

PART 6: Planning Applications for Decision

Item 6.3

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/03320/FUL
 Locations: 40-60, 42 & 42A Cherry Orchard Road, Croydon, CR0 6BA
 Ward: Addiscombe West
 Descriptions: Demolition of the existing buildings, erection of a 7 to 9 storey building to provide 120 residential units and associated amenity space, hard and soft landscaping, boundary treatment, refuse storage, cycle parking and car parking with associated vehicle accesses.
 Drawing Nos: 1622-P-001 Rev A, 1622-P-010 Rev E, 1622-P-011 Rev C, 1622-P-100 Rev F, 1622-P-101 Rev F, 1622-P-102 Rev C, 1622-P-103 Rev C, 1622-P-104 Rev C, 1622-P-105 Rev C, 1622-P-106 Rev C, 1622-P-107 Rev C, 1622-P-108 Rev C, 1622-P-109 Rev C, 1622-P-200, 1622-P-201, 1622-P-202, 1622-P-203, 1622-P-205 Rev C, 1622-P-206, 1622-P-207, 1622-P-208, 1622-P-210 and 1622-P-250 Rev E
 Applicant: CN Ops Ltd and AEM Developments Ltd
 Agent: Boyer Planning
 Case Officer: Mr White

	Studio	1 bed	2 bed	3 bed	5 bed
Market Flats	6	25	45 (2b3p = 28 / 2b4p = 17)	8	0
Affordable Rented	0	2	5 (2b3p = 4 / 2b4p = 1)	3	1
Shared ownership	1	11	10 (2b3p = 6 / 2b4p = 4)	3	0
Totals	7	38	60 (2b3p = 38 / 2b4p = 22)	14	1

Number of car parking spaces	Number of cycle parking spaces
4 (blue badge)	Long stay 195 / Short stay 4

- 1.1 This application is being reported to Planning Committee because the Ward Councillors (Cllr Sean Fitzsimons and Cllr Jeremy Fitzpatrick) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission subject to:

- A. The prior completion of a legal agreement to secure the following planning obligations:
- a) Affordable Housing delivery (London Living Rent and London Affordable Rent products)
 - b) Public Realm – Secure widened and resurfaced footpath to front. Accessed allowed over the part of the footpath on applicants land. Applicant to maintain

footpath and proposed trees on their land. Alleyway adjacent to site - finished to adoptable and suitable standards, to be maintained by applicant (or successors), provide suitable lighting, remain open to the general public at all times unless previously agreed with the Council and Council allowed to maintain existing openings and create new pedestrian access points along the school boundary without consent (provided the Council considers these do not have an undue impact on the residential units that would create a situation significantly worse than the existing position).

- c) Enter into relevant Highway agreements
- d) Two off site Car Club spaces (including 3 years free membership and contribution towards EVCP, any relevant TMO and signing and lining)
- e) Restriction of Parking Permits
- f) Local Employment and Training Strategy
- g) Local Employment and Training Contributions – Construction £66885
- h) Air Quality Contributions - £12000
- i) Investigate connection to District Energy Scheme if prior to implementation the Council commences the process to establish a District Energy Scheme
- j) Carbon Off-set Contributions - £133,380
- k) Relevant monitoring fees.
- l) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.

2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Submission of details of external facing materials, key junctions, balconies/terraces, roof, ventilation system and rainwater goods.
- 2) Landscaping
- 3) Play space details
- 4) Public Art
- 5) Obscure glazing
- 6) Accessible/adaptable and wheelchair user dwellings
- 7) Retention of accesses / pedestrian visibility splays / car parking/refuse storage/communal areas.
- 8) Closing existing accesses
- 9) Carbon emission reduction
- 10) District Heating (future connectivity)
- 11) Water consumption limit
- 12) Compliance with the measures identified in the air report.
- 13) Compliance with the measures identified in the noise report.
- 14) Machinery noise restricted.
- 15) Lighting
- 16) Surface urban drainage system
- 17) Ecology
- 18) Travel Plan
- 19) Cycle parking
- 20) Details of Electric Vehicle Charging points

- 21) Delivery and Servicing Plan, including waste management by a private company.
- 22) Construction Environmental Management Plan
- 23) Construction Logistics Plan.
- 24) Contamination
- 25) In accordance with drawings
- 26) Commencement time limit
- 27) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) CIL
 - 2) Site notice removal
 - 3) Subject to Section 106 agreement
 - 4) Croydon code of Construction
 - 5) Information from Thames Water
 - 6) Any other informative(s) considered necessary by the Director of Planning
- 2.4 That the Planning 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.
- 2.5 That, if by 28 May 2019 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

3 BACKGROUND

- 3.1 The development was presented to Planning Committee at pre-application stage on 22 March 2018. The main issues raised at this meeting were as follows:
- Developers encouraged to add additional stories to the proposals and removal of basement so long as higher percentage of affordable delivered.
 - The affordable housing offer should be at least 30% (up from 19% as presented).
 - Design of the façade could be more bold and innovative. Possible inclusion of reference to use of stain glass used locally.
 - There was a discussion around materials and the desire to move beyond the 'Croydon vernacular'
 - Balcony screening should be occupier friendly.
 - Parking provision should be kept to a minimum. Explore use of shared parking space (e.g. as landscaping/footpath).
 - Remove passive parking provision.
 - Explore duplex to ground floor units.
 - Useful to have more views from Oval Road to understand impact.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This is a full planning application for;
- Demolition of buildings on site
 - Erection of one 7/9 storey building with basement comprising 120 flats

- The building would have two distinct blocks (with their own cores) with a linking central element.
- The existing vehicular access would be closed and a new one created to the west of the site.
- 4 blue badge parking spaces.
- 10% wheelchair user dwelling.
- Outdoor amenity areas to the rear.
- Upgrade of adjacent footpaths



Site and Surroundings

- 4.2 The site measures 0.3 hectares (approximately 66m in length and 40m deep) and is currently occupied by a food packaging and distribution depot. Single storey 10m high industrial warehouse buildings occupy the majority of the site with an open concrete courtyard accessed from the main road, otherwise the buildings are hard up to the boundaries. The site is generally level and sits just beyond a bend in Cherry Orchard Road. Along the adjacent area of Cherry Orchard Road there are two vehicle crossovers, a single yellow line and a bus stop.
- 4.3 To the rear are terraced houses, to the east a school and to the south-east a site with an extant consent for residential development. There is a public footpath to the east of the site which connects Oval Road with Cherry Orchard Road.



