



PART 6: Planning Applications for Decision

Item 6.3

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/04201/FUL](#) (Link to associated documents on Planning Register)

Location: Former Essex House, 101 George Street, Croydon, CR0 1PJ

Ward: Fairfield

Description: Redevelopment of the site to provide a part 38 and part 44 storey building with 546 residential flats, with the ground floor to incorporate a flexible space including cafe (Class A3), business space (Class B1) and gallery space (Class D1) uses with basement accommodating 28 disabled parking spaces, cycle storage and refuse storage, and associated hard and soft landscaping.

Drawing Nos: GSC 100__ Site Location Plan_1-1250_A3; GSC 101__ Existing Site Plan_1-200_A1; GSC 102__ Consented Site Plan_1-200_A1; GSC 103__ Proposed Site Plan_1-200_A1; GSC 104__ George Street Elevation_1-1000_A1; GSC 2B1__ Basement 1; GSC 2B2__ Basement 2; GSC 2PO__ Podium; GSC 200__ Ground Floor; GSC 201__ Typical Floor (1-12); GSC 213__ Typical Floor (13-19); GSC 220__ Typical Floor (20-31); GSC 232__ Typical Floor (32-36); GSC 237__ Unique Floor (37); GSC 238__ Unique Floor (38); GSC 239__ Unique Floor (39); GSC 240__ Typical Floor (40-42); GSC 243__ Amenities Space (43); GSC 244__ Roof Plan; GSC 250_A_Elevation to George St_1-200_A1; GSC 251_A_Elevation West_1-200_A1; GSC 252_A_Elevation East_1-200_A1; GSC 253_A_Elevation to College Rd_1-200_A1; GSC 254__ Bay Details Tower A_1-50_A1; GSC 255__ Bay Details Tower B_1-50_A1; GSC 256__ Bay Details Winter Garden_1-50_A1; GSC 260__ Section AA_1-200_A1; GSC 261__ Section BB_1-200_A1; GSC 270__ Visualisation from George Street_A1; GSC 270__ Visualisation from George Street_A1; GSC 271__ Contextual Street Views_A1; GSC 272__ Winter Garden Views_A1; GSC 273__ Aerial View_A1; TID-GSC_HTA-L_XX-XX_DR_0900 Rev B; TID-GSC_HTA-L_XX-XX_DR_0901; TID-GSC_HTA-L_XX-XX_DR_0902 Rev A; and TID-GSC_HTA-A_2PO_C_Podium.

Applicant: Tide Construction Ltd

Agent: HTA

Case Officer: Michael Cassidy

	Studio	1 bed	2 bed	3 bed	Total
Market Rent	97	170	132	38	437
Discount Market Rent (Intermediate)	0	54	22	0	76
Discount Market Rent (London Living Rent)	0	23	10	0	33
Total	97	247	164	38	546

Type of floor space	Amount proposed
Residential (Class C3)	34,784.8sqm
Business (Class B1)	263.4sqm
Restaurants and Cafes (Class A3)	156.2sqm
Non-Residential Institutions (Class D1)	191.5sqm

Number of car parking spaces	Number of cycle parking spaces
28	786

- 1.1 This application is being reported to Planning Committee because the proposal is for a large scale major development.

2 BACKGROUND

- 2.1 An earlier iteration of this proposal was presented to the Planning Committee at the pre-application stage on 6th July 2017. This proposed the erection of two interlinked buildings of 30 and 40 storeys in height providing 490 residential units with ground floor commercial accommodation, an improved/expanded public realm and the provision of access off College Road and basement car parking.

- 2.2 Members made the following comments in relation to the above proposal:

- *“Comfortable with approach proposed;*
- *Like the overall direction and supportive of exploring proposals around delivering a greater number of more affordable units – including a mix of London Living Rents and rents set at 80% of open market rents;*
- *Nomination rights will be an important issue – the affordable housing should be for local people who need it;*
- *There is support for the winter garden at ground level, although this needed some detailed resolution;*
- *Interesting materials to be used;*
- *Ideally would have liked to see a non-residential building on this site, but acknowledged that the proposal has active frontages;*
- *Liked the mix of ground floor uses;*
- *Need to make sure there is proper provision for the needs of children”.*

- 2.3 Since the Committee presentation, the proposal has been further developed, in consultation with officers and the above comments have been taken into account in amendments made to the scheme.

3 RECOMMENDATION

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

- A. Any direction by the London Mayor pursuant to the Mayor of London Order
- B. The prior completion of a S106 legal agreement to secure the following planning obligations:
 - a) Affordable housing provision to include 109 intermediate rent units (20% of total units or 21% by habitable room) with 76 units (11 x 1-bed, 1 person; 43 x

- 1-bed, 2 person; and 22 x 2-bed, 4 person) being at Discount Market Rent (discounted at 80% of market rent) and 33 units (5 x 1-bed, 1 person; 18 x 1-bed, 2 person; and 10 x 2-bed, 4 person) at London Living Rent);
- b) Affordable housing review mechanism and nominations agreement (early and late stage review and PRS claw back requirements in accordance with the Mayor of London Affordable Housing and Viability SPG 2017 as well as a plan to ensure affordable units are marketed/provided to Croydon residents first);
 - c) Air quality contribution of £54,600;
 - d) Local employment and training strategy and Skills Training and Employment (construction and operations) as well as a monetary contribution of £75,000;
 - e) Zero Carbon off-set contribution of £839,216 including connection and participation to a district energy scheme);
 - f) Connection to district energy scheme;
 - g) Public Transport contribution for TfL of £189,149 (index linked) towards improvements and upgrades to the local public transport network;
 - h) Public Realm Cycle Parking contribution of £30,000 (or a lesser sum should this be agreed with the Council) towards the relocation of the existing public cycle parking outside the site;
 - i) Removal of future residents applying for parking permits;
 - j) Travel Plan;
 - k) Car club;
 - l) TV signal mitigation;
 - m) Retention of scheme architects (or suitably qualified alternative architect);
 - n) Wind Mitigation Works;
 - o) Playspace contribution of £50,000 towards provision/capacity enhancements within local parks;
 - p) Off-site Highway works and wind mitigation - a S278 agreement to cover all associated highway works to facilitate the development, and any off site wind mitigation measures; and
 - q) Monitoring fees (in accordance with the LB Croydon S.106 Planning Obligations/CIL Review 2017).

3.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the detailed term of the legal agreement, securing additional/amended obligations if necessary.

3.3 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) Time limit of 3 years
- 2) In accordance with approved plans
- 3) Full details of materials, including samples, and design detail (including balconies)
- 4) Typical façade details at 1:1
- 5) Details of hard and soft landscaping, including green and brown roofs, including children's play area
- 6) Tree Planting Strategy
- 7) Tree Protection Plan
- 8) Landscaping and public realm management and maintenance strategy
- 9) Detailed information on the fenestration of the ground floor, including shop fronts, optimisation of transparent glazing, signage zones and coordination and enhancement of the public realm.
- 10) Use of ground floor as Class A3/B1/D2
- 11) Restriction on hours of use of non-residential uses
- 12) Proposal for the treatment of any gates proposed for the basement access
- 13) Gym facility for use by residents only unless with the express consent of the LPA
- 14) BREEAM excellent shall be achieved for the non-residential uses
- 15) 10% of the dwellings shall be designed to be Category 3 'Wheelchair user dwellings'
- 16) 90% of the dwellings shall be designed to be Category 2 'Accessible and adaptable'
- 17) Car park management plan to be submitted
- 18) Provision of cycle parking and disabled resident parking prior to first occupation
- 19) Provision of details of cycle spaces allocated to the non-residential units
- 20) Cycle parking strategy to be submitted
- 21) Provision of electric and passive vehicle charging points
- 22) Submission of details of the car club
- 23) Details of refuse collection arrangements
- 24) Extract systems for café premises (Class A3) to be submitted
- 25) Provision of dropped kerb to basement access prior to occupation
- 26) Detailed Construction Logistics Plan (to include site waste management plan) and Construction Environment Management Plan
- 27) Delivery and Servicing Plan
- 28) Wind mitigation measures compliance
- 29) Submission of and compliance with detailed Travel Plan for residential and non-residential uses.
- 30) Night-time external lighting strategy for both the buildings (to contribute to the skyline) and public realm
- 31) Incorporate design features to make future connection to District Energy Network possible
- 32) Public art strategy and meanwhile strategy to be submitted
- 33) Control of internal noise environment
- 34) Noise from air and plant units should not increase background noise
- 35) In accordance with noise assessment report
- 36) Details of Air handling units/Plant/Machinery and screening to be submitted
- 37) Photovoltaic panel details to be submitted

