

PART 6: Planning Applications for Decision**Item 6.7****1 APPLICATION DETAILS**

Ref: 19/03604/FUL
 Location: 29-35 Russell Hill Road, Purley CR8 2LF
 Ward: Purley and Woodcote
 Description: Demolition of existing residential dwellings and erection of 2 buildings, comprising of 106 new apartments, with associated hard and soft landscaping, access and car parking.
 Drawing Nos: 18-071-P001 rev A, 18-071-P002, 18-071-P003, 18-071-P004 rev A, 18-071-P005 rev G, 18-071-P006 rev E, 18-071-P007 rev E, 18-071-P008 rev E, 18-071-P009 rev A, 18-071-P010 rev D, 18-071-P011 rev D 18-071-P012 rev D 18-071-P013 rev D, 18-071-P014 rev D, 18-071-P017 rev D, 18-071-P018 rev D
 Applicant: Justin Homes Britain (Russell Hill Road) Ltd
 Agent: Isobel McGeever, Icen Projects
 Case Officer: Richard Freeman

	1 bed	2 bed 3 person	2 bed 4 person	3 bed	Total
Market Flats	35	9	24	4	72
Shared Ownership	12	0	11	11	34
Totals	47	9	35	15	106

Number of car parking spaces	Number of cycle parking spaces
20 (including 5 disabled spaces)	184

- 1.2 This application is being reported to Planning Committee at the Director of Planning and Strategic Transport's discretion, given the close relationship between this scheme and the neighbouring scheme at 37 Russell Hill Road which appears elsewhere on this agenda.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site currently comprises four detached houses in a residential area. The proposal would replace the detached houses with 106 flats of which at least 35% by habitable room would be affordable housing as (London Shared Ownership units) thereby providing for a significant increase in new homes and affordable homes within an existing established residential area.
- The site is located on the edge of Purley District Centre, in an area with a PTAL of between 3 and 5. As such, it represents a sustainable location for a significant development, within close walking distance of Purley District Centre and the multitude of services which it offers.

- The site is within the Purley Place Specific Policy area which promotes developments of up to 3 – 8 storeys. The two buildings would be 5-7 and 6-7 storeys in height (taken from entrance level) and would respond to the four storey height of the adjacent Sunrise Purley Care Home, land level changes and the proposed scheme at 37 Russell Hill (which appears elsewhere on this agenda). The height and proposed massing would be acceptable given the site's location and the character of the area. The detailed design would be acceptable subject to conditions including the desire for the development to utilise high quality materials, detailing and landscaping.
- The proposed development would have an acceptable impact on the living conditions of existing neighbouring properties. Being a tall building located to the south of the proposed scheme at 37 Russell Hill Road, it would have an impact on light and outlook of some units in that scheme but the impact is (on balance) acceptable.
- The standard of residential accommodation would be acceptable, with all units meeting the Nationally Described Space Standards (NDSS). Units would generally have their main outlook to front and rear, with acceptable light and outlook. All units would have private amenity space and there would be relatively generous communal amenity space providing a variety of functions.
- 20 vehicle parking spaces are proposed alongside 184 bicycle parking spaces. The proposed access to the development would be acceptable. The scheme would provide for 2 off-site car club spaces, localised double-yellow lines near to the access, on-street electric vehicle charging points and future works to mitigate additional traffic flows and monitor parking stress
- The proposal would comply with the London Plan (2016) energy hierarchy and would provide a carbon offsetting payment to meet the Mayor's requirement for all new homes to be zero carbon.
- Suitable planning obligations and conditions have been recommended in order to ensure that the proposed development does not have an adverse impact upon either air quality or the risk of flooding.

3 RECOMMENDATION

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

- A. The making of a resolution by Planning Committee to grant the scheme at 37 Russell Hill Road (LBC Ref 19/00467/FUL)
- B. The prior completion of a legal agreement to secure the following planning obligations:
 - a) Provision of 35% affordable housing (London Shared Ownership tenures)
 - b) Carbon off set payment
 - c) Air Quality mitigation contribution
 - d) Contribution to pooled car clubs and electric vehicle charging points
 - e) Provision of a Travel Plan
 - f) Skills, training and employment strategy and a contribution
 - g) Section 278 Highway works
 - h) Contribution to Healthy Streets & Vision Zero Initiative
 - i) Car parking permit restrictions
 - j) Demolition of 37 Russell Hill Road to go ahead prior to erection of the first slab of this scheme

- k) Monitoring fees
- l) Any other planning obligation (s) considered necessary by the Director of Planning and Strategic Transport

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

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

Conditions

- 1) Implemented in accordance with drawings
- 2) Commence within three years of the date of permission
- 3) Submission of a detailed construction methodology including vehicle access and environmental management plan
- 4) Further details of facing materials, balconies, façade, window reveals, soffit and elevational details to be submitted
- 5) Further details of landscaping, materials, lighting, boundary treatments, child play areas / communal amenity areas, tree pit design and soil type, as well as a maintenance/management plan, to be submitted
- 6) Submission of details of SuDS
- 7) Submission of a contaminated land assessment
- 8) Further details of active and passive electric vehicle charging points (EVCP) to be submitted
- 9) Submission of a detailed delivery and servicing plan, including refuse strategy
- 10) Sustainable development carbon reduction to be met
- 11) Submission of further details of bicycle and bin stores
- 12) Submission of further details on parking, turning, blue badge spaces, visibility splays and sight lines
- 13) Submission of parking management plan
- 14) Submission of a detailed public art strategy
- 15) Submission of a lighting strategy
- 16) Submission of detailed ecological enhancements
- 17) Submission of noise assessment
- 18) 10% of units to meet Part M4(3), with remaining units to meet Part M4(2)
- 19) Water efficiency targets to be met
- 20) Implemented in accordance with tree protection measures
- 21) Noise from any air handling units, mechanical plant, or any other fixed external mechanical to be at least 10dB below existing background noise levels
- 22) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Council's 'Construction Code of Practice 2015' and the Mayor of London's 'Control of Dust and Emissions during Construction and Demolition' SPG 2014
- 2) Subject to legal agreement
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport
- 4) Thames Water – waste water assets

- 4.2 The application site lies within an Archaeological Priority Area as identified by the Croydon Plan. The site lies in a PTAL of 3-5 and the trees beyond the rear boundary are protected by way of a tree preservation order.

Planning History

- 4.3 There is no relevant planning application planning history for this site.

Neighbouring site at 37 Russell Hill Road

LBC Ref 19/00467/FUL: Demolition of the existing building and erection of a building ranging from 2 - 8 storeys, with basement, to accommodate 47 residential units; formation of associated access, landscaping, parking, refuse and cycle storage.