- 4.4 As well as the designations set out above, Cherry Orchard Road is a London Distributor Road, the site is within a CPZ and is at an elevated risk of surface water flooding.

4.5 Designations

- Croydon Opportunity Area (but outside of the CMC)
- Area of High Density
- Cherry Orchard Road which is a London Distributor Road.
- Site allocation (no.50) – Residential development (with an indication of 50-80 units on the site)

Planning History

4.6 The following planning decision is relevant to the application:

01/00473/P On 2 October 2006, outline planning permission was granted for the demolition of the existing buildings and erection of 2 five/six-storey buildings comprising 22 one-bedroom and 33 two-bedroom flats; formation of vehicular access and provision of 23 parking spaces in the basement level. Siting of the buildings and means of access to the site were determined as part of the outline application.

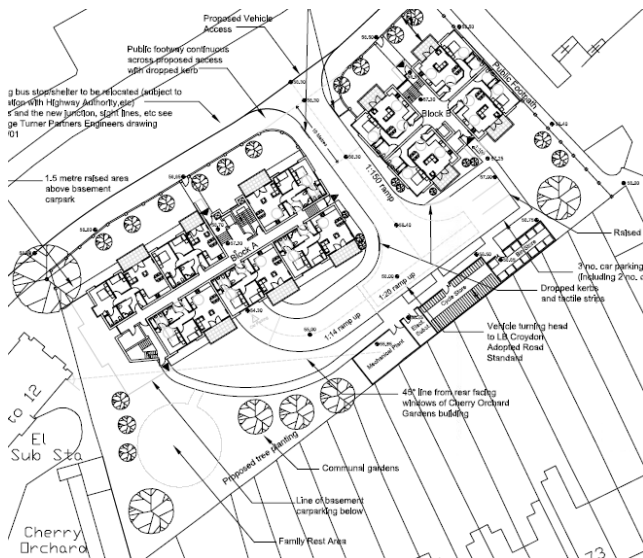
Outline Consent Granted October 2006

09/02757/RES reserved matters application, for application 01/00473/P, relating to the scale, appearance and landscaping.

Granted. April 2010. Not Implemented.

NB. This permission secured - 18 affordable housing units. These dwellings comprised the 18 one and two bedroom units in the eastern block.

The elevations/layout drawings of this application are shown below.



Neighbouring Sites
Morello

13/04410/P Demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm Highway works, formation of vehicular accesses and new car and cycle parking. (without compliance with condition 31 - to allow amendments to approved ground floor and basement access - attached to planning permission 11/00981/P).

Permission Granted July 2014. Implemented.

17/05046/FUL Erection of two 25 storey towers (plus plant) and a single building ranging from 5 to 9 storeys (plus plant) to provide a total of 445 residential units, with flexible commercial, retail and community floorspace (A1/A2/A3/A4/B1a/D1/D2) at ground and first floor level of the two towers and associated amenity, play space, hard and soft landscaping, public realm, cycle parking and car parking with associated vehicle accesses.

Committee resolution to grant subject to S.106 legal agreement.

Galaxy House site

14/03092/P Erection of two buildings ranging from 9 to 19 storeys comprising 290 flats (1-3 bedroom); formation of access from Cherry Orchard Road and provision of associated parking and landscaping (without compliance with conditions 3 - details of rear elevation materials & 29 - development to be in accordance with approved drawings- attached to planning permission 13/02294/P also the provision of additional 7 flats).

Permission Granted July 2014. Implemented.

Rear of 81-83 Oval Road

14/00470/P - Erection of a pair of two storey four bedroom semi-detached houses with accommodation in roof space and provision of associated parking.

Permission refused 25 April 2014.

The reasons for refusal were for the loss of an employment generating site, cramped and overcrowded form of back land development, detrimental to neighbouring occupiers by reason of overlooking and loss of privacy and unacceptable access arrangements.

15/04162/P - Erection of single/two storey office building.

Permission refused 7 January 2016.

The reason for refusal was for a cramped and overcrowded form of back land development.

Pre-application

The pre-application scheme was presented to Croydon's Place Review Panel (PRP) in September 2017.

The main points are summarised as follows;

- Design is heading in the right direction and the reduction of the scale and bulk of the building from earlier iterations of the scheme is supported.
- The layout of the ground floor requires significant development. The applicant should avoid locating bedrooms and a single-aspect flats facing the street. The street-facing private gardens are also of concern.
- The visual appearance of the building should be simplified and the building be given its own unique identity distinct from the Morello development opposite e.g. more depth in the facades than the Morello development.
- There should be more fenestration in the rear elevation.
- Co-ordination is required with the designers of the emerging adjacent development.
- Refuse storage must be adequately contained.
- Northeastern elevation to the building is extended up to the boundary of the alleyway between Cherry Orchard Road and Oval Road to give the alleyway more of a defined frontage.
- The design, condition and natural surveillance of the adjoining alleyway to the development should be substantially improved.
- The neighbouring derelict southern site to the development should be included within the development which could play a key role in improving the visual appearance of the alleyway.
- The landscape design requires substantial development including a Sustainable Urban Drainage strategy.
- 50% of the parking to be 'passive provision'.
- SuDS incorporate into the landscaping
- Thin strips of soft-landscaping between the front gardens and the road require further justification - high risk that planting could attract litter and be challenging to maintain due to the development being north-facing
- Discouraging Anti-Social Behaviour by providing more overlooking within the development
- The provision of soft landscaping within the scheme that is visible from the neighbouring school will improve the visual amenity of the school which has a deficit of soft landscaping
- Bus Stop - request the advice of Croydon Highways Services and TfL Bus Division regarding the location of a bus stop very close to the proposed refuse store

5 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 5.1 There is no objection in principle to the proposal. The proposed development will bring forwards the regeneration of an allocated site and is aligned with the desire for growth within the Croydon Opportunity Area. A residential scheme is appropriate given the significant housing demand within the Borough.
- 5.2 The proposed building arrangement within the site is considered to be acceptable and result in a distinctive gateway development within this prominent location, which is supported. The layout, height and massing has been assessed and found to be satisfactory. The appearance and detailed façade treatment of the buildings is considered to be high quality, displaying an appropriate response to the surrounding characters. Good amounts of landscaping have been included across the site and there would be an upgrade to the adjoining alleyway and footpath to the front, which is supported.