- 38) Submission of a window ventilation systems and sound insulation
- 39) Noise standard compliance for living rooms and bedrooms
- 40) Submission of land contamination assessment and carrying out of investigation
- 41) Provision of verification that remediation has taken place prior to occupation
- 42) The development shall stop if unexpected contamination found, and appropriate remediation agreed, carried out and verified
- 43) No surface water to infiltrate the ground unless prior approval has been given and it has been demonstrated that there will be no adverse impact on controlled waters.
- 44) Piling method statement to be submitted
- 45) Compliance with Air Quality Assessment and submission of air quality Low emission strategy
- 46) Secured by Design
- 47) Details of CCTV scheme to be submitted
- 48) Plans of access routes, details of signage indicating access for cyclists and cars
- 49) Petrol and oil receptors provided in car park areas
- 50) Submission of biodiversity enhancements
- 51) Incorporate design features to make future connection to District Energy Network possible
- 52) Submission of sustainable urban drainage strategy (detailing any on and/or off site drainage works)
- 53) Submission of impact study of the existing water supply infrastructure
- 54) Water consumption
- 55) Aviation warning lights (including construction)
- 56) Any other planning condition(s) considered necessary by the Director of Planning

Informatives

- 1) Development is CIL liable
- 2) Construction site code of conduct
- 3) Subject to a legal agreement
- 4) Thames Water informative regarding surface water drainage and advising of the presence of a main crossing the site which may need to be diverted at the developer's cost.
- 5) Network Rail informative relating to future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration and vehicle incursion and the need to contact them prior to works commencing.
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

3.4 That, if by 30th February 2018 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 The application seeks permission for the following:

- The erection of a part 38 and part 44 storey building comprising 546 'Build to Rent' residential units (97 x studios; 247 x 1-bedroom; 164 x 2-bedroom and 38 x 3-bedroom) of which 109 would be affordable housing units (76 units at 80% of Discounted Market Rent and 33 units at Discounted Market London Living Rent)

(20% of the total) with all units either meeting or exceeding the nationally described space standards and 10% of the units (55 units) being designed to be easily adaptable for wheelchair use;

- A double-storey height ground floor to include 611.1sqm of non-residential use floor space including an art gallery (Class D1) of 191.5sqm, café (Class A3) of 156.2sqm and 263.4sqm of flexible business workspace for creative studios and tech-hub businesses (Class B1) together with residential support space incorporating a lobby, supporting office spaces, mail room and letting office;
- The provision of 28 blue badge disabled parking space (5% of the total number of units) at basement level 1, accessed from College Road to the rear of the site;
- The provision of 786 cycle parking spaces at basement level 2 accessed from College Road to the rear of the site with visitor spaces located at grade in the adjacent public realm;
- Amenity space areas including a public winter garden of 360sqm fronting George Street; a managed podium garden of 250sqm located at mezzanine level above the ground floor access ramp to the basement levels and servicing area facing College Road; and 435sqm of communal resident roof top garden amenity space at Floor 37 and Floor 43 of the 2 towers. A club room with dining spaces and gym areas are also proposed on both these floors. All of the 2 and 3 bedroom units (51% of the total) proposed would have a private glazed balcony space and the remaining 1-bedroom units would all benefit from Juliette balconies; and
- Provision of public realm improvements, including the provision of a new area of public realm to the east of the site fronting Mondial House and the formation of a new pedestrian and cycle link between the East Croydon transport interchange on George Street and College Green.

4.2 The applicant proposes to construct a modular building, meaning that each 'module' will be manufactured off site in a controlled manufacturing environment. The modular build method offers a wide array of unit types (about 40+ variations will be utilised for a variety of residential typologies) above podium level and incorporates a bespoke, contextual and crafted façade design. It would also allow the applicant to construct the building in 22 months, which is somewhat faster than a conventional concrete frame building of this scale (which would have a construction timeframe of at least three years).

Site and Surroundings

4.3 The site is a rectangular area of land approximately 0.22 hectares in area and is located on the southern side of George Street, opposite Ding wall Road and in close proximity to East Croydon Station. It has been vacant and surrounded by site hoardings for some years, having been previously occupied by an office building known as Essex House which was demolished in 1989. Access through the hoarding is on the southern boundary, with a crossover at this location. The land is roughly level within the site.

4.4 The surrounding area contains a mix of commercial, residential and educational uses. St Matthews House directly adjoins the site boundary to the west and comprises a three storey building with residential accommodation (including some principle habitable room windows looking out onto the application site) on the upper two floors. To the east is Mondial House (102 George Street) for which the Council has resolved to grant permission (LBC Ref. 16/00180/FUL) subject to a legal agreement for a large scale residential-led redevelopment comprising 220 flats and

Class A1 and B1 floorspace. To the immediate south is a subterranean parking area, upon which there is a consent for a mixed use development comprising of a hotel and residential flats, in a building of up to 37 storeys. To the west of that site is the main Croydon College building.

4.5 The following designations apply:

- Croydon Opportunity Area
- Croydon Metropolitan Centre
- Within the Fairfield Masterplan area
- Archaeological Priority Zone
- Area of High Density

Planning History

4.6 The following planning decisions are relevant to the application:

Application Site

- 17/03896/ENV – EIA Screening Opinion Issued on 18th August 2017 confirming that an EIA was not required for the erection of a part 38 part 44 storey mixed use building comprising commercial uses on lower floors and 546 residential units on the upper floors.
- 16/00944/P - Hybrid (outline and full) planning permission granted on 27th April 2017 for a wider redevelopment of the College Green site:
 - Outline planning permission for demolition and redevelopment to provide flexible class A1 (shops) and/or class A2 (financial and professional services) and/or class A3 (food and drink); class B1 (business); class C1 (hotel); class C3 (dwelling houses); class D1 (non-residential institutions); class D2 (assembly or leisure); public realm and landscaping; and associated car and cycle parking, servicing, and access arrangements (with all matters reserved)
 - Full planning permission for demolition including multi-storey car park and Barclay Road Annexe; extensions and alterations to Fairfield Halls including class A3 (food and drink); erection of buildings for flexible class A1 (shops) and/or class A2 (financial and professional services) and/or class A3 (food and drink) and/or class D1 (non-residential institutions) and/or class D2 (assembly and leisure) and class C3 (dwelling houses); change of use of basement car park (part) to class D1 (non-residential institutions); public realm and landscaping; and associated car and cycle parking, servicing, and access arrangements
- 14/01594/P – Planning permission granted on 28th September 2015 for the erection of two buildings of 17 and 32 storeys respectively, comprising 305 residential units, 4 commercial units and a gym; provision of public piazza and associated landscaping, parking and cycle and refuse storage. The development has not commenced, but the permission will remain extant until 28th September 2018.

- 11/00963/P – Planning permission granted for the erection of 17 storey building with basement parking area comprising a retail (use class A1) on ground floor and offices (use class B1) in remainder of building. Formation of vehicular access, landscaping, servicing and other associated works. This application was for renewal of an older consent and has expired.

Neighbouring Sites

Mondial House, 102 George Street

- 16/00180/P – Resolution to grant planning permission dated 20th October 2016 for demolition of the existing office building; erection of a part 11, part 13, part 35 storey building comprising plus basement, to provide 220 flats, 1,787 sq. metres B1 office space and 490 sq. metres of A1 retail floor space with associated works.

Land adjoining Croydon College (Croydon College East Site), College Road

- 14/01603/P – Planning permission granted on 4th September 2014 for the erection of a part 16/38 storey building (plus basement and mezzanine levels) comprising 159 residential units, 225 bedroom hotel and restaurant (within use class A3); provision of associated amenity areas, landscaping and car/cycle parking and alterations/partial enclosure of access ramp. The scheme has not been implemented.

