

Officer Report:

PLANNING COMMITTEE AGENDA

21st November 2019

PART 6: Planning Applications for Decision

Item 6.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/05856/FUL
Location: Station Yard, 56 Brigstock Road
Ward: Bensham Manor
Description: Demolition of existing builders yard buildings, erection of a block comprising a 6 storey building and a part 7, 8 and 9 storey building comprising 58 residential units (26 x 1 bed, 9 x 2 bed and 23 x 3 bed apartments) and two commercial units (Use Class B1c) along with the provision of associated off-street parking and refuse and cycle storage.
Drawing Nos: 17 165_61 ; 17 165_11 ; 17 165_12E ; 17 165_14D ; 17 165_15C ; 17 165_16C ; 17 165_17C ; 17 165_18C ; 17 165_19C ; 17 165_20P1 ; 17 165_21E ; 17 165_22E ; 17 165_23 E ; 17 165_24 E ; 17 165_25D ; 17 165_26D ; 17 165_27 ; 17 165_31A ; 17 165_41A ; 17 165_42B ; 17 165_51P1 ; 17 165_51P2 ; 17 165_52P1 ; 17 165_52P2 ; 17 165_53 P1 ; 17 165_53P2 ; 17 165_55P1 ; 17 165_56P1.
Applicant: Kenexa Estates (Thornton Heath) Ltd
Agent: Mr Alex Bateman, SHW LLP
Case Officer: Dean Gibson

Proposed Residential Accommodation

	Market	Shared	Rented	Total
1 bed	13	6	7	26 (45%)
2 bed	3	3	3	9 (15%)
3 bed	11	5	7	23 (40%)
Total	27 (47%)	14 (24%)	17 (29%)	58

Affordable – 31 (53%) dwellings on site: 17 (29%) London affordable rented dwellings and 14 (24%) shared ownership dwellings with required early and late stage review mechanisms. The affordable housing split based on habitable rooms would be 55% affordable rent provision and 45% shared ownership provision.

Proposed Employment Use

	Number of Units	Total Floor Area	Net Change
Employment (B1c Use)	2	153.20	-160.8

Parking and Cycle Storage Provision

	Number of car parking spaces	Number of Disabled Spaces	Number of cycle parking spaces
Residential	2	2 car spaces	100 Residential 18 Visitor

- 1.1 This application is being reported to Planning Committee because the Ward Councillor (Alison Butler) has made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration. Moreover, objections above the threshold in the Committee Consideration Criteria have been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following:
- a) Affordable housing – 31 dwellings (17 x London affordable rent at and 14 x London Shared Ownership) with review mechanisms;
 - b) Local Employment and Training contribution (£35,835 – Comprising £31,000 for construction phase and £4,835 for end user phase) and compliance with employment and training and local business initiatives;
 - c) Financial contribution towards air quality (£5,800);
 - d) Provision of on-site car club space
 - e) Future restriction of car parking permits
 - f) Marketing strategy for commercial units.
 - g) Carbon off-setting financial contribution (£76,093)
 - h) Monitoring fees
- 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. The development shall commence within 3 years of the date of planning permission.
2. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions.
3. Details and samples of materials to be submitted.
4. Detailed elevational drawings (Scale 1:10) showing window reveals.
5. Details of signage (to commercial units) to be submitted.
6. Details of boundary treatment and retaining walls to be submitted.
7. Details of children's play-space to be submitted for approval.

8. Security lighting of bin and bike stores, surface and parking areas to be submitted for approval.
9. Inclusive disabled access M4(2) and M4(3) to be achieved.
10. Car club space on site to be provided prior to first occupation.
11. Details of electric vehicle charging points (active and passive) to be submitted.
12. Full details of cycle storage enclosure appearance to be submitted.
13. Full details of refuse storage enclosures appearance to be submitted.
14. Construction Logistics Plan to be submitted.
15. Actionable measures of Travel Plan as submitted to be adhered to.
16. BREEAM Excellent (Commercial units)
17. 110L Water usage (Residential units)
18. Construction environmental management plan to be submitted prior to any development on site.
19. Development to be completed in accordance with mitigation outlined in Noise Assessment.
20. Details of sound insulation between commercial and adjacent ground and first floor dwellings to be submitted.
21. Details of sound proofing/noise attenuation measures to residential flats in the development.
22. The use of the commercial units to be provided/retained as hub shared workspaces.
23. SUDS and drainage details (In accordance with Flood Risk Assessment) to be submitted.
24. Contaminated Land - Remediation strategy to be submitted.
25. Details of connection to foul and/or surface water drainage system to be submitted.
26. No infiltration of surface water drainage into the ground.
27. No piling or any other foundation designs using penetrative methods without consent of the LPA.
28. Hours of operation of Commercial Units.
29. Details of noise limiters to Commercial Units.
30. Public art details to be submitted.
31. Delivery and Servicing Plan to be submitted.
32. Secure by Design details to be submitted.
33. Details of security shutters to commercial units to be submitted.
34. No windows to be provided other than those shown on approved plans.
35. Submission of full landscaping details including to roof terraces.
36. Submission of evidence that Network Rail have agreed/approved the following matters :- asset protection agreement, adherence to ASPRO guidance, Design and RAMS for permanent / temporary work affecting railway operation, maintenance of access to Network Rail storage yard at construction and post-construction phases.
37. Submission of details of aviation warning lighting to cranes during construction phase.
38. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practise for Construction Sites
- 4) Light pollution
- 5) Requirement for ultra-low NOx boilers
- 6) Nesting birds in buildings
- 7) TfL Informative – Mayor's Vision Zero initiative.
- 8) Thames Water informative
- 9) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2.4 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.