- 5.3 There are some neighbouring buildings that are impacted in relation to sunlight and daylight levels, however, these impacts would not be to such an extent to cause an unacceptable degree of harm to existing occupiers. Outlook and privacy to neighbouring occupiers would be acceptable. The development would also not adversely impact on the future occupiers of the residential units already approved by the Council on the Morello II site to warrant a refusal reason.
- 5.4 The proposed housing density would be marginally above that outlined as normally acceptable in the London Plan. However, it is noted that the density matrix should not be applied with rigidity. Given the context of this site, the higher density is appropriate.
- 5.5 The proposed unit mix includes 15% 3+ bed flats exceeding the Council's aspiration within this area for 10% of units to have three or more bedrooms.
- 5.6 The proposal would provide 36 affordable units (which is 32% of units by habitable room), with 11 and 25 units of affordable rent and shared ownership respectively (37:63 AR:SO). This offer has been subject to extensive viability testing and is considered to be the maximum reasonable level of affordable housing, which still allows the scheme to be financial viable and deliverable. Evidence has been submitted justifying the tenure split. The affordable housing offer is acceptable.
- 5.7 The proposed development would meet all relevant residential space standards and the provision for private and communal amenity space and play space proposed is considered to be acceptable. Adequate levels of daylight would also be provided within the flats for future residents. There would be no unacceptable overlooking between flats within the development site. The proposal is of an inclusive design which would provide ease of access for all users.
- 5.8 With suitable conditions and obligations (which are recommended) to secure mitigation, the development is considered acceptable with regards to its environmental impacts, specifically in relation to internal noise conditions, air quality impacts, land contamination, conservation/trees and flood risk. Microclimate impacts are also acceptable future and local users.
- 5.9 The highways impacts of the development would be acceptable. Four disabled parking spaces would be provided, along with appropriate levels of long and short stay cycle parking spaces. Two car club spaces and a restriction on future occupiers applying for parking permits would be secured by legal agreement and delivery and servicing by condition. The Council's Highways advisor have raised no objection to the proposals.
- 5.10 The building would have a sustainable construction, meeting all of the relevant sustainability standards.

6 CONSULTATION RESPONSE

- 6.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 6.2 The following were consulted regarding the application:

LLFA (Statutory Consultee)

- 6.3 No objection, subject to condition.

Thames Water (Consultee)

- 6.4 Thames Water have not raised any objection to the proposal and have requested that should planning permission be granted informatives are added covering the following;
- Groundwater Risk Management Permits.
 - Nearby asset guidance.
 - Advice on minimum water pressure provided.

London Fire Commission (Consultee)

- 6.5 No comments received.

LOCAL REPRESENTATION

- 6.6 The application has been publicised by way of a site notice displayed in the vicinity of the application site, neighbour notification letters sent to 199 adjoining occupiers and 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: 7 Objecting: 5 Supporting: 1 Comment: 1

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

Summary of objections	Response
<i>Principal</i>	
<ul style="list-style-type: none">• No ground floor retail	The site is allocated for residential and therefore any retail would not be policy complaint. See paragraph 8.2.
<i>Townscape</i>	
<ul style="list-style-type: none">• Mass of the development is excessive / not in keeping with the area	See paragraphs 8.3 – 8.8
<i>Neighbouring amenity</i>	
<ul style="list-style-type: none">• Loss of light• Noise• Loss of privacy (boundary wall could be made higher instead of retained)• Appears to be a gated community• Being built up to roadside boundary with only open space behind	See paragraphs 8.30 – 8.32 See paragraph 8.33 See paragraph 8.26 This scheme has not been designed as a gated community, but one that opens up to the public realm, including the adjoining alleyway. The building line would be set back from the existing arrangement allowing a good amount of hard and soft landscaping to the front. Paragraph 8.5 expands on this.
<i>Environment</i>	
<ul style="list-style-type: none">• Little landscaping enhancements	The space made to the front would allow for trees to be planted and a large green space to the rear is provided.

<ul style="list-style-type: none"> Pressure on local infrastructure 	The development will be liable for community infrastructure levy and thereby contributing to the provision of infrastructure in Croydon
Summary of support	Response
<ul style="list-style-type: none"> Improve the area Currently, the meat market causes persistent traffic problems 	
Comments	Response
<ul style="list-style-type: none"> Previous building well designed and neighbours were good. Hope that the new building does not exceed height of previous building Bats sighted a year or two ago Japanese knotweed growing between the boundary wall and one of the buildings 	<p>See paragraph 8.68</p> <p>See paragraph 8.80</p>

6.8 The following issues were raised in representations, but they are not material to the determination of the application:

- Loss of green belt view [OFFICER COMMENT: The loss of a view is not a material planning consideration. The application site is also not near the Green Belt.]

6.9 Councillor Sean Fitzsimons (Objects) has made the following representations:

- Number of affordable homes is too low: 28% affordable housing on a room basis doesn't meet either Croydon's or Mayor of London's requirements. 35% is the absolute minimum required. Croydon Council should not accept a lower than 35% threshold just because the developer overpaid for the land. On Addiscombe Road, on a similar site the developer is looking to provide 137 homes with 50% affordable units. On Addiscombe Grove near-by the overall site is claimed to be 100% affordable. (Officer Comment: The viability assessment was produced by a RICS qualified independent assessor and therefore work undertaken is subject to the institutes rules of conduct, professionalism and ethics).
- Sage Housing is not a suitable partner to provide social housing. Sage Housing is a "for profit" Registered Provider, and is owned by a US private equity firm called Blackstone. A "for profit" registered provider will provide less affordable housing or charge higher rents than a not-for profit provider, neither of which is in Croydon's or future residents' interest. 80% Affordable Rents are too high for ordinary working residents and will result in many working tenants having to claim housing benefit. If Crest Nicholson worked with other not-for profit registered providers then there was the possibility of cross-subsidy from charitable RPs from the surpluses they generate each year. (Officer Comment: The government introduced 'for-profit' RPs into the sector and has been keen to encourage them as having an equal place alongside 'not for profit' RPs and cannot be grounds for considering an RP as unsuitable partner. Moreover, it is clear from the affordable housing discussions that the developer has been in dialogue with more than just one provider.

Furthermore, the applicant has confirmed that all the shared ownership and affordable rent units will be 'London Living Rent' and 'London Affordable Rent' affordable housing products respectively. These products are supported by the mayor as 'genuinely affordable' homes.)