Pending decision at this Planning Committee. These two applications are linked and must be delivered together. This will be further discussed in the considerations section.

Proposal

- 4.4 The proposed development would involve the demolition of the existing dwellings and the construction of two new buildings of 5-7 and 6-7 storeys in height – measured from entrance level. There would be an additional basement level to Block A (the southerly block). The two blocks are broadly T-shaped and each block would provide:

Block A

- 50 units in a 5-7 storey building
- An entrance at lower ground level to 6 flats, a carpark of 20 vehicle spaces, 184 bicycle spaces and a bin store and plant room
- A lower ground floor - two flats and a plant area
- A ground, first, second and third all with the same layout providing 8 flats per floor and a fourth and fifth floor which both step away from the southern site boundary

Block B

- 56 units in a 6-7 storey building
- An entrance at ground floor (one level above Block A) to 7 flats and a refuse store
- A lower ground level as described in Block A
- A first, second, third, fourth and fifth floor of broadly the same layout providing 8 flats per floor
- A sixth floor of only the frontage section of six flats

- 4.5 The mix of units would be as set out in the first section of this report. 35% of the scheme would be affordable housing proposed as London Shared Ownership intermediate tenure.
- 4.6 Three areas of communal space would be provided to the rear, in-between and to the rear of blocks providing an area of open space and seating, an amphitheatre and children's play area and an allotment/growing space. All spaces would be linked together and all units would have access to all spaces. A pedestrian access to Russell Hill to the north would be provided to the rear of the scheme proposed for 37 Russell Hill Road.

- 4.7 Amended plans were received in the course of the application which were re-notified to local residents. They made a number of changes including to the colouration of the materials, reducing the rear section of Block B, increasing the landscaping, removing areas of screening to reduce the massing and provide additional details of relationships.

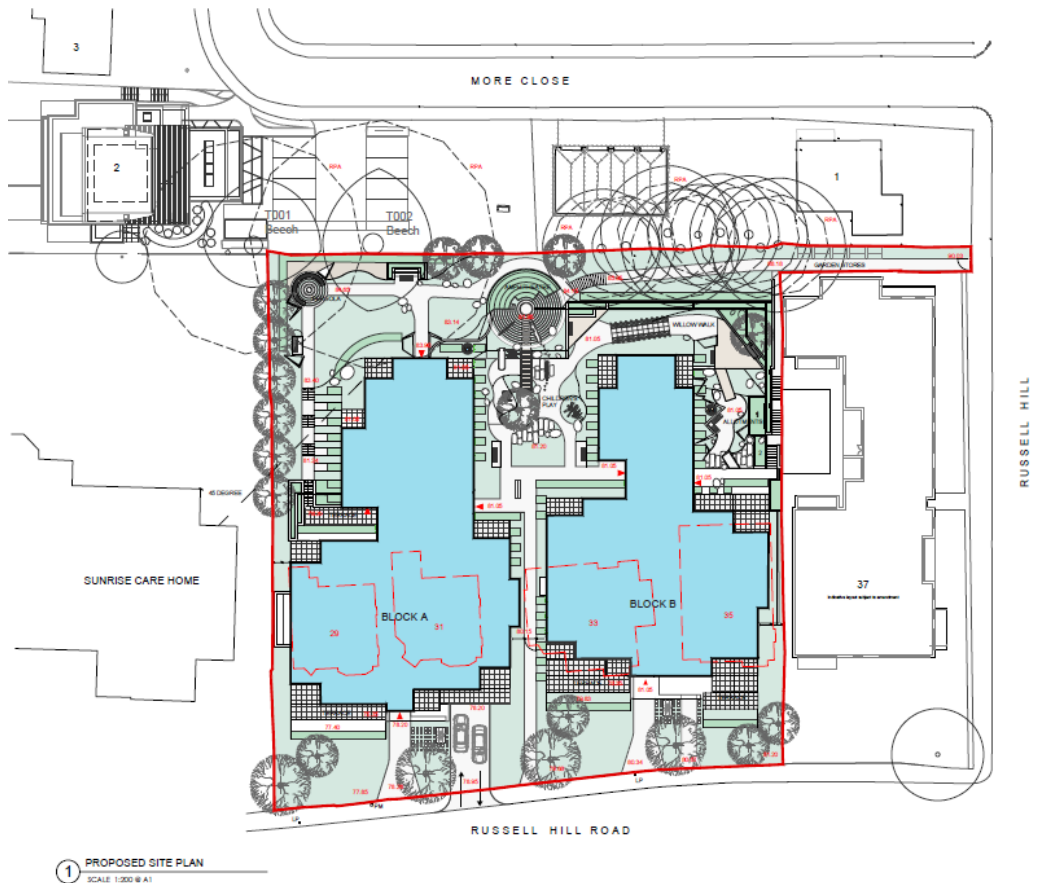


Figure 2 Proposed site plan (including proposed scheme at 37 Russell Hill Road (on right hand side))

5 CONSULTATION RESPONSE

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

Lead Local Flood Authority (Statutory Consultee)

- 5.3 No objection subject to conditions on detailed designs of surface water drainage scheme [OFFICER COMMENT: Conditions are recommended]

Historic England (Archaeology) (Statutory Consultee)

- 5.4 No objections raised to the works on the basis that the submitted assessment shows that there is no discernible archaeological potential. No conditions required.

Thames Water

- 5.5 No objections raised, subject to the developer following the surface water drainage hierarchy (which they intend to) and informatives relating to waste water infrastructure and groundwater discharges to the public sewer (which are recommended).

Pollution Control

- 5.6 No objections subject to conditions including construction logistics, delivery and servicing, contaminated land assessment, a noise survey, control of noise from air handling units and external lighting

6 LOCAL REPRESENTATION

- 6.1 A total of 36 neighbouring properties were notified about the application and invited to comment and the application was also advertised by site notice and 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: 11 Objecting: 10 Supporting: 1

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

Summary of Objectors Concerns	Officer's Response
Purley is generally 3 storey. The height of the proposal is contrary to policy	The height accords with the Purley Specific Policy. Addressed in more detail in section 8.12 of the report.
Modern appearance out of keeping with the character of the area.	Addressed in section 8.15 of the report.
Reducing family home-houses needed not flats	The proposal includes 47% family homes.
Overlooking and loss of privacy	The development would not cause an unacceptable loss of neighbouring privacy.
Loss of light to surrounding properties	The development would not cause unacceptable loss of light and daylight to neighbouring properties.
Overly dense development	The location on the edge of Purley is considered appropriate for a substantial development
Detrimental impact on trees and vegetation and insufficient garden space.	There is a replacement planting and landscaping scheme. The trees which are to be removed are of low quality. Adequate amenity space is provided.
Impact on parking and highway network	The proposal provides adequate parking and a contribution to highways improvements. The impact on the highway network both cumulatively and in light of school and nursery traffic is acceptable