2.5 That if by 22nd February 2020 the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

3.0 PROPOSAL AND LOCATION DETAILS

3.1 The planning proposal seeks full planning permission.

3.2 The proposal includes the following:

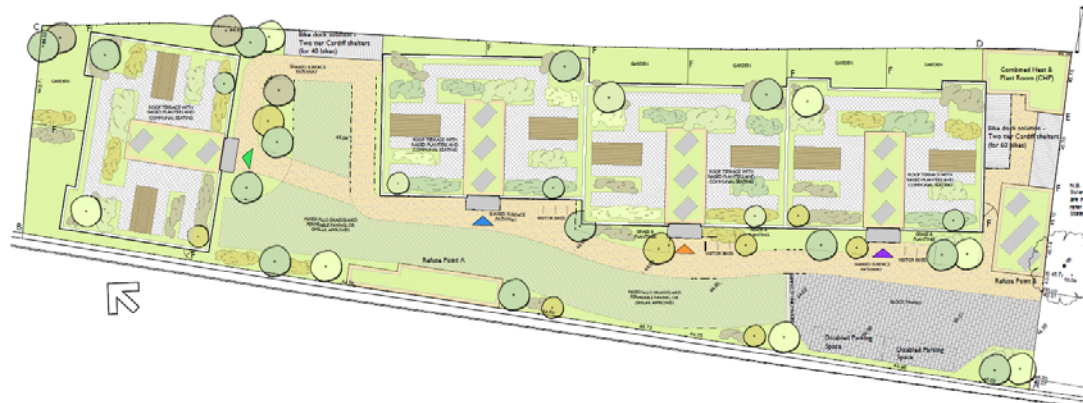
- Demolition of existing buildings.
- Erection of a two blocks – one 6 storey block and one part 7, 8 and 9 storey block.
- Provision for 153 square metres of B1 floorspace at ground floor level.
- Provision of 58 residential flats
- 2 car parking spaces
- Provision of associated cycle storage and refuse storage.
- Provision of communal external amenity spaces and children's play space

3.3 During the course of the application amended plans have been received. The main alterations to the schemes design have been as follows:

- Number of Flats 58 remained unchanged, but with changes to the residential mix
 - Number of 3 bedroom flats is 23 (previously 2)
 - Number of 2 bedroom flats is 9 (previously 22)
 - Number of 1 bedroom flats is 26 (previously 24)
- Number of parking space reduced from 10 space to 2 spaces (more green space/buffer space proposed)
- Ground floor employment space in smaller block relocated to the ground floor of larger block (with part of ground floor accommodation (2 flats) moving to smaller block.

- Simplified materials palette.
- Illustrative Master Plan updated – covering the local plan allocation
- Increased amount of cycle storage.
- Re-positioned refuse storage.
- Height of parapet to main building increased.

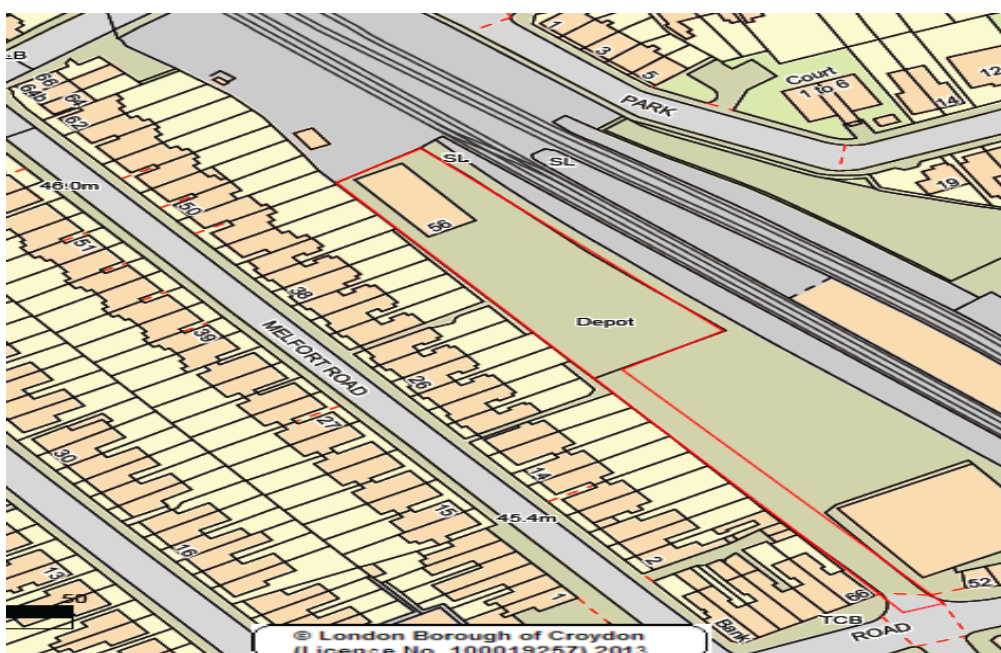
Figure 1 – Proposed Ground Floor Layout



Site and Surroundings

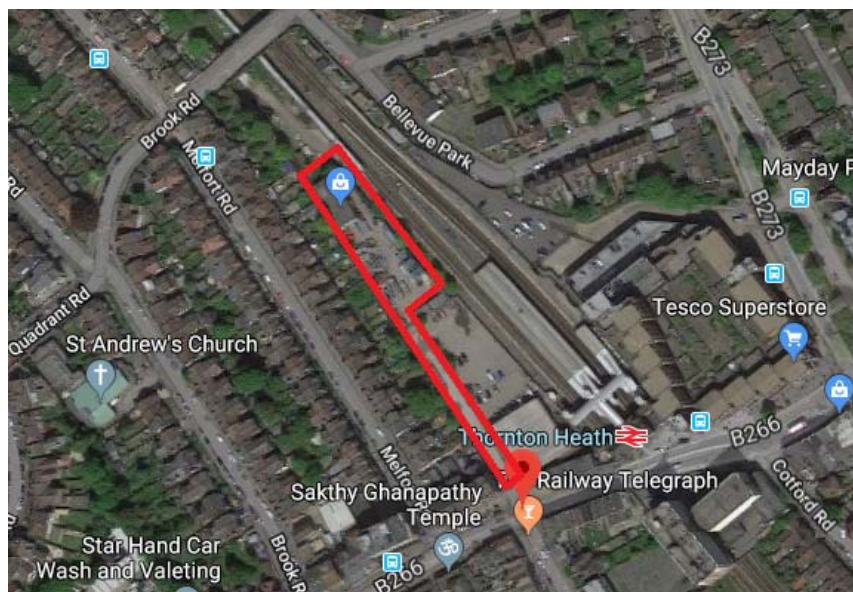
- 3.4 The application site is a builders/scaffolding yard (B8 Use Class – Storage and Distribution) at Station Yard, 56 Brigstock Road (0.20ha in area) which is situated and accessed off the north-western side of Brigstock Road. The yard is formed of hardstanding and has a warehouse building towards its north-western corner with several ancillary modular buildings. The site is accessed via a shared vehicular route off Brigstock Road. There are some self-seeded trees on and adjacent to the site.