5 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 5.1 There is no objection in principle to the proposal. The proposed development will bring forwards the regeneration of a vacant (derelict) site and is aligned with the desire for growth within the Croydon Opportunity Area. A residential-led mixed use development is appropriate given the significant housing demand within the Borough. There is also an extant planning permission already granted for a similar form (albeit lesser scale) of development.
- 5.2 The proposed building arrangement within the site is considered to be an innovative architectural solution which will result in a distinctive landmark development within this prominent location, which is supported. The height and massing of the two towers of the building has been assessed in relation to its impact from a wide range of viewpoints and has been found to be satisfactory, including in relation to its impact on heritage assets. There is no objection to a tall building in this location, which has a very high public transport accessibility level.
- 5.3 The appearance and detailed façade treatment of the building is considered to be high quality, displaying an appropriate response to the surrounding character.
- 5.4 The outlook, sunlight and daylight levels within rooms within the building beyond the flank windows of the adjoining St. Matthews development would be adversely affected by the development. However, these impacts would not be to such an extent to cause an unacceptable degree of harm to existing occupiers and would be no greater than that that experienced from the development already approved under the extant permission (LBC Ref 14/01594/P).
- 5.5 The development would not hinder the future potential redevelopment of the St. Matthews House site in terms of light and outlook impacts and would not adversely

impact on the future occupiers of the residential units already approved by the Council on the neighbouring Mondial and Croydon College East sites.

- 5.6 The proposed housing density would be above that outlined as normally acceptable in the London Plan. However, it is noted that the density matrix should not be applied with rigidity. Given the context of this site, the higher density is appropriate (and it should be noted the scheme has been referred to the Mayor of London who raised no objection to the density).
- 5.7 The proposed unit mix includes 38 x 3 bed flats (7%) and does not meet the Council's aspiration within this area for 20% of units to have three or more bedrooms. This weighs against the scheme in the balance of considerations relevant to the determination of the scheme. It is recognised however, that the scheme would deliver a good proportion of larger two bedroom units (suitable for families).
- 5.8 The proposal would provide 109 affordable units (which is 20% of units or 21% by habitable room). Of the 109 affordable units, 76 would be provided at Discount Market Rent (discounted to be 80% of open market rents) and 33 of the affordable units would be provided at London Living Rent (set to the discount identified by the Mayor of London). This offer has been subject to extensive viability testing and is considered to be the maximum reasonable level of affordable housing, which still allows the scheme to be financial viable and deliverable. This is less than the Council's policy aim, which is for 50% of units to be affordable. The applicant has agreed to undertake early and late stage affordable housing review being included in the legal agreement (so that increased levels of affordable housing could be secured if the development economics of the scheme improve). Given this and the constraints of the site, the proposed tenure split is considered acceptable.
- 5.9 The proposed development would meet all relevant residential space standards and the provision for private and communal amenity space and play space proposed is considered to be acceptable. Adequate levels of daylight would also be provided within the flats for future residents.
- 5.10 There would be no overlooking between flats within the development site. While residential flats are proposed in the Mondial House scheme to the east of the site, these are across a road and the overlooking issue is no different to that found in the consented scheme (LBC Ref 14/01594/P). To the west are residential dwellings in the St Matthew's development and it is noted that the eastern elevation of the proposed building includes angled windows to prevent any direct overlooking/loss of privacy. Again, the overlooking issue is no different to that in the consented scheme. Given planning history and the urban context in which the site is set, no objection is made.
- 5.11 With suitable conditions (which are recommended) to secure mitigation, the development is considered acceptable with regards to its environmental impacts, specifically in relation to internal noise conditions, air quality impacts, land contamination, flood risk, electronic interference, aviation and wind.
- 5.12 The highways impacts of the development would be acceptable. 28 disabled parking spaces would be provided within the basement to serve wheelchair users who may occupy the development and 786 cycle parking spaces in accordance with the London Plan's cycle standards. The Council's Highways advisor and TfL have raised no objection to the proposals.

5.13 The building would have a sustainable construction, meeting all of the relevant sustainability standards.

6 CONSULTATION RESPONSES

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

6.2 The following organisations were consulted regarding the application:

The Greater London Authority (Statutory Consultee)

6.3 The GLA have made the following comments:

- Principle of development: The principle of the comprehensive redevelopment of this vacant site to provide 546 'Build to Rent' units, tech hub and an art gallery, is supported. The provision of the tech hub and gallery floorspace must be secured.
- Affordable housing: 20% affordable housing is unacceptable. The high-density residential-led redevelopment of a vacant low-value site must provide more affordable housing. The applicant's viability assessment will be rigorously scrutinised. Claw back, early and late stage review mechanisms must be secured in line with the Mayor's Affordable Housing and Viability SPG.
- Urban design: The innovative modular construction method is welcomed and has resulted in a high design standard. Given the scale of development, key details should be secured as part of any permission to ensure an exemplary build quality is delivered. The applicant should review the west facing windows to ensure they optimise sunlight penetration to predominantly north facing units. Further discussion regarding residential amenity is required.
- Heritage: Whilst the proposal would result in a greater presence of development above the roofline of the existing heritage assets, the scale and massing contributes to the narrative of the regeneration of Croydon. Officers conclude that it would cause less than substantial harm to the setting of heritage assets
- Climate change: G-values for overheating and Part L calculations must be clarified and the carbon savings shortfall must be off-set.
- Transport: Further discussion is required cycle parking and construction logistics. Conditions and s106 obligations and a £280,000 contribution to buses and trams are required.

Transport for London (TfL) (Statutory Consultee)

6.4 TfL requests the following points are addressed for the application to comply with the transport policies of the London Plan:

- The application should investigate the demand and options for providing a car club space and membership;
- Cycle parking should be provided in line with the standards for all land uses;
- £280,000 secured towards transport improvements within the vicinity of the site
- Further discussions should be held between TfL and the application / construction team, with a Construction Logistics Plan being secured by condition;
- The Delivery and Servicing Plan being secured by condition; and
- Travel Plan secured through a S106 legal agreement.

Environment Agency (Statutory Consultee)

- 6.5 The Environment Agency have confirmed that they have no comments to make on this application as it falls outside their remit as a statutory planning consultee.

Historic England - Archaeology

- 6.6 The archaeology team at Historic England have confirmed that no further assessment or conditions are necessary with regards to archaeology.

Historic England

- 6.7 Historic England have confirmed they do not wish to offer any comments on this occasion and have requested the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Natural England

- 6.8 Natural England have raised no objection to the proposal.

The Health and Safety Executive (HSE)

- 6.9 HSE have confirmed they have no comments to make on the application as the proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.

Network Rail

- 6.10 Network Rail have raised no objection to the proposal. Their generic comments relating to future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration and vehicle incursion and the need to contact them prior to works commencing would be attached as an informative to any planning permission granted.

Thames Water

- 6.11 Thames water have confirmed no objection to the proposal subject to conditions requiring details of any piling, a drainage strategy (detailing any on and/or off site drainage works) and an impact study of the existing water supply infrastructure to be submitted and agreed in consultation with them being attached to any planning permission granted together with informatives relating to surface water drainage and advising of the presence of a main crossing the site which may need to be diverted at the developer's cost.

Metropolitan Police Service – Designing Out Crime Officer

- 6.12 The Officer has confirmed no objection to the proposal subject to a 'Secured by Design' condition being attached to any permission granted.

Aviation safeguarding organisations – Gatwick Airport, Heathrow Airport and NATS Safeguarding

- 6.13 All of these organisations have confirmed that they hold no safeguarding objections to the proposal.

Defence Infrastructure Organisation (DIO)

6.14 The DIO have confirmed that as this application relates to a site outside of Ministry of Defence safeguarding areas, no safeguarding objections are raised to this proposal.

7 LOCAL REPRESENTATION

7.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 01 Objecting: 01 Supporting: 00

No of petitions received: 00

7.2 The single representation received raises the following concerns:

- The quantum of residential provision achieved is at the expense of other important strategic and local policy requirements;
- The proposal will result in a marked increase in proposed height of the towers, from 17 and 32 storeys approved to 38 and 44 storeys proposed. This increase in height and bulk may fail to relate to neighbouring properties, impact upon the setting of heritage assets (including listed buildings and conservation areas) over a wider area and result in an overdevelopment of the site;
- The proposal fails to provide a suitable amount of family housing (i.e. 3+ bedroom units) to ensure an appropriate mix and balance of residential accommodation; and
- The proposal fails to provide a suitable level of affordable housing.

7.3 The above concerns that are material to the determination of the application, are addressed in substance in the 'MATERIAL PLANNING CONSIDERATIONS' section of this report, or by way of planning condition or planning obligation.

8 RELEVANT PLANNING POLICIES AND GUIDANCE

8.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

8.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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:

- Promoting sustainable transport;

- Delivering a wide choice of high quality homes; and
- Requiring good design.