Increase in noise and disturbance and pollution	It is not considered the proposal would generate significant levels of noise disturbance, pollution and litter given the residential nature of the development and its location.
Noise, disruption and pollution impacts during construction	A construction logistics plan is recommended to be secured via condition.
Insufficient capacity of local infrastructure and transport	The proposed development would be CIL liable and would thus contribute towards such infrastructure.
Why are brownfield sites not being utilised and why is Purley a target for development	The site is itself a previously developed site. The Local Plan identifies how the identified housing need can be met, which includes a third of new homes coming from “windfall” sites such as these. Purley is considered an appropriate location for development as it provides a wide range of services.
Existing properties do not sell and devaluing properties	Not a material planning consideration

6.3 Purley and Woodcote Residents Association have supported the proposal on the following grounds:

- High density housing immediately adjacent to or contiguous with the District Centre is supported as an important element of regenerating and revitalising the District Centre
- This is a more appropriate form of development than small flat schemes or larger schemes further from the District Centre which are out of keeping and result in highway impact
- Request that adequate car parking is provided and high quality external materials

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 Croydon Local Plan (2018), Mayor's London Plan (2016) and the South London Waste Plan (2012). Details of the relevant policies and guidance notes are attached in Appendix 1.

National Guidance

7.2 Government guidance is contained in the National Planning Policy Framework (NPPF), revised 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:

- Delivering a sufficient supply of homes;
- Promoting healthy and safe communities;
- Promoting sustainable transport;

- Making effective use of land;
- Achieving well-designed places

Development Plan

- 7.3 The Development Plan comprises the London Plan 2016, the Croydon Local Plan 2018, and the South London Waste Plan 2012. The relevant policies to this proposed development have been listed in Appendix 1 of this report.
- 7.4 A replacement Draft London Plan has been subject to public consultation and Examination in Public commenced in January 2019. The current 2016 London Plan is still the adopted Development Plan and although the Draft London Plan is a material consideration in planning decisions at present it carries limited weight – although with the publication of the Panel Report, its weight has increased.

8 MATERIAL PLANNING CONSIDERATIONS

- 3.4 The main planning issues raised by the application that the committee must consider are:
- 1) Principle of Development
 - 2) Housing (mix and affordable)
 - 3) Townscape and Visual Impact
 - 4) Impact upon Neighbours
 - 5) Housing Quality for Future Occupiers
 - 6) Trees and Landscaping
 - 7) Transport
 - 8) Other Planning Issues

Principle of Development

- 8.1 The London Plan (2016) sets a minimum ten year target for the borough of 14,348 new homes over the period of 2015-2025. The Croydon Local Plan (2018) sets a minimum twenty year target of 32,890 over the period of 2016 to 2036. The site has an area of 0.39 hectares and the development would provide 106 units and 276 habitable rooms, equating to approximately 295 u/ha or 767 hr/hectare. This is above the density range of 200-700 hr/hectare suggested within the London Plan's SRQ matrix (Policy 3.4) for an urban location with a PTAL of 4-6. It is recognised within London Plan Policy 3.4 that an appreciation of density "...is only the start of planning housing development, not the end" and specifically states that "it is not appropriate to apply Table 3.2 mechanistically" as other factors will also inform the most suitable density of a scheme within a given local, taking account of design and residential quality, accessibility, infrastructure and play-space/amenity. The site is located on the edge of a District Centre, with a Place Specific Policy which advocates building heights of those proposed. As such the density is considered to be appropriate.
- 8.2 The proposed development would create additional residential units that would make a contribution to the borough achieving its housing targets as set out in the London Plan (2016) and Croydon Local Plan (2018). The site has good access to public transport, local shops and services and is therefore well placed for high density residential-led development. The principle of the development should therefore be supported.

Housing Policy

Mix

- 8.3 Policy SP2.7 sets a strategic target of 30% of all new homes up to 2036 to have three beds or more. The policy sets a specific target for major developments based on the character of the area and PTAL rating. 15 of the proposed units would be 2 bed units which would amount to 14% of the total number of units. There are 35x2 bed four person units and as such 33% of the units would be 2 bed, 4 person units.
- 8.4 For this site which is an Urban Area with PTAL 4, the target would be 60%. The policy does allow for two bed four person units to be provided in lieu of three bed units when within the first three years of the plan, where a viability assessment has demonstrated that larger homes would not be viable. Policy DM1.1(a) also states that 'where there is agreement with the associated affordable housing provider that three or more bedroom dwellings are neither viable nor needed as part of the affordable housing element of any proposal...' there can be an exception to the minimum percentage of three beds. In this case, whilst not fully complying with the housing mix, 47% of units would be designed for families and the registered provider has confirmed that the mix is agreeable and meets their needs. Increasing the number of three bed units would reduce viability and prevent the development providing the optimum amount of affordable housing in line with policy requirements.

Affordable Housing

- 8.5 London Plan (2016) policy 3.9 is clear that communities which are mixed and balanced by tenure and household income should be promoted across London, through incremental small scale as well as larger scale developments which foster social diversity, readdress social exclusion. In relation to tenure, London Plan policy 3.10 defines affordable housing as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. The need for affordable housing is so acute, the Mayor of London (via London Plan policy 3.11) requires Borough's to set affordable housing targets.
- 8.6 The Croydon Local Plan (2018) requires the Council to seek a minimum of 30% affordable housing, but to negotiate to achieve up to 50% affordable housing (subject to viability) and to seek a 60:40 split between affordable rented homes and intermediate homes.
- 8.7 A viability appraisal was originally submitted with the scheme which argued that no affordable housing on the site was viable. Notwithstanding that, the applicant offered 15% of units as shared ownership. The applicant's appraisal has been independently assessed by the Council's viability consultant who, whilst raising some queries around the individual inputs and assumptions, concluded that the scheme would be in deficit to the tune of £2M (all private sale) and a £9M deficit with a policy compliant amount of affordable housing (50%). As such, the viability consultant concluded that the 15% affordable housing offer represented a reasonable proposition given the policy position.
- 8.8 Officers raised concerns that a 15% affordable housing offer, as shared ownership, would not have accorded with the policy *minimum* (the minimum 15% should be at a 60:40 tenure split and have a review mechanism) and that given the scale of the scheme, additional affordable housing was necessary to enable proper consideration

of the issue in the balance – when reviewing the significance of the various other planning considerations and the more challenging elements of the proposed development. Whilst the difficulty of site assembly is recognised, given the significant need for affordable housing (the text of the Croydon Local Plan 2018 sets out that in fact 91% of homes need to be affordable homes for residents on lower incomes) a higher proportion of affordable housing is secured to help in the delivery of sustainable development and mixed and balanced communities.