Fig 2: Site Location Plan



- 3.5 The site falls just outside the boundary of the Thornton Heath District Centre; the car park to the south of the application site and the associated Iceland store is included within the District Centre). Moreover, whilst the site would nominally be designated as a Tier 4 'scattered employment site', in this instance the site has a specific site allocation (Site Allocation 136) which also includes the Iceland store and associated car park). The allocation seeks to retain some employment whilst making more efficient use of the site by providing homes that will meet the boroughs need for housing and a replacement unit. Indicative housing numbers suggest the site has capacity for between 25-55 homes.
- 3.6 The site is bounded to the south-east by a 24 hour controlled car park serving an Iceland supermarket.
- 3.7 The site is bounded to the north-east by railway tracks leading directly into Thornton Heath railway station. The site is approximately 200 metres from the railway station ticket- office.
- 3.8 The site is bounded to the north-west by a railway goods yard – with a vehicular access between the railway tracks and the north-eastern boundary of the site.
- 3.9 The site is bounded to the south-west by two storey terraced houses at 20 to 46 Melfort Road. There is a high retaining perimeter brick boundary wall separating the site from the rear gardens of those houses which means that the rear gardens of Melfort Road properties are at a higher level (compared to the application site).
- 3.10 In the vicinity of the site are several tall buildings including the Tesco supermarket/Laxton Court and Ambassador House to the south-west.
- 3.11 The site itself is not subject to any heritage designations, although the Clocktower at the intersection of Brigstock Road/Parchmore Road/High Street is classified as a Local Designated View.

Fig 3. Aerial view highlighting the proposed site within the surrounding area



- 3.12 The application site has a PTAL of 5 and is within a 2 minute walk from Thornton Heath Railway Station. The site is located adjacent to the boundary of Thornton Heath District Centre. The area is subject to a Controlled Parking Zone and Brigstock Road and Melfort Road are classified as local distributor roads.
- 3.13 The site is also captured and influenced by the Thornton Heath Place Specific Policy which advises that development should complement existing predominant building heights of 3 storeys up to a maximum of 4 storeys except on the vicinity of Thornton Heath Railway station where any tall or large buildings proposed should not exceed 9 storeys.

Planning History

- 3.14 Pre-Application Enquiry (LBC Ref 18/02930/PRE) for residential development – 32 flats.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Whilst the application has not been accompanied by two year marketing evidence, the site allocation overrides this requirement to a certain extent and in accordance with the allocation, the scheme provides some replacement employment floorspace alongside a reasonable level of residential accommodation, including affordable housing (embracing mixed tenures). This is considered acceptable under these specific circumstances.
- The principle of intensive residential development is acceptable given the national and local need for housing and the brownfield status of the land. The development would make a significant contribution towards meeting borough-wide housing targets.
- The proposal would provide 53% on-site affordable housing provision (a mix of London Affordable Rent and Shared Ownership alongside required early and late stage review mechanisms) in accordance with local plan requirements. Officers are satisfied with the 55% affordable rent to 45% shared ownership habitable room tenure split.
- The proposal would deliver a significant number of family units, with 67% of units being suitably sized for families/small families (2 and 3 bed/4 person units).
- The development would have an acceptable impact on the nearby designated local view – Clocktower - with no harm being caused to this heritage asset. There are no other heritage designations in place.
- The scheme has been amended to render the design and appearance of the development acceptable. Whilst it is acknowledged that the proposed height would be at variance with the existing structures on site, the massing, height, appearance and form of the development would be in context with nearby tall buildings and would represent a striking and appropriate back-drop to the adjacent railway tracks – with opportunities to enhance the relationship between the application site and its adjacent sites and would not restrict or compromise the wider re-development of the allocated site (including the adjacent car park and Iceland Store) should this opportunity arise in the future.

- The living conditions of adjacent occupiers would be protected from undue harm, subject to the use of planning conditions.
- The living standards of future occupiers would be acceptable (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and efficiency would be acceptable, in view of high public transport accessibility levels and close proximity to a District Centre location.
- Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions.
- Secure by Design principles can be secured subject to condition.

5.0 CONSULTATION RESPONSE

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

Greater London Authority (GLA)

- 5.2 The GLA were consulted (and re-consulted on amended plans) due to the height of the proposed 9 storey building exceeding 30 metres in height.
- 5.3 The London Mayor strongly supported the delivery of 53% affordable housing – via the fast track route - in accordance with the strategic target set by policies 3.11, 3.12 of the London Plan and policies H5 and H6 of the draft London Plan – subject to the use of an early stage viability review should the scheme not progress within 2 years from the date of planning permission.
- 5.4 The London mayor was also satisfied that the proposed design, internal configuration and layout would not have presented a strategic design concern. He recommended that the Council should secure key details of facing materials to ensure a high quality building is delivered.
- 5.5 He concluded that the scheme would be acceptable in strategic planning terms and advised that the Council should progress to determine the planning application without any need to refer to the GLA (at Stage 2).

Lead Local Flood Authority (LLFA) (Statutory Consultee)

- 5.6 The LLFA has no objection to the development subject to a condition requiring compliance with the submitted Flood Risk Assessment & Surface Water Drainage Strategy and further information being submitted for approval with regard to the detailed designs of a surface water drainage scheme.

Transport for London

- 5.7 No objection. Supports car free development. Requires construction logistics plan and delivery and servicing plan to be secured by condition.