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

8.4 London Plan 2017:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.12 Negotiating affordable housing
- 3.13 Affordable Housing thresholds
- 4.6 Support for and enhancement of arts, culture, sport and entertainment
- 4.10 New and emerging economic sectors
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Tall and large buildings
- 7.8 Heritage assets
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 7.21 Trees and Woodland
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

8.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable Development
- SP2.1 Homes
- SP2.2 Quantities and Locations
- SP2.3 Affordable Homes - Tenure
- SP2.4 Affordable Homes - Quantum
- SP2.5 Mix of homes by size
- SP2.6 Quality and Standard
- SP3.1 Employment
- SP3.2 Innovation, Investment & Enterprise
- SP4.1-4.3 Urban Design and Local Character
- SP4.5-4.6 Tall buildings
- SP4.7-4.10 Public Realm
- SP4.13 Character, Conservation and Heritage
- SP6.1 Environment and Climate Change
- SP6.2 Energy and CO2 Reduction
- SP6.3 Sustainable Design and Construction
- SP7.4 Enhance biodiversity
- SP8.3-8.4 Development and Accessibility
- SP8.6 Sustainable Travel Choice
- SP8.7(h) Cycle Parking
- SP8.13 Motor Vehicle Transportation
- SP8.15-16 Parking

8.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD1 High Quality and Sustainable Design
- UD2 Layout and siting of new development
- UD3 Scale and Design of new buildings
- UD6 Safety and Security and New Development
- UD7 New Development and Access for All
- UD8 Protecting residential amenity
- UD13 Parking Design and Layout
- UD14 Landscaping
- UD15 Refuse and Recycling Storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- H3 Housing Sites
- H4 Dwelling mix on large sites

8.7 Emerging Policies CLP1.1

- SP2.2- Quantities and locations
- SP2.3-2.6- Affordable Homes
- SP2.8- Quality and standards

- SP3.13- Office floor space in the Croydon Metropolitan Centre
- SP3.14- Employment and training
- SP4.13- Character, conservation and heritage
- SP6.3- Sustainable design and construction
- SP6.4- Flooding, urban blue corridors and water management
- SP8.9- Sustainable travel choice

8.8 Emerging Policies CLP2

- DM1- Housing choice for sustainable communities
- DM5- Development in Croydon Metropolitan Centre
- DM5.1- Vitality and viability
- DM5.3- Mixed use developments
- DM9- Development in edge of centre and out of centre locations
- DM11- Design and character
- DM11.1- Quality and character
- DM11.2- Quality of public and private spaces
- DM11.4- Residential amenity space
- DM11.5- Communal residential amenity space
- DM11.6- Protecting residential amenity
- DM11.7- Design quality
- DM11.9- Landscaping
- DM11.10- Architectural lighting
- DM12- Shopfront design and security
- DM14- Refuse and recycling
- DM16- Tall and large buildings
- DM17.1- Promoting healthy communities
- DM19.1- Character, appearance and setting of heritage assets
- DM19.9- Archaeology
- DM24- Development and construction
- DM25- Land contamination
- DM26.2- Flood resilience
- DM26.3- Sustainable drainage systems
- DM28- Biodiversity
- DM29- Trees
- DM30- Promoting sustainable travel and reducing congestion
- DM31- Car and cycle parking in new development
- DM33- Facilitating rail and tram improvements
- DM36- Croydon Opportunity Area

8.9 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council consulted on these modifications during the period 29th August – 10th October 2017.

8.10 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is

dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

8.11 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- Homes for Londoners: Affordable Housing and Viability SPG, August 2017
- National Technical Housing Standards, 2015
- National Planning Practice Guidance, 2014
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Sustainable Design and Construction SPG
- Draft Culture and Night Time Economy SPG
- Croydon Public Realm Design Guide, 2012
- Croydon Opportunity Area Planning Framework (adopted by the Mayor and Croydon), 2013
- Fair Field Masterplan, 2013
- SPG Note 3 – Designing for Community Safety
- SPG Note 10 – Designing for Accessibility
- SPG Note 12 – Landscape Design
- SPG Note 15 – Renewable Energy
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

9 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Density, housing unit mix and affordable housing
3. Heritage, townscape and visual impact
4. Impact on adjoining occupiers
5. Quality of living environment provided for future occupiers
6. Environmental impacts
7. Transportation, access and parking
8. Sustainability
9. Other planning Matters

Principle of Development

9.2 At the heart of the National Planning Framework 2012 (NPPF) is a presumption in favour of sustainable development which meets social, economic and environmental needs.

9.3 Policy 2.13 of the London Plan 2017 identifies the centre of Croydon and its immediate surroundings as an Opportunity Area; an area which is capable of accommodating large scale development including significant amounts of employment and new housing. This is reiterated in Policies 4.1 and 4.5 which state

that Boroughs should promote and encourage the provision of a strong and diverse economy.

- 9.4 Croydon Local Plan Strategic Policies (CLP1) Policy SP1.3 states that the Council will seek to encourage growth and sustainable development, whilst Policy SP1.2 states that the Croydon Opportunity Area will be the primary location for growth.
- 9.5 The Croydon Opportunity Area Planning Framework (OAPF), which was adopted in 2013, sets out key strategic objectives for central Croydon. This is focussed around the renewal and regeneration of the retail core, the delivery of new homes and jobs in high quality new development, with commensurate social infrastructure, public transport and public realm/high street enhancements.
- 9.6 The NPPF also attaches great importance to significantly boosting the supply of new housing. Policy 3.3 of the London Plan further seeks to increase housing supply across the Capital, with minimum housing targets being set out in Table 3.1. For Croydon, the London Plan and OAPF set out an indicative employment capacity of 7,500 and at least 7,300 new homes. The London Plan sets a minimum target of 1,435 residential units per year in the borough over the period of 2015-2025.
- 9.7 The site is located within the Croydon Opportunity Area and Croydon Metropolitan Town Centre, where residential development is supported. The site is vacant (having previously been occupied by an office) and has an extant permission for a large scale residential development of 305 units. The use of the site for residential purposes has previously been accepted and the proposal would be in line with the objectives for the Fairfield area outlined in both the Fairfield Masterplan and the OAPF where no objection is raised in principle to the development. The proposal would deliver 546 residential units which would contribute to 38% of Croydon's annual target and approximately 7% of the indicative minimum housing target contained in the OAPF.
- 9.8 Policy 3.8 of the London Plan and the guidance within the Mayor's Housing SPG and Affordable Housing and Viability SPG identify 'Build to Rent' housing as addressing a distinct need and a method by which housing delivery might be accelerated. Given the site's location in the town centre within a very sustainable location (less than 100 metres from East Croydon Station with a 6b PTAL rating and within easy access to local services and amenities) it is suited to higher density, rented accommodation. The principle of 'Build to Rent' housing on this site is therefore supported.
- 9.9 The provision of an art gallery space in the development is also strongly supported in accordance with London Plan Policy 4.6 and the Mayor's draft Culture and Night Time Economy SPG. In addition, this space will provide a link to the cultural square identified for the adjacent Fair Field Masterplan area.
- 9.10 The development proposes the re-use of an existing underutilised site, in a highly sustainable location, with a building which meets the standards set out in Development Plan policy and guidance. This approach accords with the core principles of the NPPF, which encourages the reuse of previously developed land. In light of the priority given to the delivery of a significant number of new dwellings (particularly on underused brownfield sites), the principle of the redevelopment of the site with a residential-led mixed use development is supported and would fully comply with Council policy.

Density, Housing Unit Mix and Affordable Housing

Density

- 9.11 Policy 3.4 of the London Plan states that in taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in Table 3.2. Based on the public transport accessibility level (PTAL 6b) and the site's central characteristics, the London Plan density matrix suggests a residential density of between 650-1100 habitable rooms per hectare and 140-405 units per hectare for the application site.
- 9.12 The residential density of the proposal would be 6,175 habitable rooms per ha or 2,730 units per hectare which would far exceed the upper limit of the indicative range within the London Plan for a central area. Even so, the site is within the centre of the Opportunity Area, where significant growth is expected to be accommodated and the supporting text of Policy 3.4 of the London Plan confirms that the density matrix should not be applied mechanistically.
- 9.13 The Mayor's Housing SPG, at paragraph 1.3.12, further states that the density ranges should be "*used as a guide and not an absolute rule, so as to also take proper account of other objectives*". It does not preclude developments with a density above the suggested ranges, but requires that they "*must be tested rigorously*" (para.1.3.14). This will include an examination of factors relating to different aspect of "*liveability*" of a proposal (dwelling mix, design and quality of accommodation), access to services, impact on neighbours, management of communal areas and a scheme's contribution to '*place shaping*'. The impact of massing, scale and character in relation to nearby uses will be particularly important – and "*design should be exemplary*".
- 9.14 The SPG also considers the opportunities and constraints with regards to density on small sites (para.1.3.39). Responding to existing streetscape, massing and design of the surrounding built environment should be given special attention – where existing density is high, for example, higher density can be justified. Paragraph 1.3.40 notes that small sites require little land for internal infrastructure and as such, it is appropriate for density to reflect this. These factors are all relevant to the development of the application site. The SPG also notes that build to rent schemes can be particularly suited to higher density development within or on the edge of town centres or transport nodes (the site is literally across the road from East Croydon Station).
- 9.15 Taking account of the above, the proposed residential development as set out below has been designed to deliver new homes within a building that responds to its local context, taking into account both the physical constraints of the site and its relationship with neighbouring properties and the nearby townscape.
- 9.16 The proposed development exceeds the London density range. However, this is justified by the quality of the accommodation, the design and its response to context, and the rigour the applicant has applied to assessing the acceptability of the scheme within these parameters. It delivers on London Plan policy by optimising additional housing on an underutilised brownfield site in a highly accessible location.