- 8.9 Following discussions with PA Housing (a Registered Provider) the applicant has offered an improved affordable housing offer of 35% by habitable rooms at the London Shared Ownership intermediate tenure. This represents a significant improvement over the original offer and is supported by a Registered Provider and meets their needs. As such, the proposal is acceptable with this provision of affordable housing.
- 8.10 Members should be aware that it is the intention of PA Housing to provide both this scheme and the scheme at 37 Russell Hill Road as 100% affordable housing (with 37 being provided as 100% London Affordable Rent and this scheme being 100% London Shared Ownership) on the basis of receiving grant funding from the GLA, which requires a resolution to grant and the issuing of a planning permission before the end of the calendar year. Whilst Members should be aware of this intention, this would not be secured through the planning legal agreement and should not be given weight in the decision making process on the planning application.
- 8.11 In conclusion, with the support of a Registered Provider, the affordable housing offer on this scheme has been increased to 35% London Shared Ownership, which would be secured through a legal agreement and is acceptable.

Townscape and Visual Impact

- 8.12 The existing property is not protected from demolition. As such, it could be demolished under existing permitted development rights through the prior approval process without planning permission. The demolition of the existing building is acceptable subject to conditions. It is important to note that the Place Specific Policy for Purley (DM42.1) states that within Purley District Centre and its environs, to ensure that proposals positively enhance and strengthen the character and facilitate growth, developments should:
- a. Reinforce the continuous building line which responds to the street layout and include ground floor active frontages;
 - b. Complement the existing predominant building heights of 3 to 8 storeys, with a potential for a new landmark of up to a maximum of 16 storeys; and demonstration of innovative and sustainable design, with special attention given to the detailing of frontages.
- 8.13 The development is made up of two blocks, joined at basement level; the block heights would step up along Russell Hill Road – towards its junction with Russell Hill. This approach would allow the development to successfully balance its role at the periphery of the District Centre, between the suburban 2-3 storey properties and the more varied but generally taller building heights that surround Purley District Centre, where properties extend up to seven storeys in height which is in accordance with DM42.1

above. The development would form a coherent street-scene with the height of the care-home to the south and would respond to the topography. When taken together with the development at 37 Russell Hill Road, it would form a self-contained urban block from the care-home to Russell Hill and consequently, would allow for a coherent approach to building heights to be taken along this stretch of Russell Hill Road.

Figure 3 Streetscene elevation showing existing carehome on left and 37 Russell Hill Road scheme on right.



- 8.14 The front section of the buildings would align with the front building line of the adjoining development at 37 Russell Hill Road and the care-home to the south. This would ensure that the development would not be dominant in views along the road. The layout would complement this adjoining development to ensure a comprehensive approach has been applied across both sites.

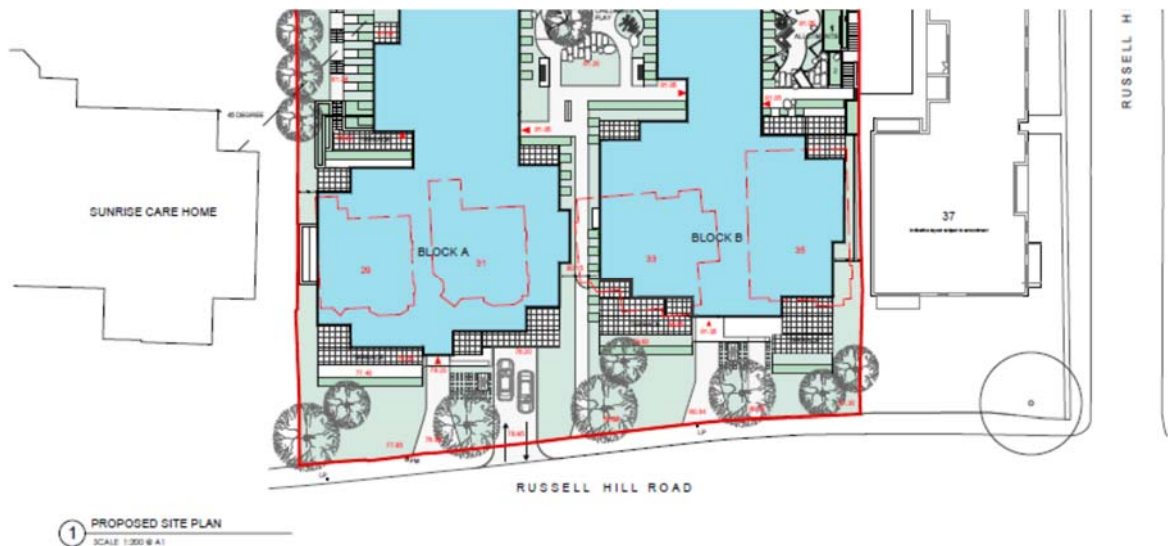


Figure 4 Site plan showing front building line

8.15 The two buildings have been designed as broadly T-shaped blocks which would allow for the most to be made of the frontage to Russell Hill Road and provide a continuous building line as advocated by the policy listed above. The separation distance of 3m between the blocks is indicative of the spacing between the existing houses, although it is noted that the developments are clearly a lot larger than the existing buildings. This separation would allow for some visibility through the site. As set out above, the height of the buildings would accord with the Place Specific Policy and careful consideration has been given to the design of the blocks to reduce their overall massing. This has included stepping the blocks away from the care-home at higher levels (as shown in fig 2) and a lower front section of the buildings with the taller elements set behind the furthest forward element of the buildings. Additionally, this “pushing and pulling” of the front elevation would allow the massing to be read as four buildings, with the taller element receding towards the rear. Balconies contained within the front elevation have been position at the side of each “block” which would further reduce the apparent massing – especially being open in nature with light treatment to balcony detailing. Finally, the detailed design of the building has included areas of textured brickwork and hit/miss brickwork which has further broken down the front elevation. This has resulted in a carefully balanced approach, providing a contemporary approach which responds to its context and carefully breaks down its massing in an appropriate fashion.