Network Rail

5.8 No objection, provided that the developer will:

1. Sign asset protection agreement with Wessex ASPRO before proceeding with any design/construction works at the site within the NR zone of influence;
2. Adopt ASPRO guidance and requirements that will be provided to the developer in kick-off meeting;
3. Submit for our acceptance the Design and RAMS for any permanent or temporary work that could affect NR assets and railway operation.
4. Ensure that NR current access to NR storage yard will not be affected during construction and post-construction phase.

Thames Water

5.9 Thames Water does not have any objection but makes good practice recommendations on waste water and water pressure. The recommendations can be passed to the developer through an informative.

Metropolitan Police – Crime Prevention Officer

5.10 No objection subject to a ‘Secured by Design’ condition being attached to any planning permission to ensure the development would follow the principles and physical security requirements of Secured by Design.

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of 102 letters of notification to neighbouring properties in the vicinity of the application site. Site notices were also displayed in the vicinity of the site and a press note published. Following the receipt of amended plans in May 2019, notification letters were re-issued and amended site notices were displayed advising neighbouring properties of the amendments.

6.2 The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 27

Objecting: 22 Supporting: 2 Commenting: 3

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

Objection	Officer Response
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<p>Proposal represents a piecemeal development and an overdevelopment of the site with increased pressure on local amenities/services.</p>	<p>The applicant has submitted an Illustrative Masterplan to demonstrate how the adjacent parcels of land could be developed in a cohesive and sensitive manner.</p> <p>The density of development has been properly assessed and is within the density ranges outlined in the London Plan. Moreover, the form, scale and intensity of development would be appropriate, with effects either being acceptable or suitably mitigated through the use of planning conditions and/or planning obligations.</p> <p>The development would be subject to the Community Infrastructure Levy which would assist in contributing towards the improvement of local amenities/services.</p>
<p>The development would be out of character with the surrounding area</p>	<p>Bearing in mind the close relationship to Thornton Heath Railway Station and nearby taller buildings within the District Centre, officers are content with the overall scale of development and consider it to be in keeping with the character and appearance of the area. The Place Specific policy for Thornton Heath recognises that there is scope for taller buildings (up to 9 storeys) in close proximity to the railway station.</p>
<p>Increased pressure being placed on car parking within surrounding streets.</p>	<p>The site is located in a sustainable location and the provision of less than 1-1 car parking is acceptable in such circumstances. The site is in close walking distance from the District Centre amenities, Thornton Heath Railway Station and local bus routes. Limitations around access to any future car parking permits is recommended for inclusions as part of a S.106 planning obligation along with the provision of a car club space.</p>
<p>Poor Access</p>	<p>The access to the site is existing and the proposal would bring about significant improvements to its</p>

	appearance. The site is part of a proposal site and the applicant has submitted an Illustrative Masterplan to determine how the access could serve future development of the proposal site.
Insufficient amenity space	Officers are content that the proposed surface level landscaped garden spaces, private balconies and communal roof terraces areas would provide an acceptable amount of amenity space/play space within the development. It would allow for the provision of tree planting and measures to promote enhanced biodiversity.
Increased Crime/Anti-Social Behaviour	A secure by design condition is recommended in line with comments from the Metropolitan Police Crime Prevention officer.
Neutral Comments	Officer Response
Emergency Vehicle Access	Officers are content that emergency vehicles would be able to enter and exit the site in a forward gear.
Noise from railway may impact future occupiers.	An independent noise survey was submitted with the application and concluded that noise from the adjacent railway land would be acceptable subject to the provision of appropriate glazing.
Preparing petition against application.	No petition was received.
Supporting Comments	
Support the development.	

6.4 The following Councillor has made representation:

Councillor Alison Butler (Ward Councillor). Objecting and referred application to committee on the following grounds:

- Development requires a master planned approach for the whole site.
- Development should reflect the character of the area and be a landmark building.
- Poor design quality.
- Lacks amenity space and particularly play space for children.
- Access to the development requires further consideration.

7.0 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 2015, 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 February 2019. 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:

- Meeting the challenge of climate change.
- Delivering a sufficient supply of homes.
- Building a strong, competitive environment.
- Promoting sustainable transport.
- Making effective use of land.
- Achieving well designed places.

7.3 The planning policies raised by the application that the Committee are required to consider are listed below and are broadly examined in the Planning Considerations section of this report.

Consolidated London Plan 2015

- 3.1 Ensuring equal life chances for all
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children/young person's play & informal recreation areas
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 3.13 Affordable housing thresholds
- 4.4 Managing industrial land and premises
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Woodlands and trees

Croydon Local Plan 2018

- SP1 The Places of Croydon
- DM48 Thornton Heath
- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP3 Employment
- SP3.2 Innovation, investment and enterprise
- SP4 Urban design and local character
- DM10 Design and character
- DM13 Refuse and recycling
- DM14 Public art
- DM15 Tall buildings
- DM16 Promoting healthy communities
- DM18 Heritage assets and conservation
- DM16 Promoting healthy communities
- SP5 Community facilities
- DM19 Protecting and providing community facilities
- SP6 Environment and climate change
- SP6.3 Sustainable design and construction
- DM23 Development and construction
- DM25 Sustainable drainage systems and reducing floor risk
- SP7 Green Grid
- DM27 Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

7.4 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

- Croydon Suburban Design Guide Supplementary Planning Document April 2019

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Planning Committee should consider are as follows:
1. Principle of Development – Including Employment Considerations
 2. Affordable Housing and Housing Mix
 3. Townscape, Visual Impact and Heritage Impact
 4. Housing Quality for Future Occupiers
 5. Residential Amenity for Neighbours
 6. Parking and Highway Safety
 7. Flood Risk
 8. Sustainability
 9. Trees, Landscaping and Biodiversity
 10. Other Planning matters