9.17 Given the site's excellent PTAL rating, its location close to East Croydon Station as well as bus and tram links and nearby local amenities, it is considered that the density proposed is acceptable.

Housing Unit Mix

9.18 CLP1 Policy SP2.5 seeks to secure the provision of family housing and states the Council's aspiration for 20% of all new homes within the Croydon Opportunity Area having three or more bedrooms and 35% of all two bedroom homes having four bed-spaces.

9.19 The OAPF indicates that developments within the Fair Field Zone should aim to provide 20% of units with 3 bedrooms or more. The Masterplan also identifies the site as suitable for a mix of new homes, including family homes.

9.20 The unit mix of the development is reproduced below for ease of reference:

	Studio	1 bed	2 bed	3 bed	Total
Market Rent	97 (18%)	170 (31%)	132 (24%)	38 (7%)	437 (80%)
Discount Market Rent (Intermediate)	0 (0%)	54 (10%)	22 (4%)	0 (0%)	76 (14%)
Discount Market Rent (London Living Rent)	0 (0%)	23 (4%)	10 (2%)	0 (0%)	33 (6%)
Total	97 (18%)	247 (45%)	164 (30%)	38 (7%)	546

9.21 The proposal allows for 7% three bedroom units and 30% two bedroom units. The applicant has stated that current market demand is unlikely to enable them to provide more than the proposed level of three bedroom units and the proposed development is viability driven to a certain extent. On the basis that all of 2 bedroom units proposed would be suitable for 4 persons (thus significantly exceeding the 35% CLP1 target) and that the 20% three-bedroom OAPF requirement for this area can be made up of a mix of 2 bedroom 4 person and three plus bedroom properties for the first three years of the plan, the proposed proportion of family housing is considered acceptable.

9.22 The proposal would provide an appropriate mix of London Plan compliant units (97 x studios; 247 x 1-bedroom; 164 x 2-bedroom and 38 x 3-bedroom) to meet a variety of demands across the Borough in accordance with Policy 3.8 of the London Plan.

Affordable Housing

9.23 Policies 3.8 to 3.13 of the London Plan relate to affordable housing. Policy 3.11 states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the plan period. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for

intermediate rent or sale. Priority should be accorded to provision of affordable family housing. Paragraph 173 of the NPPF imposes an obligation on Councils to ensure viability when setting requirements for affordable housing.

- 9.24 Policy 3.12 of the London Plan further seeks the maximum reasonable amount of affordable housing when negotiating on individual housing schemes but states that the objective is to encourage rather than restrain residential development. To encourage the development of 'Build to Rent' housing, the London Plan recognises the distinct economics of the sector relative to the mainstream 'Build for Sale' market housing, which should be taken into account when considering planning applications for 'Build to Rent' schemes. Whilst the Mayor's Affordable Housing and Viability SPG does not currently establish a threshold approach to affordable housing for 'Build to Rent' schemes, the Mayor is clear that he expects significant increases in the delivery of affordable housing through planning and has set a long-term strategic aim for 50% affordable housing.
- 9.25 Policy SP2.4 of CLP1 seeks up to 50% affordable housing provision on sites such as this. Table 4.1 provides flexibility, requiring a minimum level of affordable housing on all sites. Following the end of the first three years of the plan, the minimum level was reviewed (from its previous minimum requirement of 15%) and this is currently set at 50%. In the Croydon Opportunity Area, a minimum of 10% affordable housing will need to be provided on-site with the remainder being provided either on-site, off-site (e.g. on a donor site) or through a commuted sum. The affordable housing should be provided at a ratio of 60:40 between affordable rented homes and intermediate housing. This policy is being reviewed through the partial review of CLP1 (CLP1.1). The Local Plan Inspector has introduced main modifications to the policy, which do not alter the policy approach but does mean that only moderate weight can be afforded to the emerging policy landscape.
- 9.26 Emerging policy SP2.4 of CLP1.1 prefers a minimum on site provision of 30% affordable housing, but also provides options for 15% onsite/15% on a donor site (located in the COA, Addiscombe, Broad Green, Selhurst, South Croydon or Waddon), or a minimum of 15% onsite plus a review mechanism for the remaining affordable housing (provided that 30% affordable housing is not viable, construction costs are not in the upper quartile and there is no suitable donor site).
- 9.27 Emerging policy retains the 60:40 ratio but expands the types of intermediate products to include starter homes and intermediate rent products as well as low costs shared ownership homes. The main modifications to the emerging policy include providing for PRS schemes (such as is proposed in this application). Consequently, the principle of a PRS approach would be acceptable in principle form a policy perspective.
- 9.28 The viability report has been independently assessed by the Council's viability consultant who have confirmed the validity of the applicant's financial viability assessment. In this case the provision of the CLP1 target of 50% affordable housing is not achievable. The developer is proposing to achieve affordable housing on site through delivering 20% by unit numbers (or 21% by habitable rooms) within the lower 38-storey tower. This includes 109 intermediate rent units (20% of total units or 21% by habitable room) of which 76 units would be at Discount Market Rent (discounted at 80% of market rent levels) and 33 units would be at London Living Rent (as set by the Mayor of London).

- 9.29 The Council considers that 20% on-site affordable housing should be the minimum amount to be provided on site and early and late review mechanisms are required. In addition robust covenants and clawbacks, in accordance with the Mayor's Affordable Housing and Viability SPG are to be secured in the legal agreement. The proportion of Discount Market Rent (DMR) and London Living Rent (LLR) units, the mix of unit sizes, the level of discount, the detail of the terms and protections for tenants and the eligibility criteria would be secured by way of a S106 legal agreement.
- 9.30 The Mayor's Affordable Housing SPG and the Government's Housing White Paper recognise DMR and LLR housing provision as being capable of meeting the need for intermediate level affordable homes. This is reflected in CLP1.1 which widens the definition of intermediate affordable housing to include these products.
- 9.31 As the amount of affordable housing proposed is less than the minimum amount of 50% affordable housing required by planning policy, it is proposed that review mechanisms will be sought through the S106 Agreement. As the residential component of the scheme is likely to be delivered over a number of years, review mechanisms will be required at appropriate milestones. The detail of this will be finalised as part of the S106 Agreement, details of which are still being negotiated. The maximum cap for the affordable housing review mechanism would be 50% to ensure policy compliance. On balance, the affordable housing offer is considered to be appropriate, subject to the review mechanisms, covenants and clawbacks as described above.
- 9.32 Under the 2015 extant permission (LBC Ref 14/01594/P) the applicant's offered a provision of 10% of all habitable rooms as affordable, in a shared ownership (intermediate) tenure, with a "cash-in-lieu" commuted sum totalling £1.33million, which would equate to financial outlay towards affordable housing, equivalent to providing 15% of all habitable rooms within the development as affordable intermediate tenure. The current offer is 20% on site (21% on a habitable room basis), increasing the affordable housing offer. This reflects the change in Croydon's planning policy framework as well as the increased quantum of development proposed.
- 9.33 Having regard to comments from the GLA, representations, the independent assessment of viability, the planning history, the extant consent and other material considerations, it is considered that the proposal (with regards to affordable housing) satisfactorily accords with the objectives of the London Plan, emerging London Plan Housing SPG, CLP1, Croydon OAPF, UDP Saved Policies 2013 and national policies.

Heritage, Townscape and Visual Impact

- 9.34 The NPPF attaches great importance to the design of the built environment. Paragraph 17 gives 17 core planning principles. One of these principles is '*always seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Paragraph 56 states that '*The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*'.