Figure 5 detailed design showing use of textured brickwork to break up the elevation of the building

- 8.16 Amendments have been made to make the entrance to the buildings more apparent, with the introduction of a horizontal white frame which would also act as a canopy. This has helped accentuate these entrances over the entrance to the car-park area.
- 8.17 Further discussions have been had regarding the choice of materials; the use of brick as the main building material is supported, being a long lasting hardwearing material with low maintenance requirements. Painted steel balustrates and railings are proposed to match the window frame colour, which are proposed as powder-coated aluminium frames in a grey colour. The overall palette of materials is supported and whilst the exact brick specification can be secured at discharge of condition stage, a scheme which uses three main bricks (as opposed to the four proposed) is considered

more successful. This makes the scheme appear less “busy” with one main brick used for the taller recessive elements, in a grey colour to have a relationship with the scheme at 37 Russell Hill Road and two red toned bricks used, one for each of the front sections. This would allow the taller element to appear more recessive and would emphasise the front sections and ties the palette into the surrounding area (through the use of red brick) and to the new development at 37 Russell Hill Road and the colouration of the half-timbering of the care-home.

- 8.18 With a planning condition to control the detailed design including brick and mortar colours, window recesses and soffit materials to balconies, the development is considered to be a modern high quality proposal and appropriate for a location on the edge of a District Centre.




Figure 6 CGI showing brick colouration

Impact upon neighbours

- 8.19 The site is located on the west side of Russell Hill Road, with Sunrise Purley care-home to the south; 37 Russell Hill Road (a detached house) currently the subject of a planning application to the north and 1a Russell Hill, an infill house and 2 More Close located to the rear at a higher level. No properties are located on the opposite side of the road and properties front Purley Way at a lower ground level.

37 Russell Hill Road

- 8.20 This property is currently a detached house sat at higher land level than the application site. As set out in the planning history section above, an application has been submitted for the redevelopment of the site for a 2-8 storey block of flats (47 units), which appears elsewhere on this agenda – for determination. As this scheme is currently under determination, both the existing and proposed scenario should be considered.

	1 - 37 Russell Hill Road (at a higher level)
	2 - 1a Russell Hill (at a higher level)
	3 - 2 More Close (at a higher level)
	4 - Properties fronting Purley Way (at a lower level)
	5 - Sunrise Purley carehome (at a lower level)

Impact on the proposed scheme (37 Russell Hill Road)

- 8.21 The two schemes have been designed in a complementary fashion and have a similar approach to massing, layout and fenestration, with the scheme at 37 Russell Hill Road taking advantage of its corner site characteristic. The height of the proposed scheme at 37 Russell Hill Road would be 2-8 storeys and so would be a similar height to the proposal.
- 8.22 Both schemes would have a number of windows which would face each other from a distance of approximately 3 metres (located towards the front of both buildings). All of the windows in the scheme at 37 Russell Hill Road would be secondary windows to habitable rooms and as such are proposed as obscure glazed fixed shut, as are those the subject of this proposed development (29-35 Russell Hill Road). Therefore, there would be no loss of privacy. All rooms would have sufficient outlook from other windows which are located at right angles to the boundary, facing to the front or rear.
- 8.23. Towards the rear of the sites, the buildings would step away from the boundaries and would be 18 metres apart where directly opposite, which would be sufficient distance to maintain outlook and privacy. Windows in the rear section of 29-35 Russell Hill Road would therefore not obscure glazed. Between the two blocks are areas of communal amenity space which would be overlooked by windows at upper levels. The protection of amenity space in DM10.6 relates exclusively to private amenity space and not communal space, as a degree of surveillance is preferable to communal areas.
- 8.24. The proposal would have a significant impact on the light to the units, especially those nearest the boundary and a specialist report has been undertaken. This considers the daylight and sunlight for future residents once both schemes have been completed. From the 75 windows tested, 37 would meet the BRE guidelines for the Vertical Sky

Component (VSC), the remaining 38 would not. Officers have considered there to be major impact on 19 windows (where the loss of daylight is reduced within 50% to 100% of the BRE guidelines). The Annual Probable Sunlight Hours (APSH) has also been tested, 31 windows would meet the guidelines for the required annual sunlight hours – with the remaining would not meet the guidelines. However, the rooms have been tested for their internal daylight and show that they all meet the relevant standard. Therefore, whilst the proposal would have an impact on light to these units, an acceptable standard of internal light would be retained.

Impact on Existing House (37 Russell Hill Road)

- 8.25. 37 Russell Hill Road is a detached two storey house with accommodation in the roof which sits at approximately the same level as the existing house at 35 Russell Hill Road. It has a number of first floor side facing windows which appear to serve principal rooms and a single storey extension at rear with no rear facing principal windows nearest to the boundary. As such, a significant amount of the outlook for bedroom windows relies on side facing windows.
- 8.26. Whilst side facing windows are offered less protection through the Suburban Design Guide, in this instance given the layout of the existing house and the height and mass of the proposed building, it is considered to have a detrimental impact on the light and outlook from these windows and have an impact on the property overall. Proposed windows opposite this existing window are to be obscure glazed and so no loss of privacy would result subject to conditions.
- 8.27. Windows located on the side elevation of the rear section of Block B would look towards the garden space of 37 Russell Hill Road at a distance of approximately 10 metres from the boundary. 10 metres is usually sufficient distance to ensure that direct overlooking of private amenity space does not occur (in accordance with policy DM10.6). However, given the number of windows and height of the building which would overlook this garden space, it is considered to result in a loss of privacy to this space which is protected by policy DM10.6.
- 8.28. As such, the proposal has an unacceptable impact on the existing house at 37 Russell Hill Road. As set out in the report for application (LBC Ref 19/00467/FUL), the proposed redevelopment of 37 Russell Hill Road is recommended for approval and would result in the demolition of this neighbouring house. Therefore a legal agreement would tie the development together so the proposal (at 29 - 35 Russell Hill Road) could not progress beyond first floor slab (the point at which the impact would become acute) until the existing property at 37 Russell Hill Road has been demolished and vice visa. This would ensure a comprehensive redevelopment across both sites and an acceptable mutual impact.

1a Russell Hill

- 8.29. This detached house is set approximately a storey above the proposed ground level. None of the windows would look directly towards this property, which is located to the north-west and would be over 25 metres away, with a screen of mature trees. The impact on privacy and outlook would therefore be acceptable. A detailed study has been conducted into the impact on the light of the windows most likely to be affected with loss of light considered to be minor and negligible, with sufficient internal light and sunlight hours retained. The rear facing windows would be at 45 degrees to the

proposal and face due south. Therefore the impact on light and outlook would be minimal. The impact on this property is therefore acceptable.

- 8.30. To the rear of 1A Russell Hill is a newly built infill bungalow. Its rear elevation would face onto the application site, opposite Block B and would be separated by 16.75 metres – again at an elevated position. It has a ground floor bedroom and a dining space in the rear elevation with the main kitchen, breakfast space and sitting room at the front. Two bedrooms are located in the roof with front dormers. The proposal would have some impact on this property as there would be less than an 18 metre window to window separation distance. The protected trees which run along the boundary between the two properties would give some protection from overlooking during summer and the existing boundary treatment would also screen the amenity space. The proposal would have an impact on privacy and light to this unit, but given the land levels between the properties and that most living spaces have unaffected forward facing windows, the impact is on balance acceptable.

