Carbon with a minimum on-site reduction of at least 35% beyond Building Regulations Part L (2013), with any shortfall to be offset through a financial contribution. Policy also requires the development to incorporate a site wide communal heating system and to be enabled for district energy connection.

8.175 A 12.3% carbon emission reduction would be achieved through the use of passive and energy efficiency measure, exceeding the 10% minimum required by the GLA. Air Source Heat Pump working in tandem with a high efficiency, ultra-low NOx

boiler would achieve a further 43.6% carbon emission reduction. In total for residential areas the development would achieve a 56% reduction compared over Part L 2013. The remaining regulated CO2 emissions shortfall would be covered by a carbon offset payment (£156,708) which would be secured through the s.106 agreement along with a 'Be Seen' monitoring clause.

- 8.176 Sustainable design and construction measures have been designed in where feasible, including measures to address overheating within the units. An overheating analysis has also been undertaken, with some mitigation measures proposed. These matters are to be secured by condition. In addition to the prevention of overheating, high energy efficiency and fabric performance, the dwellings will also have a water consumption limit of 110 litres/person/day using water efficiency fittings and secured by condition
- 8.177 A whole-life cycle carbon assessment and circular economy statement has been provided to capture the developments carbon impact, demonstrating how waste will be minimised and which actions will be taken to reduce life-cycle carbon emissions, in accordance with Policy SI 2 and SI 7 of the London Plan (2021). The GLA is seeking further information with respect to these matters, and discussions between the GLA and the applicant are on-going and can feed into the GLA stage 2 response. Additional documents in relation to whole-life cycle and circular economy have been provided.
- 8.178 In terms of whole-life cycle a condition is recommended to report on actual whole life cycle emissions and post construction monitoring. The same is recommended in relation to circular economy. It is noted that the GLA are seeking further information to be provided regarding the structural issues of the existing building, to demonstrate that alternatives to demolition have been explored (including partial retention) and that the potential benefits of demolition and rebuilding of homes should be balanced against the wider social and environmental impacts. However, it is documented that the applicants re-purchased the building due its structural faults which made it unsafe and not fit for occupation. As indicated above the applicant is effectively carrying this out at a loss, whilst still providing much needed housing (including affordable units) and stands as a unique example of best practice in relation to the management and resolution of historic fire safety issues and supported by officers.
- 8.179 The Council's Sustainable Development and Energy officer has reviewed the application and raises no concerns.

Other Planning Issues

Archaeological Desk Based Assessment

- 8.180 The application site is located within an Archaeological Priority Area. London Plan Policy H1 and Croydon Local Plan Policy DM18 concerns development proposals on Archaeological Sites. An archaeological desk-based assessment has been submitted. Historic England reviewed this and conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, and as such no further assessment or conditions are therefore necessary.

Telecommunications and aircraft

- 8.181 A TV and Radio signal impact assessment was submitted, which identified the potential for very localised disruption to the reception of digital satellite television services to the immediate northwest of the site within 125m from the base of Block B (properties adjacent to the Site on Frith Road and Tamworth Place in terms of Freeview

and buildings off Tamworth Road, Ruskin Road and along Frith Road in terms of Freesat and Sky). This could be mitigated by antenna betterment and repositioned satellite dishes, to be secured by the s.106 agreement. The development is not expected to affect the reception of radio and phone reception.

8.182 Tall buildings also have the potential to pose hazards to aircraft, and for this reason aviation bodies within this region have been consulted. None have raised concerns, subject to informatives and the development is therefore considered acceptable in this regard.

Designing Out Crime

8.183 A number of comments are made (as summarised in the consultation section of this report), but no objection has been raised by the Designing out crime officer and they do suggest a 'Secured by Design' related conditions. On this basis a condition is recommended to ensure that the final development secures secure by design accreditation.

Employment and training

8.184 Croydon Local Plan policy SP3.14 and the Planning policy including the adopted Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy— Review 2017 sets out the Councils' approach to delivering local employment for development proposal. The applicant has agreed to a contribution (£90,000) and an employment and skills strategy.

8.185 Policy DM16 of the Croydon Local Plan seeks to ensure promotion of healthy communities through the planning system. A health impact assessment was submitted which confirms potential health gains (such as dual aspect units, M4(2) and M34(3) units), access to open spaces (such as the 244sqm of playspace for children), promotion of pedestrian and cycling infrastructure (such as the increased width of Drummond Road pavement to promote walking and the sustainable transport contribution which can be used to provide the cycle lane on Drummond Road), spaces for social interaction (such as the variety of spaces throughout the development including the shared gardens and community rooms) and mitigating pollutants (such as the air quality contribution and construction logistics plan condition). This accords with policy.

EIA

8.186 An EIA Screening Opinion (22/03472/ENVS) was issued prior to the submission of the planning application. The development was not considered to require an EIA, taking account of its location, nature, scale and characteristics.