- Balconies: The proposed metal balustrades are as bad as glass balconies, which look great on pictures and architects plans but are not designed for the way people live. Residents like privacy and these open balconies do not provide this. Closed balconies provide both privacy and stop frequent complaint that other resident balconies look untidy. It will avoid residents constructing bamboo screens that blight so many other buildings where there are glass or balustrade balconies.
- Widening of the pavement is welcome but no thought given to providing the new wider 4 metre path as a segregated Shared Use for pedestrian and cyclists. A shared use pavement could help link the newly rebuilt NLA cycle paths around East Croydon to Cross Road, which provides a cycling contraflow route to Lower Addiscombe Road. Has the strategy transportation team been consulted over this? (Officer comment: The application has been viewed by the programme manager for walking and cycling. The only current plans are to extend the cycle route up from the junction with Addiscombe Road to the junction with Cedar Road. Cyclists can then continue with the quiet route via Lebanon Road / Leslie Park Road. This would align with the cycle network as shown within the OAPF maps and is not adjacent to the application site. In addition a shared surface could only be provided across the site's frontage, meaning cyclists having to leave the carriageway, joining a short section of shared surface (with potential pedestrian conflicts) and then re-join the carriageway. Additionally, the footpath across the site is not especially wide and the bus shelter would obstruct the free flow of pedestrian and cycle traffic, causing a bottle-neck effect. If the footpath was to be widened, this would reduce the width of the carriageway, making the overtaking of stationary buses problematic. Finally, given that there is a bus stop and a school nearby, it would not be wise to mix pedestrians and children with cyclists even if segregation was to be proposed).
- Refuse disposal for Ground Floor units on Cherry Orchard Road will be problematic. Major Visual intrusion on the street side of the building. They will have 3 wheelie bins. Better enclosure design needed. (Officer comment: Revised plans have removed the frontage bin stores. There is now sufficient capacity (to comply with recent new standards) due to a slight increase in capacity in the store to the west side of the site).
- Bin enclosure for ground floor properties at the rear: Has Croydon & Veolia agreed to collect from this point? (Officer comment: A management company will be responsible for moving the bins to the collection points indicated on the ground floor plan on collection days and this would be secured by condition within a delivery and servicing plan, the Councils Waste Management Officer has confirmed this is acceptable).

Issues that I support in the new scheme

- Overall design is good, and the height is appropriate considering the setting and the need to provide new housing.

- Car park provision; this scheme is right next to the East Croydon Station and it is correct that only absolute minimum number is provided. The provision of a good-sized communal garden hasn't been compromised as a result. Occupants should be restricted from obtaining CPZ car parking permits (Officer comment: This would be secured within the S.106).
- Provision of duplex affordable units. This design type is appropriate for this development, and something other developers should consider, as it does help provide larger family units and a more active frontage.
- Welcome the widening of the public path to the side of the building.

6.10 Councillor Jeremy Fitzpatrick (Objects) has adopted exactly the same reasons for objection as those made by Cllr Sean Fitzsimons.

7 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2016, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. 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:

- Delivering a sufficient supply of homes.
- Promoting healthy and safe communities
- Promoting sustainable transport;
- Making effective use of land
- Achieving well designed places
- Meeting the challenge of climate change, flooding and coastal change

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

7.4 Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.12 Negotiating affordable housing
- 3.13 Affordable Housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction

- 5.5 Decentralised Energy Networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Tall and large buildings
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 7.21 Trees and Woodland
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

7.5 Croydon Local Plan 2018

- SP1.1 Sustainable Development
- SP1.2 Place making
- SP1.3/SP1.4 Growth
- SP2.2 Quantities and locations
- SP2.3-2.6 Affordable Homes
- SP2.7 Mix of Homes by Size
- SP2.8 Quality and standards
- DM1.1 Provision of 3 or more beds
- SP4.1-4.3 Urban Design and Local Character
- SP4.4 Croydon Opportunity Area
- SP4.5/SP4.6 Tall Buildings
- SP4.7-4.10 Public Realm
- SP4.12-13 Character, Conservation and Heritage
- DM13 Refuse and recycling
- DM14 Public art
- DM15 Tall and large buildings
- DM16.1 Promoting healthy communities
- SP6.1 Environment and Climate Change
- SP6.2 Energy and CO2 Reduction
- SP6.3 Sustainable Design and Construction

- SP6.4 Flooding
- DM23 Development and construction
- DM24 Land contamination
- DM25.1 Flooding
- DM25.2 Flood resilience
- DM25.3 Sustainable drainage systems
- SP7.4 Biodiversity
- DM27 Protecting and enhancing our biodiversity
- DM28 Trees
- SP8.3-8.4 Development and Accessibility
- SP8.6 Sustainable Travel Choice – pedestrians
- SP8.12/SP8.13 Motor Vehicle Transportation
- SP8.15/16/17 Parking
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM38.1 Croydon Opportunity Area – enable development opportunities
- DM38.2 Croydon Opportunity Area – positively transform
- DM38.4 Edge Areas
- DM38.7 Site allocations (No.50)

According to paragraph 48 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. The emerging London Plan has been published for public consultation (1 December 2017 – 2 March 2018). Given the stage of preparation the policies within the emerging London Plan are given minimal weight.

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Affordable Housing And Viability Supplementary Planning Guidance 2017 (August 2017)
- Croydon Opportunity Area Planning Framework (adopted by the Mayor and Croydon)
- SPD 3 – Designing for Community Safety
- SPG Note 10 – Designing for Accessibility
- SPG Note 12 – Landscape Design
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

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. Townscape
3. Density, Housing Mix and Affordable Housing
4. Impact on adjoining occupiers

5. Quality of living environment provided for future residents
6. Transport
7. The environmental performance of the proposed building
8. Environment
9. Other planning matters

Principle of development

- 8.2 The site is allocated within the Croydon Local Plan 2018 for residential development, proposal site number 50, with an indication of 50-80 units on the site. Therefore the loss of an employment use and introduction of residential is acceptable in principle.

Townscape

- 8.3 The Croydon Local Plan 2018 has a place specific policy DM38, Croydon Opportunity Area, which is relevant to this site. 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.