2 More Close

- 8.31. This property has been granted planning permission for redevelopment as a two/three storey block of nine flats. As the development is to the north of this property, no sunlight impacts would occur. The nearest part of the building would be 22m away from the front elevation at a 45° angle. As such, there would be no discernible impact on daylight either and the separation distance would be adequate to ensure privacy is suitably retained. The permission to redevelop this house has not yet been commenced; the existing house is further away from the development (at 28 metres) and consequently, there would be an acceptable impact on this property as well.

Properties on Purley Way

- 8.32. These properties are located approximately 1 ½ storeys below the proposed level of the development and would be approximately 40m to the east. Therefore, there would be no significant loss of privacy or other impact on these properties.

Impact on Sunrise Carehome

- 8.33. This property is located to the south of the development site and would also be set at a lower level. There are no side facing windows contained within this property (looking towards the development site); all side facing windows in the section of the proposed development closest to the care-home would be obscure glazed with balconies screened. Where the proposed building extends further to the rear, it would be pulled away from the boundary (by 8.5 metres) and would be screened by both existing and proposed landscaping. The area which these windows look towards are an area of communal amenity space, which is not protected by policy DM10 from direct overlooking.
- 8.34. There are rear facing windows located at a distance of approximately 6 metres from the boundary; which would be over 13 metres from the proposed section of the building adjacent. Whilst the proposal would extend significantly deeper than the care-home, it would not break a line taken at 45° in plan from this window. Whilst the Suburban Design Guide does not apply to this scale of development, this “rule of thumb” is still relevant in showing that the impact on these windows would be acceptable.

Additionally a daylight and sunlight study shows that the loss of daylight would be negligible and that sufficient sunlight is retained.

Other Impacts

- 8.35. Given that the building is solely residential, there are no concerns that the proposed building would cause noise and disturbance levels that would be incompatible with the surrounding existing uses. Whilst concerns have been raised regarding the impact of construction; such impacts would only be temporary and should only be afforded limited weight. In order to ensure that any such impacts are minimised as far as reasonable possible, a condition requiring the submission of a detailed Construction Management Plan/Construction Logistics is recommended.

Housing Quality for Future Occupiers

Housing Standards

- 8.36. All of the proposed units would comply with the NDSS and all would feature external amenity spaces (in the form of balconies/terraces) which would provide a minimum depth of 1.5 metres (in accordance with the Mayor of London's Housing SPG). DM10.4 of the CLP states that they should be 5 m² with an additional 1 m² for each occupant over 2 people. All balcony spaces measure at least 5 m² but some do not provide the full additional 1m² per person. However, each unit deficient in external area has an equivalent extra internal area. Therefore and on balance, these units would have adequate facilities when taken as a whole. It should also be noted that some units would have generous internal and external areas in excess of the minimum standards.
- 8.37. Careful consideration of the internal layout has been given in order to ensure that future occupiers would be afforded good levels of outlook and privacy, with limited opportunities for overlooking within the development and with the developments adjacent. With a complicated built form and development set at a number of levels, it is perhaps inevitable that some units will have windows or amenity spaces in close proximity to communal areas or routes. In all instances, ground floor units would have defensible space or planted areas between them and communal areas to ensure that the level of privacy within the unit is acceptable.
- 8.38. All units in Blocks A and B would be located at or above the ground level apart from two units in Block A and 3 units in Block B. These units would face east and have light wells which accord with the Suburban Design Guide in terms of heights and angles to ensure that sufficient outlook is maintained.
- 8.39. As such it is considered that future occupiers of the proposed development will be afforded a good level of amenity.

Communal Amenity and Child Play Space

- 8.40. In accordance with Policy DM10.5, communal amenity space would be accommodated and is provided in three main spaces.
- An area at the rear of the site, adjacent to the southern boundary provides a grassed area and seating opportunities. It is accessible to all units and on the level from the

first floor of Block A. With planting controlled by condition, the boundary with the care-home to the south can be protected to ensure no overlooking occurs.

- A central space located between Blocks A and B provides child play space and an amphitheatre area. This has been designed as the heart of the landscaped area and would have a width of 15 metres. As such, it would be able to adequately accommodate the necessary formal play-space and any other areas of play would be able to be incorporated into the landscaping.
- Following amendments to the scheme which reduced the depth of Block B, a walkway now links the central space to the third space, situated to the north of Block B, which has been designed as an allotment area. All three spaces would therefore be step free.

8.41. The landscaping strategy has been developed – linked to various activities and would provide generous spaces and the level of play-space required by policy DM10, with over 1000 m² of usable communal space proposed. Conditions are recommended to secure full details of the landscaping, levels and play equipment, as well as sensitive lighting of these areas.

8.42. Given the height of the proposed buildings an overshadowing assessment has been conducted of the two main external spaces against BRE standards to achieve 50% of the space receiving 2 hours of sun in summer. The two largest spaces have been tested and would meet BRE guidelines. The space situated to the south would easily stratify the standards. Whilst the third space has not been tested, were it to fully fail the spaces overall would meet the criteria, which would be acceptable on balance, as all units would have access to all communal amenity spaces and play areas.

Accessible Housing

8.43. The proposed entrance to the development would be accessed from two communal entrances off Russell Hill Road. Stairs and lifts are provided to all floors. 11% of the proposed units (12 in total) would comply with Part M4(3) (Wheelchair User Dwellings) with the remaining units all being designed to comply with Part M4(2) (Accessible and Adaptable Dwellings). There would be 2 accessible parking spaces with level access to a lobby with a lift and all communal parts of the site are accessible without steps. The proposal fully meets London Plan policies in this regard.

Trees and Landscaping

8.44. There are a number of trees on the site and in adjacent gardens. In terms of the trees on the site, the application has sought to retain these trees where possible and integrate them into the landscaping. In total four Category B trees, 15 small Category C trees and one poor quality group would be removed. The Council's Tree Officer is satisfied with the removal and the replacement with 19 trees mainly located in the front garden area and along the southern boundary. Subject to conditions including full details of the landscaping and tree pits, the trees to be removed and landscaping replaced is acceptable.

8.45. There is a series of Category B trees protected by a TPO beyond the rear boundary, at a higher level. Satisfactory protection measures have been proposed which, with conditions, should ensure that the impact on these trees would be acceptable.

- 8.46. A carefully considered landscaping scheme has been submitted, with landscaping used to provide replacement planting, defensible planting to ensure privacy to ground floor units and additional planting to reinforce boundaries and prevent an unacceptable level of overlooking. The low level elements of the landscaping strategy has been designed to reflect the elevations, with the hit/miss brickwork reflected in small areas of shrubs and hedging. The landscaping also helps define the separate areas of communal amenity space. With conditions to secure details and a maintenance strategy, this is considered to be a high quality element of the scheme.