Conclusions

8.187 The application scheme and submission has been born out of managing the best way to overcome fire cladding issues discovered by the applicant on the existing building. As mentioned above this acts as a unique example of best practice in resolving these issues and is strongly supported.

8.188 The proposed development would introduce a significant amount of new housing, including affordable residential units, and in an area appropriate for a tall building. The proposed development would be well designed, provide active frontage where one does not exist and would deliver improvements to the public realm, regenerating an existing site. There would be a good standard of accommodation for new residents.

Wind conditions would be safeguarded with mitigation, to be secured by condition. With conditions and mitigation, the proposal would be sustainable and acceptable in terms of its impact on the highway network. Residual planning impacts would be adequately mitigated by the recommended s.106 obligations and planning conditions. Employment and training opportunities would be secured for residents of the Borough through the S.106 legal agreement.

8.189 There would be some harm to adjoining occupiers in relation to daylight in particular, which weighs against the scheme. There would also be some harm (less than substantial) to designated heritage assets, but that harm is considered acceptable given the benefits being delivered by the scheme.

8.190 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).

APPENDIX 1: Drawing numbers

Drawing Number	Title	Rev
CIS-PTE-ZZ-XX-DR-A-10001	Location Plan	P01
CIS-PTE-ZZ-XX-DR-A-10001	Site Plan	P02
CIS-PTE-ZZ-XX-DR-A-10002	Site Plan - Existing	P01
CIS-PTE-ZZ-XX-DR-A-10100	Block A / B Level 00 Floor Plan	P02
CIS-PTE-ZZ-XX-DR-A-10101	Block A Level 01 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10102	Block A Level 02 / Block B Level 01 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10103	Block A Level 03 / Block B Level 02 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10104	Block A Level 04 / Block B Level 03 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10105	Block B Level 04 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10106	Block B Level 05 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10107	Block B Level 06 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10108	Block B Level 07 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10109	Block B Level 08 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10110	Block B Level 09 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10111	Block B Level 10 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10112	Block B Level 11 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10113	Block B Level 12 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10114	Block B Level 13 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10115	Block B Level 14 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10116	Block B Level 15 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10117	Block B Level 16 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10118	Block B Level 17 Floor Plan	P01
CIS-PTE-ZZ-XX-DR-A-10119	Block B Level 18 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10120	Block B Level 19 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10121	Block B Level 20 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10122	Block B Level 21 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10123	Block B Level 22 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10124	Block B Level 23 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10125	Block B Level 24 Floor Plan	-
CIS-PTE-ZZ-XX-DR-A-10126	Roof Plan	P01
CIS-PTE-ZZ-XX-DR-A-10199	Basement Floor Plan	P02
CIS-PTE-ZZ-ZZ-DR-A-10200	Sections 01	P01
CIS-PTE-ZZ-ZZ-DR-A-10201	Sections 02	P01
CIS-PTE-ZZ-ZZ-DR-A-10300	Elevations 01	P01
CIS-PTE-ZZ-ZZ-DR-A-10301	Elevations 02	P01
CIS-PTE-ZZ-ZZ-DR-A-10302	Elevations 03	P01
CIS-PTE-ZZ-ZZ-DR-A-10303	Elevations 04	P01

APPENDIX 2: BRE 2022 Guidance

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 “NSL test” (no sky line).

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.

Daylight to new buildings

The vertical sky component (see above) may be used to calculate daylight into new buildings.

For daylight provision in buildings, BS EN 17037 provides two methodologies. One is based on target illuminances from daylight to be achieved over specified fractions of the reference plane for at least half of the daylight hours in a typical year. One of the methodologies that can be used to interrogate this data is Spatial Daylight Autonomy (sDA).

The Spatial Daylight Autonomy (sDA) seeks to establish how often each point of a room’s task area sees illuminance levels at or above a specific threshold. BS EN 17037 sets out minimum illuminance levels (300lx) that should be exceeded over 50% of the space for more than half of the daylight hours in the year. The National Annex suggest targets comparable with the previous recommendations for Average Daylight Factor (ADF). The targets considered relevant for this application are:

- 100 lux for bedrooms
- 150 lux for living rooms
- 200 lux for living/kitchen/diners, kitchens, and studios.

Paragraph C17 of the BRE states that *“Where a room has a shared use, the highest target should apply. For example in a bed sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day.*

Local authorities could use discretion here. For example, the target for a living room could be used for a combined living/dining/kitchen area if the kitchens are not treated as habitable spaces, as it may avoid small separate kitchens in a design”.

Sunlight to new buildings

The BRE guidelines state that in general, a dwelling or non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit provided that:

- At least one main window faces within 90 degrees of due south, and
- a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March. This is assessed at the inside centre of the window(s); sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.

Sunlight to gardens and outdoor spaces

The BRE guidelines look at the proportion of an amenity area that received at least 2 hours of sun on 21st March. For amenity to be considered well sunlight through the year, it stipulates that at least 50% of the space should enjoy these 2 hours of direct sunlight on 21st March.