Layout

- 8.4 Given the planning history, current building coverage and size of the plot it is clearly a site capable of accommodating a significant development. It is located within the Croydon Opportunity Area (although not within Croydon Metropolitan Centre). Furthermore the site is clearly within a zone of transition between higher density “central” developments and the suburb of Addiscombe.
- 8.5 The proposal helps to reinforce the character of the area by referencing and reflecting the Galaxy House scheme on the opposing side of the road, with two blocks and a lower linking section, but is also distinct by being of a smaller scale and suitably addressing the transitional nature of this site and the adjoining alleyway. The building line would be set back from the existing arrangement allowing a good amount of hard and soft landscaping to the front. With space for trees the layout provides for an attractive and welcoming street scene which is an improvement on the industrial sheds currently in situ. The flank elevation adjacent to the footpath linking Cherry Orchard Road and Oval Road is set back from the existing arrangement providing welcome relief, additional landscaping will also improve the environment. The scheme also seeks to open up and front onto the adjacent public footpath which would increase natural surveillance and security to this area and is supported by officers.
- 8.6 The layout leaves room for an extensive amount of shared amenity space to the rear, along with associated car parking and cycle storage areas. The scheme has also been designed so that all the main room windows of rooms close to the boundary face to the front and rear, meaning that the secondary flank windows could be obscure glazed. This would protect the potential for any future development on neighbouring land and neighbouring amenity.



Scale, Height, Massing

- 8.7 Following pre-application dialogue the scheme has increased in height from that previously presented to members. The proposal currently has 7 floors of similar layout. At the 8th storey level the building is reduced in massing and a separation between the two sides is made, the 9th storey is reduced in area again. This undulating arrangement works to bridge the transition between two varied character areas; particularly with regards to its form and massing.
- 8.8 As identified above the site is in a key transitional zone between a low rise residential neighbourhood, and a much denser, high rise character. Since the 5/6 storey approval on the site a number of much taller and larger developments have been approved and implemented adjacent to and opposing the site. These have dramatically changed the character of the area and the current proposal works well in this context. A strong corner feature to the east also serves as a gateway and works well in the street scene.

Appearance and connectivity

- 8.9 The principle of two tones of brick (light buff and dark grey) and a lightweight (bronze) anodised metal set back at top floor is supported and reflects the character of surrounding built form, however, further samples to ensure the quality of material would be required and secured by condition. The eastern frontage corner is also finished in an anodized metal cladding (champagne), linking in with the top floor.

8.10 The public realm will be improved, both in terms of the footpath to the front of the site and the adjoining alley adjacent to the site. Both would be effectively widened, resurfaced and soft landscaping introduced, lighting would also be introduced to the alley (located on the applicants land). The ownership of the alleyway (adjacent to the site) would be transferred to the applicant along with the responsibility for the future maintenance. The alleyway would remain open to the general public at all times unless agreed with the Council and Council would be allowed to maintain existing openings and create new pedestrian access points along the school boundary without consent (provided these do not have an undue impact on the residential units). The applicant would also be responsible for managing and maintaining the footpath to the front where it falls within the application site. All of this

would be secured within the legal agreement.

Alleyway design / Existing alleyway



Heritage

- 8.11 The sites are not located within or adjacent to any Listed Buildings or Conservation Areas, and will not have a harmful impact on any designated heritage assets.
- 8.12 The nearest locally listed buildings are Georgian Court and Ark Oval Primary School. Given the well designed and high quality development there would be no adverse impacts on these building or their setting.

Density, Housing Mix and Affordable Housing

Density

- 8.13 Policy 3.4 of the London Plan states that in taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in Table 3.2. Based on the public transport accessibility level (PTAL 6b) and the site's central characteristics, the London Plan density matrix suggests a residential density of between 650-1100 habitable rooms per hectare and 140-405 units per hectare for the application site.
- 8.14 The residential density of the proposal would be 1086 habitable rooms per ha or 400 units per hectare, both are within the respective threshold.

Site area Hectares	Number of hab rooms	Number of habitable rooms per hectare	Number of dwelling	Number of dwellings per hectare
0.3	326	1086	120	400

- 8.15 Regardless of the calculations above the proposed development has been designed to deliver new homes within a building that responds to its local context, taking into account both the physical constraints of the site and its relationship with neighbouring properties and the nearby townscape. It also delivers on optimising housing on an underutilised brownfield site in a highly accessible location and therefore the density proposed is acceptable.

Housing mix

- 8.16 Croydon Local Plan 2018 policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms, but allows for setting preferred mixes on individual sites via table 4.1. Applying table 4.1 to this site (urban setting with a PTAL of 4, 5, 6a or 6b) shows a requirement of 10% 3+ bedrooms units unless there is agreement from an affordable housing provider or within the first 3 years of the plan where a viability assessment demonstrates that larger homes would not be viable, an element may be substituted by two bed roomed, four person homes.
- 8.17 This site is also located within the 'New Town and East Croydon' area where a minimum of 10% is sought.

Type	No./%
Studios	7 / 6 %
1 bed	38 / 32%
2 bed	60 / 50% (2b2p = 38 / 32%) (2b4p = 22 / 18%)
3 bed	14 / 11%
5 bed	1 / 1%

- 8.18 The scheme provides more than the minimum number of 3+ bed units and an appropriate mix of units to meet a variety of demands across the Borough.

Affordable Housing

Affordable Housing – Regional Policy Context

- 8.19 Policies 3.8 to 3.13 of the London Plan relate to affordable housing. Policy 3.11 states that the Mayor will, and boroughs and other relevant agencies and partners should,

seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

- 8.20 Policy 3.12 of the London Plan further seeks the maximum reasonable amount of affordable housing when negotiating on individual housing schemes but states that the objective is to encourage rather than restrain residential development.

Affordable Housing – Local Policy Context

- 8.21 Policy SP2.4 of the Croydon Local Plan 2018 seeks to negotiate to achieve up to 50% affordable housing, subject to viability. 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.
- 8.22 Policy 2.5 of the Croydon Local Plan 2018 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.
- 8.23 During the course of the application the applicant has submitted two financial appraisals of the development, the latter following the recent general downturn of sale values, both of these have been independently assessed. The second independent appraisal shows that the development could support 36 units – 11 affordable rented and 25 shared ownership. The affordable housing offer of 36 units amounts to 32% (by hab room) and meets the minimum percentage of affordable housing outlined in Policy 2.5 of the CLP. Officers are satisfied that it has been demonstrated that this is the maximum reasonable amount of affordable housing that can be provided.

- 8.24 To support the proposed tenure split 37% to 63% in favour of shared ownership the applicant has submitted supporting letters from Registered Providers to this effect. Whilst this mix leans more towards intermediate accommodation than the policy split, given the support from the Registered Providers, this is considered to meet a local housing need and represents the best mix, especially given the level of family accommodation in order to provide a good amount of affordable housing and that both tenures would be 'genuinely affordable' homes (London Living Rent and London Affordable Rent products). Furthermore, the design of the scheme, with the affordable rent on the ground floor (and first floor when part of a duplex unit) results in management arrangements which are often more preferable to registered providers. Officers are satisfied that the affordable housing offer overall is acceptable.