Transport, Parking and Highways

Trip Generation and Impact on Surrounding Transport Network

- 8.47. The access is proposed as being close to the centre of the site, which allows for adequate visibility splays to be provided and an acceptable distance from the proposed access to 37 Russell Hill. There are two existing access to garages, so the number of access points to the highway would be unchanged by the two proposals. The access is wide enough for two vehicles to pass. Therefore, given the numbers of trips likely to result, the visibility and location of the access, its impact on the highway network is considered to be acceptable.
- 8.48. The number of private vehicle movements which would result from the proposal has been estimated by considering the site's location close to the District Centre and comparing to the trip generation at other comparator sites recorded in the TRICS database of trip generation. This has estimated that the proposal would result in a maximum of 11 vehicle movements in the AM peak and 14 in the PM peak. It should be noted that these figures precede the amendments to the scheme and so would be lower due to the reduction in parking spaces. This impact on the local network would be acceptable.
- 8.49. Cycle parking is provided in accordance with the draft London Plan and so the proposal is likely to result in a significant generate of bicycle trips. Equally, given the site location close to Purley District Centre, a significant number of pedestrian trips are likely. Whilst the pedestrian infrastructure is adequate in the local area, there would be increased use of the junction between Foxley Lane and Russell Hill Road, as well as in the local area. It is proposed that a financial contribution is secured in order to improve the usability of these junctions and the network generally, for pedestrians and cyclists.

Deliveries and Servicing

- 8.50. A detailed refuse, serving and delivery strategy has been prepared. Bin stores are located at the entrance level of each building and are within the drag distance from refuse vehicles halted on the highway. However, given the presence of parking bays opposite and that the furthest bin is slightly further than the maximum "drag distance" a condition is recommended to require a detailed waste management strategy, with the use of a private company, if required.

Smaller domestic servicing can occur off the highway from the entrance to the carpark, with is wide enough for two vehicles to pass each other. A Delivery and Servicing Plan is recommended to be secured by condition.

Parking Provision

- 8.51. The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. In Outer London areas with low PTAL (generally PTALS 0-1), boroughs should consider higher levels of provision. Policy SP8.15 of the CLP states that in high PTAL areas in centres, car free development is encouraged. The site is on the edge of Purley District Centre and a number of the surrounding roads have restricted parking (such as Purley Way – which is a Red Route) or designated parking bays (such as More Close) and bays for permit holders or pay and display (Russell Hill).
- 8.52. The scheme as originally submitted proposed 30 parking bays, including parking on a forecourt from Russell Hill Road. Officers were concerned that this represented an over-provision of parking and dominated the site frontage and so the scheme was amended to propose 20 spaces in a basement.
- 8.53. The site has a PTAL of 3-5, but with 5 being the most appropriate figure. As such, whilst a car free development is not appropriate given that the site does fall outside of the District Centre, provision of parking spaces significantly below the maximum figure is appropriate. The provision of 20 parking spaces would allow for five to be provided as wheelchair spaces, allowing sufficient provision for the wheelchair units, in accordance with the draft London Plan and for one space per 3-bedroom unit. This is considered to be an appropriate level of parking provision given the location of the site in close proximity of Purley District Centre; it is entirely feasible for some residents, especially those in smaller units, would not need to use a car regularly.
- 8.54. In order to ensure that any overspill parking does not impact on the safe and efficient operation of the highway, a parking stress survey has demonstrated that there are a total of 140 parking spaces currently available in the immediate area, following a Lambeth Survey methodology. A number of these spaces are either Residents' Parking spaces or restricted spaces. Removing these spaces from the availability, results in an average of 89 spaces being available. The applicants Transport Statement has assessed the impact of approved, non-implemented, schemes in the local area (including the scheme at 37 Russell Hill Road); this shows that even taking into account a worst-case scenario of those developments resulting in significant overspill parking these would still be a significant number of spaces available – and the same factors which give rise to a conclusion that the parking generated with this scheme would be significantly less than the maximum also apply to those schemes. In order to ensure the free-flow of traffic, it is proposed to introduce double yellow lines locally close to the access, which would reduce the availability of on-street parking; this has been considered and still gives rise to an acceptable impact on the availability of on-street parking. In order to promote sustainable travel it is recommended that two on-street car club spaces are provided, funded by the applicant, which is included in the draft S.106 Agreement and which would result in a reduction in need for private vehicles in on-street bays.
- 8.55. There are a number of residents' parking spaces in the local area, notably opposite the site (where bays are mixed residents' parking and pay and display). As such, it is considered prudent by officers to ensure that future residents' of the scheme should not have access to residents' parking permits, so as to encourage further the use of sustainable travel measures and to limit further pressure being placed on the existing controlled parking arrangements.

8.56. Furthermore, a number of other highways and sustainable travel improvements are proposed, including:

- A review of parking stress and the controlled hours of parking in the locality to inform future CPZ provision
- Improvements in active and sustainable travel and the pedestrian environment in the area of the Foxley Lane and Russell Hill Road junction to facilitate pedestrian movements
- Contribution towards on-street electric vehicle charging points in order to encourage sustainable travel and minimise air pollution
- A Travel Plan monitoring fee to ensure that sustainable travel is encouraged in the development

8.57. With the above measures implemented, the impact of the scheme on the local highway situation is acceptable.

Other Planning Matters

Flooding

8.58. The site sits within Flood Risk Zone 1 (and thus is considered to be at a low risk of fluvial flooding) and the site is at a low risk of flooding from surface water and has the potential of groundwater flooding to occur at the surface. Infiltration SuDS techniques would be employed to deal with the excess run-off from the post developed site. The surface water run-off from the post developed site will be managed using precast ring soakaways. The proposed strategy reduces the risk of surface water flooding as far as it reasonably practicable. The LLFA has no objection to the proposal subject to a condition being imposed requiring the submission of a detailed strategy.

Sustainability

8.59. Policy SP6.2 requires new development to minimise carbon dioxide emissions, including that new dwellings (in major development proposals) must be Zero Carbon. As a minimum a 35% reduction in regulated carbon emissions over Part L 2013 is required, with the remaining CO₂ emissions to be offset through a financial contribution.

8.60. The proposed development would utilise solar panels on the main areas of flat roof, good levels of energy efficiency and insulation to reduce heating requirements and high efficiency heating units to achieve a 42.49% reduction in regulated CO₂ emissions. The remaining regulated CO₂ emissions shortfall would be covered by a carbon offset payment which would need to be secured through a S.106 agreement. A planning condition is recommended to secure compliance with the domestic water consumption target of 110 litre/person/day, to ensure sustainable use of resources.