- 9.35 Paragraph 58 identifies 6 points that decisions should aim to ensure in all development. These include, adding to the overall quality of the area, establishing a strong sense of place, responding to local character and being visually attractive. Paragraph 59 states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Paragraph 61 highlights the importance of the visual appearance and architecture but also addresses the importance of connections between people and places and the natural, built and historic environment.
- 9.36 Paragraph 63 places weight on outstanding or innovative design. Paragraph 69 seeks to promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
- 9.37 The NPPF also refers to heritage assets in paragraph 133 which states that where a development will lead to substantial harm to a heritage asset it should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits which outweigh that harm or loss. Paragraph 134 states that a less than substantial harm to the significance of heritage assets should be weighed against the public benefits of the proposal.
- 9.38 Policies 7.4 and 7.6 of the London Plan state that new development should be complementary to the established local character and that architecture should make a positive contribution and have a design which is appropriate to its context. CLP1 Policy SP4.1 states that developments should be of a high quality which respects and enhances local character. Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies require development to be of a high quality and visually appropriate design which respects the existing development pattern.
- 9.39 The Fair Field Masterplan (which is a material planning consideration, but does not have the same weight as Development Plan policy) shows a block height of 30m for a building in this site. The proposal is considerably higher than this and as such, the impact of the proposal with regards to bulk, height and massing and facade design has been rigorously tested.

Bulk, Height and Massing

- 9.40 The shape of the building and its arrangement on site is underwritten by a very strong architectural concept which provides a massing response that is unique to the characteristics of the site. The site, which is regular and roughly square, is equally large in both dimensions. These dimensions make the planning of residential development complex in terms of creating acceptable residential floorplate depths, separation distances, the need to maintain privacy and the desire to minimise single aspect north facing units. Most standard massing approaches would therefore not use the available land efficiently.
- 9.41 The scheme's architectural team have developed a massing concept that creates two towers that are related but subtly different, through proportion, material and pattern. This gives each part its own identity and avoids the mass merging into one, particularly when viewed from distance. This is particularly clear in the elevation to George Street where the narrower frontage of the lower 38-storey tower (Tower B) enables it to maintain a proportion and elegance in front of the taller 44-storey tower

(Tower A). This is considered to be an innovative approach to the massing which results in a development that is highly distinctive and would have a landmark quality. This is fully supported and appropriate for this highly prominent site, opposite East Croydon Station, which is one of the key gateways into the Borough.

- 9.42 The two towers are related with the lower 38 storey (Tower B) being expressed in single storeys bays, whilst the taller 44 storey (Tower A) features 'giant order' double storey bays. Tower A would have a parapet height of 193.9m (AOD) which is 0.5m taller than the approved Croydon College Site (193.4m AOD) building and 15m taller than the approved Mondial House (178.8m AOD) building. The two towers would sit within a medium to tall cluster at a gateway location into the cultural quarter and the height and mass of the blocks are considered appropriate for this setting.
- 9.43 Given the dynamic form of the proposed buildings, from many viewpoints the slenderness of the building's towers would be fully expressed, although the north south axis would remain relatively large. The relative slenderness of the building has been assessed from a series of viewpoints examined within the Accurate Visual Representation (AVR) verified views submitted with the application. The massing is acceptable from all views and the building would appear sufficiently slender. The height of the building also appears appropriate within these views. During the pre-application stage, studies including viewpoints within Dingwall Road were produced to determine the overall height of the towers in the context of the emerging Fair Field cluster of tall buildings (i.e. the College East and Mondial proposals). This concluded that a 38-storey and 44-storey tower combination was appropriate in the location.
- 9.44 Although there are no designated heritage assets in the immediate vicinity of the site, as tall buildings, the proposals have potential to impact upon the setting of heritage assets (including listed buildings and conservation areas) over a wider area. The heritage implications of the proposed bulk and height have therefore also been assessed with reference to the views contained within the AVR. The existing view from the Queens Gardens is framed by the characterful backdrop of Segas House (Grade II Listed Building) and the NLA Tower, Croydon College and the Fairfield Halls (all Locally Listed Buildings). The proposed towers would have some impact on the setting of the Queens Gardens within the Central Croydon Conservation Area, but this is mitigated through the high quality design and it reads as a backdrop building rather than dominating the view. It is noted that the special interest of Queens Gardens would not be eroded as a result of this proposal.
- 9.45 When viewed from the Chatsworth Road Conservation Area, the building has a more demonstrable impact on the suburban feel of the conservation area (CA). However it is acknowledged in the Conservation Area Appraisal and Management Plan that the CA is located in close proximity to the town centre with existing and proposed tall buildings visible in the longer views and this forms the setting of the CA. The proposed form of the building appears slender in this location and the design is of a high quality to mitigate the impact.
- 9.46 The scheme will be visible in views of the Grade I Listed Croydon Minster. However only a slither of the towers will be visible near to the north aisle of the church, and whilst it will affect the skyline and setting of the church, this will be a momentary glimpse of the building and will be a less than substantial harm which is outweighed by the public benefits provided by the scheme, in particular the regeneration of a derelict site, provision of improved public realm and the provision of a large quantum of housing in a very sustainable location.

Appearance

- 9.47 The overall façade design creates a distinctive high quality development which reflects the pre-application consultation discussions to date. Given the prominent location of the site and the proposed tall building, it is essential that excellent design quality is delivered. The principle of the architectural expression has been formulated following a thorough character analysis of the local context which is supported.
- 9.48 The purpose of the Fair Field Masterplan is to rediscover the area's role as the cultural destination in Croydon and South London. Key buildings and institutions which contribute positively to the character and identity of the Masterplan area are Croydon College and Fairfield Halls. These public buildings both feature light coloured stone or precast concrete framed elevations which form the most public facing parts of the buildings. The College is predominately a brick building, with the ground floor and façade onto Park Lane clad in stone. Likewise, the principle elevation of Fairfield Halls is expressed with a four bay precast frame at five storeys tall, clearly articulating the public areas and circulation spaces of the building
- 9.49 The site sits as a prominent landmark and acts as a gateway to the Masterplan area from East Croydon Station and George Street. As one of the principle routes into the Metropolitan Centre, George Street carries high levels of footfall to and from East Croydon Station. George Street forms the southern boundary of the New Town area, and as such the architectural style of the street varies from the fine grain two-four storey brick and stone buildings with strong vertical articulation and variation in the roof line and the broad shouldered modernist buildings of the 1950's-80s.
- 9.50 The unique, crafted façade design has been developed through research and analysis of the local characteristics and Croydon's mid-century buildings with faceted geometry. The result is a bespoke, crafted fabric with both towers having a unique but complimentary aesthetic. As shown by the model views and visualisation from the station submitted with the application, the differences between the two tower elements, the crown of the building and the continuous base are all used to generate two forms that are distinct whilst being related to one another. Terracotta has been selected as the primary façade cladding.
- 9.51 At ground floor level, the winter garden fronting George Street continues the colonnade that wraps the rest of the building. It uses a glass roof with a tessellated form that echoes the triangulation of the facade elements in its design and scale.
- 9.52 The colonnade around the winter garden is clad in a perforated anodised metal panel that allows lighting to be integrated and can accommodate the structure supporting the roof. The colonnade scale and form matches the form of the base of the rest of Tower B. The folded forms are subdivided by a series of ribs that radiate, introducing a set of details that reduce the scale while emphasising the way the building catches the light.
- 9.53 The internal space of the winter garden would feature low level planting and some trees that offer a degree of screening to George Street. The paving and organisation of the winter garden is designed to encourage connections into the space while the planting is designed to ensure good site lines which avoid the potential for antisocial behaviour. The bays that sit at the base of the tower are clad in small glazed terracotta tiles which are 3 dimensional and are a miniaturised version of the cladding panels in the main tower. The glass roof is a flattened pyramid. It will be visible from

the upper floor flats so the design is intended to form an attractive and well composed 'third elevation'. The roof omits some panels in the north-east corner over areas of planting. This will maximise light and water through to the winter garden in this area while allowing some pressure release to control the quality of the microclimate. The roof is proposed to be a series of overlapping scales that allow some passage of air to permeate through the roof to avoid the space becoming too hot.