Impact on adjoining occupiers

- 8.25 The Croydon Local Plan policy SP4 seeks to respect and enhance character to create sustainable communities and enhance social cohesion and well-being. It ensures that the amenity of the occupiers of adjoining buildings are protected, taking into account the context of a development, in this case being within the Opportunity Area.
- 8.26 The area has changed significantly in recent years with the Galaxy House site to the north constructed and the adjoining Morello site has an implemented consent. Ark Oval school has also been developed, although the closest part of the building, the kitchen/dining hall, has stayed a similar size.

Outlook / Privacy

- 8.27 The houses on Oval Road are separated from the proposed building by 35m-49m from the rear elevation, which is also at least 12m from the rear boundary at its shortest distance. This is a significant distance and would not result in any undue loss of outlook or privacy. Furthermore, the large warehouse buildings that currently abut the end of the gardens would be removed allowing for an improved outlook. The drawings state that the existing rear boundary wall will be repaired and/or rebuilt to approximately the same height as existing. However, due to the unknowns (e.g. may need to be dismantled on safety grounds depending on structural stability) it is prudent to control the matter of final boundary treatment by condition.
- 8.28 To the east of the site is Ark Oval Primary school. With the exception of the east flank windows closest to the front of the building the remaining flank windows on this side of the building are to be obscure glazed. Given the nature of the neighbouring use and the window treatment no harmful loss of privacy/overlooking is envisaged, nor would the proposal prejudice the development potential of the neighbouring site.
- 8.29 Occupiers of Galaxy House are well removed, 23m minimum and separated by a road, as such no harmful overlooking or loss of privacy is envisaged.
- 8.30 The neighbouring Morello site has not been developed above ground yet. The recent application that has a resolution to grant permission, 17/05046/FUL, has 2 clear secondary windows and a corridor window, on 4 levels, on the flank elevation, this is separated from the common boundary by between 4 and 9m. The proposed scheme starts on the boundary but steps away from the neighbouring Morello site and the closest windows within the proposed scheme are to be obscure glazed, given this and the distances the potential future occupiers of the recent Morello permission would not suffer a harmful loss of outlook or privacy. The implemented consent, 13/04410/P, has

obscure glazed secondary windows over three floors on the flank elevation abutting the boundary. Given that these windows are obscured there would be no loss of outlook or privacy.

Daylight/Sunlight

- 8.31 A Daylight and Sunlight assessment has been submitted with application. This tested 22 surrounding properties (and a cumulative tested with surrounding schemes yet to be built out) and showed that all the adjacent residential premises would retain sufficient natural light to comply with BRE guidance or would suffer impacts that would not justify a reason for refusal.
- 8.32 An additional study has been conducted to test the impact on the Morello development (the larger more recent application that has a resolution to grant permission 17/05046/FUL). 41 rooms within habitable spaces that are close to and face the site have been assessed and 29 meet the BRE criteria. 6 of the remaining rooms will experience minimal change which is unlikely to be perceptible to the occupants. The remaining 5 rooms all serve living/kitchen/dining rooms and whilst the change in experience may be noticeable the impact would not be sufficient to warrant a refusal, particularly given the recent NPPF direction on having a flexible approach in applying policies or guidance relating to daylight and sunlight when schemes makes an efficient use of land, which this development would.
- 8.33 Overshadowing for the adjoining neighbouring gardens has not been conducted, however, there would be excellent sunlight amenity for the proposed communal garden (which has been tested) and given that the neighbouring gardens are further removed (and to the south) no detrimental impact is envisaged.

Noise and disturbance

- 8.34 The completed development would not result in any significant disturbance to adjacent occupiers, particularly given the built up nature of the surroundings. Moreover, the general noise and disturbance would be much reduced compared to the existing situation. The maximum potential for disturbance will be during construction works. The nature of works can be controlled by imposing Construction Management and Logistic Plans produced with the objective of minimising disturbance. The production and implementation of these can be secured by conditions. These can also be used to control the hours of work.
- 8.35 Overall for a development of the proposed scale the direct impact on nearby residential occupiers is limited.

Quality of living environment provided for future residents

- 8.36 Policy 3.5 of the London Plan states that new residential units should provide the highest quality internal environments for their future residents and should have minimum floor areas in accordance with the Government's technical housing standards set out in Table 3.3 and recognises that a genuine choice of homes should be provided in terms of both tenure and size. Detailed residential standards are also contained within the Mayor's London Housing SPG.
- 8.37 Policy 3.8 of the London Plan further states that 10% of new residencies within a development should be wheelchair accessible or easily adaptable for residents who are wheelchair users. Provision should also be made for affordable family housing,

wheelchair accessible housing and ensure all new housing meets parts M4 (2) and (3) of the Building Regulations.

- 8.38 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 1-2 person unit and extra 1m2 per person after that), minimum of 10m2 per child of new play space and encouraged adherence with SPD 3 Designing for Community Safety.
- 8.39 The London Housing SPG provides further details in relation to housing standards, including in relation to the provision of dual aspect units and private amenity space. Housing SPG standard 4.10.1 states that 5m2 of private amenity space should be provided for each one bedroom unit, with a further 1m2 provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m and standard states that developments should avoid single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment.
- 8.40 All of the proposed units would meet the National Technical Housing Standards in terms of size and all have access to good private amenity space. There are two main cores, as well as some units accessed directly from the street and through a central smaller access. The number of dwellings accessed from a single core does not exceed eight, except for 5 levels served by core A which serve 9 units. Given that Core B serves no more than 7 units on any floor this arrangement across the whole development is acceptable. Whilst there are some units that face northwards, these are limited and all are dual aspect (as are all other units in the scheme), and on this basis lighting to future occupiers is acceptable.
- 8.41 Given the layout there is some opportunity for inter overlooking to the rear, however, this would be at an acute angle and terrace screening would limit this further.
- 8.42 A high level microclimate review and more detailed wind study states that due to the height of the scheme downdraughts are likely to be minimal and the development is sufficiently sheltered from prevailing winds. On this basis the areas of the scheme would be suitable for the activities likely to occur e.g. sitting/standing in outdoor areas and using residential entrances.
- 8.43 Suitable noise insulation can be secured by condition in line with the recommendations within the noise assessment which has been viewed and supported by the Council's Environment consultant.
- 8.44 10% (12 units) would meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. The Policy and Housing SPG requirements outlined above are therefore met.