Principle of Development

Loss of Employment Use

- 8.2 The application site is located adjacent to Thornton District Centre and is designated as a Tier 4 employment site. Planning policy therefore provides protection for existing industrial activities and supports incoming uses that fall within the B1b/B1c, B2, B8 use classes as well as related sui generis uses. It also makes provision for D1 uses comprising education and community facilities. That said, the presence of Site Allocation 136 recognises that mixed use redevelopment of the site would be acceptable, with the replacement of some employment use. This to a certain extent over-rides the need to submit full marketing evidence to justify the loss of the existing scaffold yard and it is significant that the allocation gives only limited indication as to the level of replacement floorspace that would be necessary to ensure compliance with the site allocation.
- 8.3 In this instance, the site has historically been used for storage purposes and the existing floorspace on site amounts to 314 square metres.
- 8.5 Whilst evidence has not been submitted to justify the loss of existing accommodation and/or an alternative exclusive employment-focussed redevelopment scenario, the proposal would still re-provide 153.20 square metres of employment-related floorspace (providing a range of uses B1 uses encouraged by Policy SP3.2). Officers accept that the proposed floorspace might well provide opportunities to increase employment on site, especially if the accommodation is used flexibly and innovatively. In his comments, the London Mayor accepted that the site was physically constrained in such a way that restricts it from providing the necessary yard space required to successfully support a co-located industrial use without compromising other planning priorities

for the site – as set out in the site allocation (specifically the delivery of new homes/affordable homes).

- 8.6 Therefore, whilst the level of employment floorspace will be reduced and very limited evidence has been submitted to either justify the loss of existing accommodation and/or the capacity deliver a single employment-related or community use, the re-provision of commercial units (laid out to meet modern work practices as part of a mixed use redevelopment scenario) would help deliver high quality replacement employment-related floorspace. This accommodation would allow for more effective, flexible and efficient commercial floorspace which should lead to more jobs being made available. Consequently, officers are satisfied with the decrease of the existing employment floorspace, especially as this proposed development scenario should significantly contribute to the on-going regeneration of district centres across the borough.
- 8.7 A planning condition is recommended to ensure that the commercial uses are restricted to B1 uses specifically purposed as hub type shared workspaces as there is a known demand for such accommodation in the vicinity. Moreover, full marketing of the commercial and community related accommodation will be required (on commencement of development) which will be required and managed through the S.106 Agreement. Future employment opportunities for local people at construction and operational phases would be captured as part of a Local Employment Training Strategy – to be contained within a subsequent S.106 Agreement.

New Housing

- 8.8 This proposed development should be viewed against a backdrop of significant housing need, not only in Croydon but also across London and the South-East. All London Boroughs are required by the London Plan to deliver a number of residential units within a specified plan period. In the case of Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036. Croydon's actual need identified by the Croydon Strategic Housing Market Assessment is an additional 44,149 new homes by 2036, but at that time, there was considered to be limited developable land available for residential development in the built up area. This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.
- 8.9 This housing growth expectation includes Thornton Heath which is defined by the 'Places of Croydon' section of the CLP (2018) as being an area '*...with some opportunity for windfall sites*'. It goes on to state that '*Within the Thornton Heath District Centre and its environs, to ensure a balance is struck between strengthening and enhancing the character and enabling growth, proposals*

should complement the existing predominant building heights of 3 storeys up to a maximum of 4 storeys except in the vicinity of Thornton Heath railway station where any tall or large buildings proposed should not exceed 9 storeys'. In this particular instance the site benefits from being part of an allocated proposal site for mixed use development that seeks to make more efficient use of the site by providing homes that will help meet the borough's homes target.

- 8.10 The application is for a mixed use employment and residential development providing new employment opportunities and additional homes within the borough. The scheme has the potential significant regenerative benefits for the immediate area. The site is located within an existing residential area with a close relationship with the neighbouring District Centre and as such, providing that the proposal accords with all other relevant material planning considerations, the principle of development is supported.

Affordable Housing and Housing Mix

Affordable Housing

- 8.11 The CLP (2018) states that to deliver affordable housing in the Borough on sites of ten or more dwellings, the Council will negotiate to achieve up to 50% affordable housing (subject to viability) and will seek a 60:40 ratio between affordable rented and intermediate homes (including shared ownership) unless there is an agreement with a Registered Provider that a different tenure split can be justified. CLP Policy SP2.5 requires a minimum provision of affordable housing to be provided either:

- 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;
- 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 and construction costs are not in the upper quartile.

- 8.12 The applicant opted to take a fast-track route to viability assessment (as determined by the London Mayor's Affordable Housing SPD) known as the 'threshold approach'. Under the threshold approach, applicants are not required to provide viability information, nor be subject to review mechanisms provided an agreed level of progress is made following the grant of planning permission, where they:

:

- deliver at least 35 per cent affordable housing on-site without public subsidy; are consistent with the relevant tenure split;
- meet other obligations and requirements to the satisfaction of the LPA and the Mayor where relevant and

- have sought to increase the level of affordable housing beyond 35 per cent by accessing grant.

8.13 If the scheme fails to be actively progressed within 2 years of the date of the planning permission, an Early Stage Viability Review will be triggered – to determine whether further affordable housing might be possible (or a modification to the tenure mix). If such a review is triggered, changes in values and build costs will be determined at the point of review.

8.14 The applicant has confirmed that 53% of the proposed accommodation (by habitable room) would be provided as affordable housing (55% of which would be delivered as London Affordable Rent and 45% as Shared Ownership). Review mechanisms will also need to be incorporated to respond to the threshold approach and changes to economic circumstances. The level of affordable housing to be delivered (at this stage) would therefore equate to 31 dwellings; 17 affordable rented dwellings and 14 shared ownership dwellings. Based on the threshold approach in London Plan the proposed affordable housing would be acceptable and in accordance with emerging policy requirements set out in the Policies H6 and H7 of the draft London Plan July 2019 as being an acceptable level of affordable housing (at this stage of the development process). The proposed affordable housing and review mechanisms would be managed through the recommended S.106 Agreement..

Housing Mix

8.15 Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes; achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 requires a minimum provision of homes designed with 3 or more bedrooms on sites of 10 or more dwellings. In urban locations with a PTALs of 5 (such as this) the requirement is for 40% 3+ bedroom units.

8.16 The development proposes a unit mix comprising of 26x1 bedroom (2 person) dwellings, 9x2 bedroom (4 person) dwellings and 23x3 bedroom (5 person) dwellings. In this case the proposed 23x3 bedroom dwellings would equate to 40% provision which would be in compliance with policy. When including the 2 bedroom (4 person) units, the scheme would provide 55% family sized dwellings. Therefore, over half the proposed dwellings would result in family sized accommodation.