- 9.54 The winter garden colonnade stretches to a height of 7.5m with the apex of the pyramid exceeding 9m internally. Each colonnade bay broadly forms a square with a typical bay spanning 7.5m. The cantilevered corner spans in excess of 7.5m in each direction and will form a dramatic entrance to the winter garden. It is an integral part of the building that establishes a strong rhythm of frontage bays to George Street.
- 9.55 Each bay within the façade is composed of two elements - a metal framing element and a terracotta facade panel. The two elements will be modulated differently to respond to daylight, sunlight and views. This has the advantage of creating a facade which varies with orientation and has a subtly different character from each view. On Tower A, the double height bays feature a more vertical emphasis with folded and ridged form of the terracotta tiles to be used creating a series of vertical shadow lines up the facade. The ridged form creates an interesting effect in the terracotta with pools of the glaze forming over the low points and exaggerating the variation in colour and reflectance that naturally occurs over a panel. The balconies at intermediate floors would be glass to reinforce the rhythm of double height bays.
- 9.56 The facade panels to Tower B would use a folded triangulated panel chamfered into 4 different directions that echoes the mid-century modern examples from around Croydon and beyond. This will be done using a glazed terracotta that when combined with the angled plan form and faceted panel design will ensure a rich play of light and reflections from every angle. The use of exceptional quality, moulded terracotta tiles is supported and these are intended to be of a crafted bespoke quality.
- 9.57 At the crown of the building the geometry of the building's plan changes from angled to orthogonal and this is combined with the omission of the framing elements. The effect is to create a distinctive finale to the building, which gives a strong termination and distinct identity on the skyline (signalling its upward extent).
- 9.58 The design approach taken provides a strong framework in which the residential units sit, and creates a civic appearance that is appropriate to the character of the Fair Field Area. The proposed palette of materials are considered to provide a complementary transition from the red and yellow bricks of the buildings found along George Street and towards Croydon College. Details of the façade/design detailing and materials (including balcony details, glazing, moulded terracotta details, public realm materials, etc.) to be used would be secured by condition.
- 9.59 The proposal would therefore sit comfortably with neighbouring buildings and within the streetscene and would be in accordance with the design, conservation and heritage policies set out above.

Public Realm

- 9.60 The public realm design focusses around part of the Station Link set out in the Fair Field Masterplan to the east of the site. The design that is being proposed

pedestrianizes the area between George Street and College Road and creates a characterful space which starts the sequence of a new level route towards College Green. The scheme is based on a simple banded pattern in the paving which responds to the scale and spacing of the colonnade to the building. The intention is to provide a meandering route through for pedestrians and cyclists.

- 9.61 In order to address potential concerns regarding the visual and physical permeability of this space, given the number of trees that are required as part of the wind mitigation strategy, the large number of wide seating elements and the need to coordinate the development with the approved Mondial and Croydon College site proposals it is recommended that the more detailed feature elements of the landscaping proposal are agreed by condition with those areas outside the applicant's red line boundary being delivered by the applicant through a S106 legal agreement.

Impact on adjoining occupiers

- 9.62 One of the core planning principles (paragraph 17) in the NPPF is that decisions should "*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". London Plan Policy 7.1 states that in their neighbourhoods, people should have a good quality environment.
- 9.63 Croydon Local Plan: Strategic Policies SP4.1 and SP4.2 seek to respect and enhance character to create sustainable communities and enhance social cohesion and well-being. Croydon Plan Policy UD8 states that the residential amenity of adjoining occupiers should be protected. The compliance of the proposal with these policies is now considered below in relation to each impact.

Sunlight and daylight – policy context

- 9.64 The OAPF (paragraphs 6.21-6.25) states that it is important to ensure that any adverse effects from loss of sunlight and daylight to residential occupiers is minimised. The document goes on to state that: "*It is recognised that in heavily built up areas such as the Croydon Opportunity Area, new development will inevitably result in some level of overshadowing and overlooking of neighbouring properties and amenity spaces. It should be noted that the existing pattern of development in the central part of the COA is not conducive to the application of normal planning guidelines for sunlight and daylight. As such, as part of new development proposals, there will need to be a flexible approach to the protection of natural light for existing properties*".
- 9.65 Emerging Policy DM11.6 also requires new development proposals to protect or improve the amenity of the occupiers of adjoining residential and commercial buildings, to ensure that "*the amenity of the occupiers of adjoining buildings are protected*" (part a) and that "*they do not result in direct overlooking at close range or habitable rooms*" (part b). Criteria d and e confirm the developments should d) "*Provide adequate sunlight and daylight to potential future occupants*"; and e) "*They do not result in significant loss of existing sunlight or daylight levels of adjoining occupiers.*"
- 9.66 Immediately to the west of the application site is St Matthews House, a low rise building containing some residential accommodation. The building has windows in its eastern flank wall facing the proposed development. The office permission granted in

2011 on the application site proposed a building of 17 storeys sited 7.5m from the boundary. The 2015 extant permission reconfigured the proposed building improving on the relationship with St. Matthews House by setting the proposed building 8 to 9.5m away. The current proposal is similarly separated from St. Matthews House.

9.67 The current application is accompanied by an independent Daylight/Sunlight report produced by Malcolm Hollis Chartered Surveyors which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'. This includes an assessment of impacts on the site's residential neighbours and also considers the effect of the proposed development on two nearby approved schemes, namely Mondial House and the Croydon College sites.

9.68 Daylight has been assessed in terms of Vertical Sky Component (VSC) and sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and overshadowing has been assessed against the above BRE guidelines. The BRE Guidelines provide numerical guidelines, but these are not mandatory, should not be seen as an instrument of planning policy and as numerical guidelines, are to be interpreted flexibly.

9.69 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

9.70 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

Sunlight and daylight – assessment

9.71 The Applicant's assessment considers the impact on the existing residential units at 71-79 George Street to the north west of the site on the opposite side of the street and St Matthews House directly to east. The assessment concludes that with the proposed development in place the majority of the windows to the existing buildings

surrounding the site will continue to receive adequate daylight as defined by the BRE guidance.

71-79 George Street

- 9.72 Of the 42 windows tested at 71-79 George Street as part of the daylight (VSC) analysis undertaken, 32 windows would fully comply with the BRE guidelines. The 10 affected windows are all bay windows where the other sections of the bay continue to receive adequate light and the rooms as a whole will remain adequately lit.
- 9.73 Of the 40 windows tested as part of the sunlight (APSH) analysis undertaken, 34 windows would fully comply with the BRE guidelines. As with daylight above, the 6 affected windows are sections within bays where the other main sections receive BRE compliant daylight results. Therefore, the rooms as a whole will continue to meet the BRE guidelines.

St Matthews House

- 9.74 Of the 45 windows tested at St Mathews House as part of the daylight (VSC) analysis undertaken, 24 windows would fully comply with the BRE guidelines. Whilst the windows within the eastern elevation to St Matthews House would be affected, it is noted that the corner rooms have windows on the main front and rear elevations which are unaffected by the development. Therefore these rooms will continue to remain adequately lit.
- 9.75 Of the 20 windows tested as part of the sunlight (APSH) analysis undertaken, all 20 windows would fully comply with the BRE guidelines.
- 9.76 No gardens or amenity spaces, as defined in the BRE guide, are located close enough to the proposed development to be adversely affected by overshadowing.
- 9.77 When compared with the 2015 extant permission scheme, the proposal would have no greater impact in terms of sunlight and daylight and it is quite possible that the redevelopment of St Mathews House may come forward in the near future and therefore the new development can account for the other nearby proposals in terms of daylight design. The effects of the proposal would therefore be largely mitigated.

Mondial House and Croydon College Sites

- 9.78 The Applicant's sunlight/daylight consultant has also undertaken an additional daylight and sunlight assessments of a future scenario if Mondial House and the Croydon College site are both developed. These two proposed buildings are tall residential towers of circa 179m and 184m above ordnance datum and so are a similar height to the application proposal.
- 9.79 All of the windows within the Croydon College site will be fully BRE compliant with respect to sunlight and daylight. However, a number of windows proposed within Mondial House (6% of the total) will receive lower levels. The higher floors will receive better daylight distribution than the lower floors, due to the reduction in obstructions from the nearby consented developments. Whilst there will be some impact on these upper level windows, the impact would not be significantly greater than that of the 2015 extant scheme and taking into account this central urban location, the effects would not be such as to warrant a reason for refusal of planning permission.