Private/Communal Amenity Space and Child Play Space Provision

- 8.45 Policy 3.6 of the London Plan states that housing development proposals should make a provision for play and informal recreation for children and young people. The development is required to make appropriate play provisions in accordance with a GLA formula and calculation tool, whereby 10sqm of play space should be provided per

child, with under-5 child play space provided on-site as a minimum, in accordance with the London Plan 'Shaping Neighbourhoods: Play & Informal Recreation SPG'.

- 8.46 Based on the current unit breakdown and as per the SPG, the child yield is expected to be 26 children (12 under five, 8 five to eleven and 6 twelve+) requiring 255.9sqm of play-space including 127.9 sq m of doorstep play. The development provides 360 sq m of communal space, which can comfortably accommodate the requirement.
- 8.47 The Croydon Local Plan 2018 policy DM10.4 requires more space on site space. The proposed housing mix requires a minimum play space of 246.1sq m, which all can be accommodated on site.

Transport

- 8.48 The Croydon Local Plan 2018 policies within SP8 seek to promote sustainable travel choices, require new developments to contribute to the provision of electric vehicle charging infrastructure, car clubs and car sharing schemes, encourage car free development in areas of high PTAL while still providing for disabled people. Policy DM 29 seeks to promote sustainable travel and reducing congestion by promoting measures to increase the use of public transport, cycling and walking and not have a detrimental impact on highway safety or transport network. Policy DM30 seeks to promote sustainable growth in Croydon and reduce the impact of car parking new development.
- 8.49 The site is located in an area with a PTAL of 6b, which is excellent being in close proximity to East Croydon transport interchange and all the services and facilities offered by Croydon Town Centre. The site is therefore suitable for car free development with the exception of disabled parking spaces. Four disabled parking spaces are proposed, which accords with the absolute minimum standards of the draft London Plan. 20% active and 20% passive Electric Vehicle Charging Points would be secured by condition a restriction on future residents accessing car parking permits would also be secured via a legal agreement.
- 8.50 The secure cycle store satisfies the London Plan requirement in terms of numbers and can be secured by condition. Adequate visitor cycle parking (1 space per 40 flats therefore 3 spaces) is shown on a plan.
- 8.51 The proposed location of the vehicular access is acceptable in terms of provision of vehicle sight lines. In order to provide for pedestrian safety, visibility splays should be provided to either side of the vehicular access. A large (7.5t Panel Van) is able to turn around within the site and leave in a forward direction, allowing deliveries (e.g. groceries) to be made on site. Drawings show that such a van, which has a height of 2.544m, would be able to pass through the under croft at the site entrance.
- 8.52 The footway in front of the site has some features associated with the existing use that will be made redundant such as crossovers and pedestrian guard railing. There are two sections of pedestrian guard railing at the north eastern end of the site. The shorter length is not needed and shown to be removed and the longer length, closer to the alleyway and school is to remain, which is acceptable at this stage. Some road markings may also be altered. All these works, along with the new arrangement for the ownership and upgrade of the adjacent alleyway, can be secured via relevant legal agreements.

- 8.53 The Delivery and Servicing Plan (DSP) does not include details relating to the management and movement of waste that is situated beyond the distance Council contractors will access, but it is otherwise acceptable. A final DSP with a strategy for the moving of refuse and recycling waste by a private company to the bin collection points which are shown to the front of the site can be secured by condition.
- 8.54 Final Demolition/Construction Logistics and Travel Plans would need to be submitted and approved prior to the start of construction, these would be secured by condition.
- 8.55 A framework travel plan for the residential has been provided and is acceptable in principle. A full travel plan would be secured as a condition. Two on street car club bay are proposed and would be secured via the legal agreement, along with associated costs, the cost of membership and monitoring of the travel plan.

The environmental performance of the proposed building

- 8.56 Policies 5.2 and 5.3 of the London Plan state that development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, whilst policy 5.7 states that they should provide on-site renewable energy generation. London Plan policy 5.5 states that Boroughs should seek to create decentralised energy networks, whilst Policy 5.6 requires development proposals to connect to an existing heating network as a first preference if one is available. London Plan policy 5.9 overheating seeks to reduce potential overheating and reliance on air conditioning in.
- 8.57 Croydon Local Plan 2018 policy SP6.2 expects that high density residential development would (a) incorporate site wide communal heating systems, and (b) that major development will be enabled for district energy connection unless demonstrated not to be feasible or financially viable to do so.
- 8.58 Croydon Local Plan 2018 policy SP6.3 seek high standards of sustainable design and construction from new development to assist in meeting local and national CO2 reduction targets. This will be achieved by (only relevant criterion listed in relation to performance of the building):
- b) Requiring new-build residential development of 10 units or more to achieve the London Plan requirements or National Technical Standards (2015) for energy performance, whichever the higher standard;
 - c) Requiring all new-build residential development to meet a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G;
 - e) Requiring new build non-residential development of 500m² and above to achieve a minimum of BREEAM Excellent standard or equivalent;
 - g) Requiring new build, conversions and change of use non-residential development of 1000m² and above to achieve a minimum of 35% CO2 reduction beyond the Building Regulations Part L (2013);
 - h) Positively contribute to improving air, land, noise, and water quality by minimising pollution.
- 8.59 The buildings would be provided with a communal Combined Heat and Power (CHP) system that will provide the energy needs. In the absence of a District Heat network CHP units provide a cost effective energy supply solution and mitigate significant carbon emissions from the site. To future proof the development provision would need to be made for connections and space within the buildings to allow connection to any

future District Heating Network, should such a network come forward. The plan shows a route from the highway to the plant room and the applicant has confirmed there is sufficient space in the plant room for necessary equipment. The final means by which the buildings are enabled for future connection to a District Energy Scheme will be secured by condition. On-site renewable energy generation will be provided through the use of roof mounted photovoltaic panels that will contribute to the CO2 reductions.

- 8.60 The energy efficient measures create a total carbon dioxide savings of 36%. These savings fall short of the residential policy requirement of zero. The Council would accept a cash in lieu payment to be secured through a S106 legal agreement and the applicant has accepted this.
- 8.61 In addition to the 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.