Townscape and Visual Impact and Heritage Impact

8.17 Policy DM48.1 of the CLP states that to facilitate growth and to enhance the distinctive character of Thornton Heath, developments should complement the existing predominant building heights of 3 storeys up to a maximum of 4 storeys except in the vicinity of Thornton Heath railway station where any tall or large buildings proposed should not exceed 9 storeys.

- 8.18 The existing buildings on the site have functional warehouse appearances and are of little architectural or historic importance. There is no objection to their demolition/removal.

Figure 4. Aerial Visual of Proposed Scheme



Density Considerations

- 8.19 The site has an urban setting with a PTAL rating of 5 and as such the London Plan indicates that the density levels ranges of 200-700 habitable rooms per hectare (hr/ha) would be appropriate.
- 8.20 The proposal would have a residential density of 855/hr/ha and whilst this would fall outside the density range suggested for this urban situation (with a relatively high PTAL) the scheme would have an open outlook over the railway tracks with the height of buildings and scale of development respecting the local plan approach and the wider growth and regenerative agenda. In any case and as members will be aware, the London Plan density matrix should not be used mechanistically, with officers preferring to adopt a design lead approach to determining an appropriate density.
- 8.21 The application site is within an established residential area and its footprint would be broadly comparable in size to other flatted developments in the vicinity; and the impact on local character is considered to be acceptable (which is further considered in the following paragraphs). The impact of the development on the neighbouring highway network (including on and off street car parking capacity) and railway lines would also be acceptable, as further highlighted below. The proposal would result in a development that would have an acceptable impact on the appearance of the street scene and the District Centre more generally and would accord with the national and local requirements to intensify the development potential of sites and to optimise the delivery of additional housing in a sustainable manner.

Figure 5 – Aerial Visual of Proposed Scheme



Townscape and Appearance

- 8.22 The proposed layout would provide a linear form with two separated masses, a singular 6 storey tower and a block comprising 7, 8, and 9 storey towers which would be sighted broadly at right angles to each-other. The 6 storey tower would have a south-east/north west orientation with the 7 to 9 storey tower having a north-east/south-west orientation. An existing pedestrian/vehicle access from Brigstock Road would serve the site. The 6, 7, and 9 storey towers would be fully residential, respectively comprising 12, 16, and 18 dwellings in each element – each utilising a separate core each. The 7 storey tower would have 2 commercial units at ground floor and 12 dwellings on the upper floors – again served by a separate core. Each of the towers would have landscaped communal roof terraces and buffer soft landscaping areas would also be provided at ground level as well as a new paved vehicle and pedestrian access. The proposed development would be a significant improvement to the existing site compared to the current storage buildings and dilapidated ground surface.
- 8.23 The tower nearest to Brigstock Road would rise up to 9 storeys height whilst the singular tower closest to the rear of the site would rise up to 6 storeys. The layout of dwellings in these buildings has been arranged to maximise outlook by providing dual aspects. The proposed 7 storey tower would provide employment uses at ground floor level.

Figure 6 – West Elevation View



Figure 7 – Visual of a Roof Terrace



8.24 While one of the towers would rise up to 9 storeys in height, Policy DM41 makes provision for such building height in the environs of the Thornton Heath District Centre and its railway station. The height of the development would be in context with the series of taller buildings located in the vicinity of the site in Brigstock Road, notably Ambassador House to the south-east of the site Kettering and Laxton Court (both above the Tesco supermarket) to the east of the site. Moreover, the height of the building should act as an appropriate back-drop to the railway lines and in any case, views of the development from Brigstock Road would be significantly obscured by the existing built form fronting onto Brigstock Road and the surroundings roads. Therefore, the proposed massing and design would be acceptable in the context of the site and surroundings.

8.25 Whilst the proposal would have an overall contemporary appearance, the proposed elevations would reflect local character and create visual interest in its

block form. The buildings would be formed principally of buff bricks. Feature bond brick-work patterns would be used to good effect and different coloured glazed bricks features would be used to each of the individual towers. The applicant proposes to slightly vary the colour of mortar on each tower to provide additional interest. The quality of the bricks can be secured by condition. The appearance and pattern of the elevation would reference the 20th Century vernacular of larger building in Brigstock Road. The provision of recessed balconies, window reveals and recessed feature brickwork inlays is also supported which would again add to the visual interest of the building.

- 8.26 A positive element of the scheme is that it would provide a template for the rest of the site the subject of the site allocation. The applicant has produced an Illustrative Masterplan which provides some indication as to how the redevelopment of the adjacent car park and Iceland Store might come forward in the future; being developed in a similar vein – with improved public realm as a consequence. It would clearly have been preferable for a scheme to have emerged – capturing the allocated sites full regenerative potential; unfortunately the allocate site straddles differing ownership boundaries, with the current owners having differing development intentions. Officers are satisfied that this proposed development would not prejudice the redevelopment of adjacent land.

Figure 8 – Proposed Masterplan



- 8.27 The frontages of the commercial uses would be well proportioned and would provide room for appropriate signage. Details of the appearance of security shutters to these units can be secured by condition.
- 8.28 The site would be laid out to reflect its mixed use function and an indicative landscape strategy has been submitted in support of the application. The route through the site would be from Brigstock Road. Given the low number of car parking spaces proposed the area directly in front of the towers is laid out as a

shared pedestrian and vehicle access and it is likely that the access area, in conjunction with the proposed soft landscaped buffer planting, could serve as an additional community amenity and street-play area. Each of the individual towers would also be served by a landscaped communal roof terrace.

- 8.29 Overall, officers feel that the scheme is well considered and has strong potential (subject to a robust process taking place at planning conditions discharge stage) to become a successful addition to the urban fabric of the adjacent Thornton Heath District Centre and railway station – with positive benefits for the setting and ultimate (more intensive) use and adjacent Iceland supermarket as demonstrated in the submitted Illustrative Masterplan.
- 8.30 The site is not subject to any specific heritage designations. Whilst the nearest heritage asset to the site is Thornton Heath Clock-tower, its local view designation would not be affected by the proposed development.