8.61. London Plan Policy 7.14 (B) states that developments should minimise increased exposure to existing poor air quality and seek to contribute to addressing local air quality problems and Croydon Local Plan (2018) requires development to positively contribute to improving air, land, noise and water quality by minimising pollution. The proposal has been reviewed by the Council's Pollution Team and considered acceptable subject to the imposition of conditions. In addition in order to be acceptable a financial contribution is required to be secured via S106 agreement.

Ecology

- 8.62. In terms of wildlife and biodiversity, the applicant has submitted an Ecological Assessment and bat surveys and there is no evidence of protected species such as bats and badgers. A condition is recommended requiring measures to enhance Biodiversity such as the installation of integrated bat and bird roosts in the new building and further assessments of nesting birds.

Archaeology

- 8.63. An archaeological report submitted with the application concluded that due to the significant previous changes to ground levels there was no significant likelihood of archaeological impact. English Heritage concurred and concluded that no further work is required.

Other

- 8.64. 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. A financial contribution and an employment and skills strategy would be secured as part of the legal agreement.
- 8.65. The development would be liable for both Mayoral Community Infrastructure Levy (CIL) and Croydon CIL. The collection of CIL would contribute to provision of infrastructure to support the development including provisions, improvement, replacement, operation or maintenance of education facilities, health care facilities, and opens space, public sports and leisure, and community facilities.

Conclusions

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

Appendix 1: Planning Policies and Guidance

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

London Plan

Policy 3.3 Increasing Housing Supply
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and Design of Housing Developments
Policy 3.6 Children and Young People's Play and Informal Recreation Facilities
Policy 3.8 Housing Choice
Policy 3.9 Mixed and Balanced Communities
Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
Policy 3.13 Affordable Housing Thresholds
Policy 4.12 Improving Opportunities for All
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.3 Sustainable Design and Construction
Policy 5.4A Electricity and Gas Supply
Policy 5.7 Renewable Energy
Policy 5.9 Overheating and Cooling
Policy 5.10 Urban Greening
Policy 5.11 Green Roofs and Development Site Environs
Policy 5.12 Flood Risk Management
Policy 5.13 Sustainable Drainage
Policy 5.14 Water Quality and Wastewater Infrastructure
Policy 5.15 Water Use and Supplies
Policy 5.17 Waste Capacity
Policy 5.21 Contaminated Land
Policy 6.1 Strategic Approach
Policy 6.3 Assessing Effects of Development on Transport Capacity
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.1 Lifetime Neighbourhoods
Policy 7.2 An Inclusive Environment
Policy 7.3 Designing Out Crime
Policy 7.4 Local Character
Policy 7.5 Public Realm
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
Policy 7.14 Improving Air Quality
Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 7.19 Biodiversity and Access to Nature
Policy 7.21 Trees and Woodlands

The Mayor of London has published and adopted Supplementary Planning Guidance, of which the Affordable Housing and Viability SPG, Housing SPG, Play and Informal Recreation SPG and Sustainable Design and Construction SPG are of relevance.

Croydon Local Plan (CLP)

The Croydon Local Plan was adopted on the 27th February 2018 and the main relevant policies to this application are as follows:

SP2 Homes
DM1 Housing Choice for Sustainable Communities
SP3 Employment
SP4 Urban Design and Local Character
DM10 Design and Character
DM13 Refuse and Recycling
DM16 Promoting Healthy Communities
DM18 Heritage Assets and Conservation
SP5 Community Facilities
SP6 Environment and Climate Change
DM23 Development and Construction
DM24 Land Contamination
DM25 Sustainable Drainage Systems and Reducing Flood Risk
SP7 Green Grid
DM27 Protecting and Enhancing our Biodiversity
DM28 Trees
SP8 Transport and Communication
DM29 Promoting Sustainable Travel and Reducing Congestion
DM30 Car and Cycle Parking in New Development
DM42.1 Purley and its Environs

Suburban Design Guide (2019)

Appendix 2: Drawing Nos

Issue sheet for all drawings - 29-35 Russell Hill Road

09/12/2019

Architectural Plans

Drawing No.	Rev	Title
18-071-P001	A	location plan and existing topo site plan existing elevations & street scene
18-071-P002		existing house plans & elevations
18-071-P003	A	location plan
18-071-P004		proposed site plan
18-071-P005	H	

18-071-P006	F	proposed floor plans - 1
18-071-P007	F	proposed floor plans - 2
18-071-P008	F	proposed floor plans - 3
18-071-P009	B	proposed roof plan
18-071-P010	E	proposed elevations - 1
18-071-P011	D	proposed elevations - 2
18-071-P012	D	proposed elevations - 3
18-071-P013	E	proposed elevations - 4
18-071-P014	D	proposed elevations - 5
18-071-P017	D	proposed section A - overlooking study
18-071-P018	D	proposed section B - overlooking study
18-071-DAS	C	Design & Access Statement
18-071-AS	G	Accommodation Schedule
18-071-CGI 08	A	proposed CGI visual - street scene
18-071-P040	B	proposed car parking plan
18-071-P041	B	proposed cycle store layout
18-071-P042	B	proposed refuse collection
18-071-P043	B	proposed security strategy
18-071-P044	B	proposed fire emergency plan
18-071-P045	B	proposed external lighting strategy
18-071-P009	B	proposed roof plan - PV layout

Landscaping Plans

Drawing No.	Rev	Title
18-071-P030	D	Hard landscape plan
18-071-P031	E	Tree Plan
18-071-P032	F	Shrub planting rear
18-071-P033	A	Shrub plan Front
18-071-P034	A	Playground plan
18-071-P039	A	Shrub planting rear courtyard

Appendix 3: BRE Guidance Terms

Daylight to existing buildings

The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the vertical sky component (VSC) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as “the VSC test” or
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value known as the “daylight distribution” test.

Sunlight to existing buildings

The BRE Guidelines stipulate that the sunlight of an existing window may be adversely affected if the centre of the window:

- receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual winter probable sunlight hours between 21 September and 21 March (WPSH); and
- receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period; and
- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

If one of the above tests is met, the dwelling is not considered to be adversely affected.

Daylight to new buildings: Average Daylight Factor (ADF)

The ADF test calculates the average illuminance within a room as a proportion of the illuminance available to an unobstructed point outdoors, under a sky of known illuminance and luminance distribution.

The BRE Guidelines stipulate that kitchens should attain at least 2% ADF, living and dining rooms at least 1.5% ADF and bedrooms at least 1% ADF.

Sunlight to gardens and outdoor spaces

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