Environment

Surface Water, Drainage and Flooding

- 8.62 London Plan Policy 5.3 states that development proposals should demonstrate that sustainable design standards are integral to the proposal and that major developments meet the minimum standards within the Mayor's SPG. This aims to achieve a variety of measures including minimising urban runoff and avoid impacts from natural hazards (including flooding). Policy 5.12 states that development proposals must meet flood risk assessment and management requirements. London Plan Policy 5.13 states that development should utilise SUDS, aiming to achieve greenfield run off rates and that surface water run-off is managed as close to its source as possible, in line with a drainage hierarchy.
- 8.63 The London Plan Sustainable Design and Construction Supplementary Planning Guidance (2014) supports that developers will be expected to clearly demonstrate how all opportunities to minimise final site runoff, as close to greenfield rate as practical, have been taken. The minimum expectation for development proposals is to achieve at least 50% attenuation of the site's (prior to re-development) surface water runoff at peak times.
- 8.64 Croydon Local Plan policy SP6.4 seeks to reduce flood risk, protect groundwater and aquifers and minimise all forms of flooding. Policy DM25.1 seeks to reduce flood risk and minimises the impact of flooding. Policy DM25.3 requires sustainable drainage systems in all development.
- 8.65 As the application relates to a major application a Flood Risk Assessment and Surface water Management Plan is required under Local Plan policy SP6.4 and London Plan Policy 5.12 and 5.13. FRA and a SuDS strategy have been submitted with the application and reviewed by the Lead Local Flood Authority. The Lead Local Flood Authority have considered the information and found it to be acceptable subject to the inclusion of pre-commencement conditions which require the submission of detailed drainage information. Thames Water (suggest informatives) have also not objected to the scheme.

Nature Conservation and Trees

- 8.66 London Plan Policy 7.19 states that development proposals should, where possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity. London Plan Policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.
- 8.67 Croydon Local Plan policy SP7.4 states that the Council will seek to enhance biodiversity across the borough. Policy DM27 seeks to enhance biodiversity across the borough and improve access to nature. Policy DM28 states that the Council will seek to protect and enhance the borough's woodlands, trees and hedgerows by: a) Ensuring that all development proposals accord with the recommendations of BS5837 2012 (Trees in relation to design, demolition and construction) or equivalent; b) Not permitting development that results in the avoidable loss or the excessive pruning of preserved trees or retained trees where they make a contribution to the character of the area; c) Not permitting development that could result in the future avoidable loss or excessive pruning of preserved trees or trees that make a contribution to the character of the area; and d) Not permitting development resulting in the avoidable loss or deterioration of irreplaceable habitats, including ancient woodland, hedgerows and veteran trees; and e) Producing a tree strategy outlining how the local authority will manage its tree stock and influence the management of those trees subject to a Tree Preservation Order.
- 8.68 There are no trees on site, although there are three on neighbouring land. One of these trees is to the front and its removal has already been consented as part of planning reference 17/05046/FUL. There are no tree related objections to the scheme and the proposed landscaping is of a good quality and appropriate. The final planting details can be secured by condition.
- 8.69 Third party comments have stated that bats were sighted a year or two ago. An ecological survey has been produced which confirms that there is no evidence of roosting bats but that two potential roosting bat features were recorded on the buildings. The survey concludes that it is unlikely that bats are utilising the suitable roosting features and bat surveys are not deemed necessary. Nonetheless, as roosting bats cannot be ruled out completely, a precautionary destructive search methodology under the supervision of a licensed bat worker is recommended. In addition the site also has potential to support nesting birds within the roof void of the tiled roof building and the trees that over-hang into the site and therefore precautionary clearance measures are recommended. These measures can be secured by way of condition.

Air pollution, noise and vibration

- 8.70 London Plan Policy 7.14 (B) states that developments should; a. minimise increased exposure to existing poor air quality and seek to contribute to addressing local air quality problems; b. promote sustainable design and construction; c. be at least air quality neutral and not lead to further deterioration of existing poor air quality; d. ensure where provision needs to be made to reduce emissions from a development, this is usually made on site; e. where development requires an air quality assessment and biomass boilers are included the assessment should forecast pollutant concentrations. There should be no adverse air quality impacts. The whole of Croydon Borough has been designated as an Air Quality Management Area – AQMA.

- 8.71 London Plan SPG - The control of dust and emissions during construction and demolition 2014 is also relevant.
- 8.72 Croydon Local Plan 2018 policy SP6.3 criterion e) requires development to positively contribute to improving air, land, noise and water quality by minimising pollution. Policy DM23 seeks to promote high standards of development and construction throughout the borough by (relevant criterion highlighted only): a) Ensuring that future development, that may be liable to cause or be affected by pollution through air, noise, dust, or vibration, will not be detrimental to the health, safety and amenity of users of the site or surrounding land; b) Ensuring that developments are air quality neutral and do not lead to further deterioration of existing poor air quality; c) Ensuring mitigation measures are put in place.
- 8.73 The Councils Environment Consultant has raised no objection to this aspect of the proposals, but does suggest that the mitigation measures identified within the air quality report should be secured by condition. Mitigation measures relate to the construction period of the development and primarily to control dust. During operation mitigation in the form of mechanical ventilation is proposed for units at ground floor along Cherry Orchard Road façade. The development is within 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.
- 8.74 As a large scale development, the construction phase would involve large scale operations and is likely to be elongated, there is the potential for adverse environmental effects, including noise. A construction environment management plan has been which the Councils Environment Consultant finds acceptable and has recommended that compliance with the measures identified in this report be secured by condition. Given the characteristics of the current development the proposed residential development is likely to improve upon the existing situation when completed.

Microclimate

- 8.75 London Plan Policy 7.7, D, a, states that tall buildings shall not affect their surroundings adversely referring in part in terms of micro climate and wind turbulence.
- 8.76 Croydon Local Plan policy SP4.6 states that tall buildings will be required to minimise their environmental impacts.
- 8.77 A high level review and study of wind conditions in and around the proposed development has been conducted. This concludes that wind conditions in and around the proposed development are suitable, in terms of pedestrian comfort and safety, for use by the general public.

Ground Conditions and Contamination

- 8.78 London Plan Policy 5.21 states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.
- 8.79 Croydon Local Plan 2018 SP6.3 criterion h) requires development to positively contribute to improving air, land, noise and water quality by minimising pollution.

- 8.80 Policies DM24.1-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.
- 8.81 A desktop study has been carried out, however, given the existing use and third party comments regarding Japanese Knotweed, an intrusive site investigation into contamination will be required prior to commencement, which can be secured by condition.

Other Planning Issues

Employment and training

- 8.82 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 and an employment and skills strategy.

Conclusions

- 8.83 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.