Housing Quality for Future Occupiers

- 8.31 All of the proposed new units would comply with or exceed the internal dimensions required by the Nationally Described Space Standards (NDSS) with all units being dual aspect. All the ground floor flats would have private external amenity spaces in the form of private rear gardens that would meet minimum standards. All of the upper floor flats would have balconies that would also meet minimum standards. There would provision made for landscaped communal amenity roof terraces with raised planters and seating on each of the towers; the ground floor shared surface would provide a dual function, firstly allowing a turning head to be provided for delivery, refuse, servicing, and emergency service vehicles, and secondly allowing the area to be used as an informal recreation area and play street to provide children's play space. The boundary fence enclosing ground floor amenity areas (ground floor flats facing out onto the railway) would be located 4 metres from the operational rail land. It is important that this boundary treatment not only provides privacy – but acts as a further sound barrier. Overall, the internal layout and arrangement of the proposed flats would make the best use of available floor space.
- 8.32 A noise impact assessment was submitted with the application. It concluded that no adverse effect would result to residential occupiers from the nearby railway lines/railway station if adequate mitigation is put into place (i.e. sound resistance measures such as double-glazing to attenuate noise). The actionable mitigation measures set out in the noise impact assessment can be secured by condition.
- 8.33 Conditions are recommended to protect future residents from undue noise and disturbance that could result from the proposed commercial uses. These would include:-
- Restrictions on the hours of operation of commercial uses.
 - Requirements for sound proofing between commercial and adjacent ground and first floor residences.

- 8.34 Each of the towers are proposed to be served by separate stair cores, each of which would have step free pedestrian access. In terms of accessibility, the London Plan sets requirements for 10% of homes to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. 6 dwellings (10%) have been designed as wheelchair accessible flats to meet M4(3) building regulation standards.
- 8.35 A daylight and sunlight analysis report was submitted with the application. It concludes the levels of daylight that would be achieved within the proposed habitable rooms in the new dwellings would satisfy the targets in the British Standard Code of Practice for Daylighting and Appendix C of the BRE Guidelines. It therefore demonstrates that the future occupants of those habitable rooms would have acceptable daylight amenity. Officers concur with the findings of the report.
- 8.36 Overall, the proposed development could provide an interesting and pleasant place to live for future occupiers – situated within a sustainable location, well connected to local amenities as well as public transport options. The proposed shared surface in front of the building would provide activity on the site and the commercial units could provide potential employment opportunities for some of the future occupiers. The shared surface and communal roof terraces could also provide places for residents to congregate and get to know one another. The site is conveniently located for Thornton Heath District Centre and as a consequence, has access to public transport and local shops and services. Effectively, a community within a community could result from the proposed scheme and this type of mixed use arrangement would be fully sustainable and should help reduce the need for travel.

Residential Amenity for Neighbours

- 8.37 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. The primary properties that would be affected by the proposed development are the adjacent dwellings to the south-west of the site on Melfort Road.

Daylight and Sunlight Effects

- 8.38 The daylight and sunlight analysis report submitted with the application concludes that although there would be several technical transgressions of the BRE Guidelines, none of the shortfalls would be materially below the BRE recommendations. The properties that front Melfort Road have a relatively open outlook to the north-east (looking out over the scaffold yard and the railway line beyond and already receive high levels of natural daylight. The worst case infringements would bring to the VSC levels below 27% threshold – which would mean that the change would be noticeable – although in view of the urban context and the general expectation that daylight would be infringed when larger building mass is promoted and proposed, reductions in daylight are to be expected. Even

with this, a 22% (worst case) VSC would still provide reasonable light levels for a urban typology. As the rear of Melfort Road properties face north of due east, sunlight impacts are not relevant. These numerical results therefore demonstrate that there would be no unreasonable impact on existing neighbouring amenity. Officers concur with the findings of the report.

Privacy Implications

- 8.39 The south-western flank elevation of the singular 6 storey tower block would be sited approximately 17.5 metres from the north-eastern rear elevations of the nearest houses on Melfort Road. The proposed north-west elevation to this proposed building would be generally imperforate and any side-on views from the recessed balconies would be restricted through use of privacy screens and landscaped features located on the roof top areas.
- 8.40 The south-western frontage of the 7, 8 and 9 storey towers would be sited between 22.94 metres and 25.94 metres from the north-eastern rear elevations of the nearest houses on Melfort Road.
- 8.41 Overall, there would be no adverse loss of privacy, outlook or daylight/sunlight as a consequence of this proposed development and the proposed distances between buildings would be suitably generous (for an urban setting).
- 8.42 With the recommended planning conditions, noise and disturbance associated with commercial uses should be suitably managed and should suitably protect future residents and existing residents living adjacent to the site. Whilst noise and general disturbance would result from demolition and construction works, a condition is recommended to ensure that a construction logistics plan is submitted for approval to manage and minimise disturbance.

Parking, Access and Highway Safety

- 8.43 The development would effectively be a 'car-free' development, albeit accommodating 2 car parking spaces allocated for disabled use. The Council would secure as a condition the provision of two electric vehicle charging points (one active and one passive) for these parking spaces. The Council would also seek provision of an on-site car club space with 3 years free membership for future residential occupiers. This matter could be secured as part of a S106 legal agreement and condition.
- 8.44 The proposed car-free development would accord with the London Plan standards that state all new developments in areas of good public transport accessibility should aim for significantly less than 1 space per dwelling. The site's close proximity to amenities and public transport would promote sustainable travel rather than single occupancy car use. Access to the adjacent railway yard would be protected and retained and arrangements would need to be satisfactorily agreed with Network Rail bearing in mind that development is proposed in close proximity to an operational railway.

- 8.45 A full transport assessment was submitted with the application. The number of trips expected to be generated by mode by the proposed scheme was calculated using the TRICS database and examining the National Traffic Survey. According to the TRICS assessment, the current site activity generates in the order of 16 daily vehicle trips, with 2 two-way trips in the AM peak and 0 trips in the PM peak. Of these 16 trips, there are also expected to be in the order of 3 other goods vehicle (OGV) trips to and from the site each day. As the residential element of the development is proposed to be car free, it has been assumed that all journeys made by residents will be via sustainable means. This is also likely to be the case for the office/commercial space although, for the sake of robustness, a TRICS Multimodal investigation was carried out to assess the likely impact of this element of the proposals. The trip generation analysis has assumed that the 2 disabled parking spaces are used overnight by residents and that these all depart for work in the AM peak and arrive back in the PM peak. The TRICS assessment shows it would generate 1 car movement for the commercial uses in the morning peak hour and 4 residential car movements split between AM and PM. Therefore, the transport assessment concluded that the number of vehicle trips would decrease as a result of the proposed development.
- 8.46 The forecast traffic flows and profiles of arrival and departure, plus the close proximity of the site to Thornton Heath Train Station and several bus routes on Brigstock Road and High Street should ensure that there would be no adverse material impact on the parking provision on the local road network. The site is adjacent to roads which are in a Controlled Parking Zone and the S106 Agreement makes provision to restrict the issue of resident parking permits to future residential occupiers (except disabled persons) of the development.
- 8.47 The development would be accessed via the existing access into the site, which measures approximately 5.7m wide at the entrance and leads directly onto the internal site access road that serves the Iceland store which itself is approximately 7m wide. The internal access is intended to be a shared surface with the main section of road measuring 4.1m in width, widening to an effective width of 6.1m when taking into account the footway that is flush with the carriageway. These dimensions would allow vehicles to pass one another without conflict. The proposed access would also utilise the existing bell-mouth entrance serving the site and adjacent Iceland store which is approximately 5.6m wide. This is an established access that would accommodate both vehicle movements associated with the Iceland store as well as those associated with the existing site including construction material delivery. The internal access road leading to the site is under the applicant's ownership, and it is proposed to be improved and upgraded to suit the future end users.
- 8.48 The transport assessment submitted with the application contains a swept path layout of a Fire Appliance that demonstrates that the vehicle can enter and leave in a forward direction, utilising the hammer-head at the northern end of the site for a three point turn. The fire appliance can therefore get within the required distance of the dwelling entrances.
- 8.49 A total of 100 cycle parking spaces for residents and 18 cycle parking spaces for visitors would be provided. Provision could also be secured by condition made

for charging for electric cycles and mobility scooters. The cycle storage provision would comply with the minimum standards set out in the London Plan.

- 8.50 A construction logistics plan and a delivery and servicing plan would be required for the proposed development. Full details can be secured by condition. In respect of the construction the proposal would also be subject to a financial contribution of £5,800 towards combating and monitoring air quality.
- 8.51 Transport for London were consulted on the application and had no objection to it subject the full constructions logistics plan and full delivery and servicing plan being secured by condition.
- 8.52 Residential refuse storage is proposed in two locations in the site. It is considered that refuse vehicles could enter and exit the site in a forward gear and turn safely, Full details of refuse vehicle tracking can be secured by condition together with a Refuse Management Plan. Officers are satisfied that these arrangements would operate effectively and in accordance with the Council's standard refuse collection and storage arrangements.

Flood Risk

- 8.53 The LLFA has no objection to the development subject to a condition requiring compliance with the submitted Flood Risk Assessment & Surface Water Drainage Strategy and further information being submitted for approval with regard to the detailed designs of a surface water drainage scheme.

Sustainability

- 8.54 Policy seeks high standards of design and construction in terms of sustainability and sets out Local and National CO₂ reduction targets. An Energy Assessment/Sustainability Assessment has been provided, showing that whilst the minimum 35% on-site CO₂ reductions beyond Part L of 2013 Building Regulations can be achieved (meeting local policy requirements through on-site energy efficiency measures and renewable technologies) zero carbon cannot be achieved on site. The remaining shortfall will therefore be offset through a cash-in-lieu contribution of £76,093 secured through the Section 106 Agreement.
- 8.55 Planning conditions are recommended to finalise the design as well as to demonstrate the CO₂ and water use targets have been met following construction.
- 8.56 The residential part of the development proposes a range of sustainable design and construction features including:
- High performance building fabric and energy efficient lighting, services and equipment.
 - Passive design measures to reduce energy demand for heating, cooling, ventilation and lighting.
 - Combined Heat and Power, Photovoltaics and Air Source Heat Pumps.

- Water saving sanitary fittings and appliances to deliver a water efficient development.
- The use of materials with a low lifecycle environmental impact and embodied energy;
- Efficient construction and operational waste management.

8.57 The commercial uses will be expected to meet a BREEAM rating of “Excellent” – which will be secured through the use of a planning condition.

Trees, Landscaping and Biodiversity

8.58 There are no trees on the application site. There are several self-seeded trees on adjacent railway land to the north-east but they are not protected and it is considered they would not be compromised by the proposed development.

8.59 The indicative landscaping scheme shows soft and hard landscaping at ground floor and a shared surface which could be used as a play street for children. Each of the towers would also benefit from a fully landscaped roof terrace. Full details of hard and soft landscaping would be required (as reserved matters) as well as measures to promote biodiversity therein.

Other Matters

CIL

8.60 The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Employment and Training Strategy

8.61 An employment and training strategy and contribution would be secured through a legal agreement to ensure the employment of local residents during construction and potentially at the end user phase.

Conclusions

8.62 Given the Council promotes the re-provision of commercial uses on employment sites and given the significant need for housing within the Borough, and given the site is adjacent to a District Centre, then the principle of this mixed use development is considered acceptable within this area. The proposal provides affordable housing with both London Affordable Rent and Shared Ownership tenures being delivered.

8.63 The proposed design would respect the character and appearance of the area and would represent a sensitive and sustainable intensification of the site. Whilst it is acknowledged that the mass of built form would be greater than the existing structures of site, the proposal would be in context with the surrounding environment. The applicant has demonstrated through an Illustrative Masterplan that similar enhancements could be provided to the adjacent part of the Proposal

(i.e. Iceland and its car park). The proposal would have no significant harmful impact on the amenities of the adjacent properties and the application demonstrates that the impact on the highway network would be acceptable. Officers are therefore satisfied that the scheme is worthy of a planning permission.

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