Outlook and privacy

- 9.80 The western-most proposed building would be set back from the western boundary of the site adjoining St. Matthews House by 7.44m. This is comparable to the 2015 extant permission which indicated an 8 metre setback. Whilst the separation would be narrower than would normally be expected in other parts of the Borough, given that St. Matthews House lies within an otherwise very high density commercial area and has windows immediately next to a boundary looking over another site, this protection cannot be reasonably afforded. The 2015 permission and earlier permissions before it, accepted the principle of several windows facing towards the existing St. Matthews House in relative close proximity. The current proposal includes angled windows in the western elevation. These oriel windows direct views to the southwest and northwest (and prevent overlooking of habitable room windows in the St. Matthews development). Within this context the impact of the proposal on outlook and privacy from St. Matthews House is therefore acceptable. There are no other immediately adjoining residencies which would suffer loss of outlook or privacy.
- 9.81 With respect to the developments approved at the Mondial House and Croydon College sites to the east and south, the proposed building would be located 19.1m to 20.6m from Mondial House and 18.4m from the Croydon College sites thereby ensuring no undue loss of outlook or privacy to the future occupiers of these developments.

Quality of Living Environment Provided for Future Residents

Residential Space Standards

- 9.82 Policy 3.5 of the London Plan states that new residential units should provide the highest quality internal environments for their future residents and should have minimum floor areas in accordance with the Government's technical housing standards set out in Table 3.3 and recognises that a genuine choice of homes should be provided in terms of both tenure and size. Detailed residential standards are also contained within the Mayor's London Housing SPG.
- 9.83 Policy 3.8 of the London Plan further states that 10% of new residencies within a development should be wheelchair accessible or easily adaptable for residents who are wheelchair users. Provision should also be made for affordable family housing, wheelchair accessible housing and ensure all new housing meets parts M4 (2) and (3) of the Building Regulations. Policy UD8 of the Croydon Plan further states that external amenity space should be provided to serve new residential units at a level which is commensurate with that provided in the surrounding area.
- 9.84 The London Housing SPG provides further details in relation to housing standards, including in relation to the provision of dual aspect units and private amenity space. Housing SPG standard 4.10.1 states that 5m² of private amenity space should be provided for each one bedroom unit, with a further 1m² provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m and standard states that developments should avoid single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment.
- 9.85 Within the proposed development, the units would have GIA's of between 38.4sq.m for the smallest 1-bedroom 1 person unit and 100.3sq.m for the largest 3-bedroom 5

person unit. All of the proposed units would meet the National Technical Housing Standards in terms of overall size and bedroom size. All of the units would also meet the requirements outlined in the Housing SPG in relation to amenity space quantum and minimum dimensions. The number of dwellings accessed from a single core does not exceed seven and all units would achieve a minimum 2.5 metre floor to ceiling heights.

9.86 The submitted wind study also indicates that all of the balconies would achieve wind conditions that are suitable for their intended external amenity use. All of the proposed three bedroom units would have dual aspect and therefore, there are no single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment. 55 of the units (10% of the total) would be wheelchair adapted or capable of easy adaptation for wheelchair users. The Policy and Housing SPG requirements outlined above are therefore met.

Private/Communal Amenity Space and Child Play Space Provision

9.87 Policy DM11 of Croydon's Local Plan: Detailed Policies and Proposals (Main Modifications) confirms support for new development which includes private amenity space that is of high quality design that enhances and respects the local character of the surrounding area.

9.88 The design of the scheme has developed a number of amenity space strategies which are considered appropriate for the height of the building, its proposed management and tenure, and the location in central Croydon. Due to the height of the building, private amenity spaces in the form of conventional exposed balconies were considered to have a challenging micro climate and therefore alternative spaces have been provided. Instead of external balconies, all the 2 and 3 bedroom flats (51% of the total) are provided with a glazed internal balcony space (winter gardens). The 1 bed homes all benefit from Juliette balconies to the living room with the majority enjoying Juliette balconies to bedrooms as well with 49% of these incorporating an additional 5sqm+ of internal floor space in lieu of external private amenity space.

9.89 The development also includes 3 communal amenity spaces reserved for residents. There is a managed podium garden on the mezzanine offering a total of 250sqm of amenity space; and at floors 37 and 43 there will be resident roof gardens, providing 430sqm space with views across the city. In terms of other spaces, the development also provides the woodland winter garden amenity area of 360sqm fronting onto George Street and the new pedestrian link between College Road and George Street providing a further 310sqm of public realm. The development will also deliver of public realm improvements to the east of the site fronting Mondial House in excess of 700sqm. Overall, the provision and quality of private and communal amenity space is considered to be good and of a high standard.

9.90 Policy 3.6 of the London Plan states that housing development proposals should make a provision for play and informal recreation for children and young people. According to Housing SPG standard 1.2.2, the development is required to make appropriate play provisions in accordance with a GLA formula and calculation tool, whereby 10sqm of play space should be provided per child, with under-5 child play space provided on-site as a minimum, in accordance with the London Plan 'Shaping Neighbourhoods: Play & Informal Recreation SPG'.

9.91 Based on the current unit breakdown and as per the SPG, the child yield is expected to be 33 children, with 19 under the age of five, requiring 330sqm of play-space including 190sqm of doorstep play. Due to the established planning history with regards to building coverage and scheme viability and deliverability and the constraints of the site, the development only proposes to provide 40sqm of informal doorstep play within the podium garden. Given that the child yield in 'Build to Rent' projects is generally lower than 'Build to Purchase' schemes and the podium garden provides 250sqm of amenity space, it is acceptable that the SPG requirements can be applied flexibly in this instance. The applicant has stated that the remainder of the required play-space would be provided off site within Croydon Town Centre. There are a number of open spaces very near to the site, such as Queen Square Gardens located approximately 400m to the south, Waddle Park to the west and Park Hill Park to the west of the application site. Given the 290sqm shortfall in play-space, a financial contribution towards providing improved play space at Queens Square Gardens (or a suitable alternative location) would be secured by S106 legal agreement.

Privacy

9.92 Standard 5.1.1 states that habitable rooms should be provided with suitable privacy. 18-21m is indicated as a suitable minimum distance between facing habitable rooms, although the standard notes that "*adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city and can sometimes unnecessarily restrict density.*"

9.93 Given the orientation of the windows within the two tower blocks and the use of recessed angled facade panels, mutual overlooking within both the development site and with St Matthews House would be avoided and in the latter's case would be no worse than the extant permission already granted.

Daylight and sunlight conditions for future residents

9.94 The development should also seek to ensure that adequate sunlight and daylight is provided to individual flats. The internal daylight/sunlight assessment prepared by Malcolm Hollis confirms that the residential units will comply with BRE guidance in terms of daylight and sunlight amenity for proposed residents and makes the following conclusions.

Internal Daylight

9.95 Of the sample of 408 rooms within the proposed development tested for daylight (ADF), 305 (75%) will meet the target values as set out in the BRE guidelines. This would be a similar level to the 2015 extant permission. Although the results indicate that the majority of the rooms tested in the proposed development will meet the ADF target criteria as defined by the BRE guidance, a number did not and they comment as follows:

- The sample of tests undertaken was for the lowest 12 floors. The higher floors will receive incrementally more daylight due to the reduction in obstructions from the consented developments adjacent. Therefore the overall compliance rate would increase.

- It would be possible to optimise the interior daylight levels by using light coloured internal finishes. This would potentially increase the ADF readings and result in better daylight distribution through inter-reflection.

9.96 Of the sample of 408 rooms tested for daylight distribution, 220 (54%) will meet the target criterion as set out in the BRE guidelines. The level of daylight received to the lowest 12 floors of the building will be comparable to the 2015 extant permission and the results overall indicate that the majority of the rooms in the proposed development will receive excellent daylight distribution as defined by the BRE guidance. A number, however, will receive lower levels and they comment as follows:

- As with ADF above, the sample of tests undertaken was for the lowest 12 floors. The higher floors will receive incrementally better daylight distribution, due to the reduction in obstructions from the consented developments adjacent. Therefore the overall compliance rate would increase.
- The BRE guide suggests that the DD target principally applies to living rooms and is less important in kitchens and bedrooms. The vast majority of areas in the proposal where the DD levels are lower are within the bedrooms or the kitchen areas of the living/dining/kitchen rooms, where task lighting will be used. Therefore, in general, the living rooms meet the BRE criterion.

Internal Sunlight

9.97 The BRE guide contains specific guidance for sunlight to blocks of flats, because it is accepted that some units will unavoidably have a northerly facing prospect. The guidance states that the aim should be for each unit to have a main room which receives a 'reasonable amount' of sunlight. In total all but 48 of the living rooms tested fully meet the BRE criteria. The living rooms that do not fully meet the criteria do all receive some levels of sunlight to varying degrees. Therefore, on balance, the proposals do accord with the BRE guidance on sunlight to flats.

9.98 The assessments undertaken demonstrate that the proposed development largely accords with the BRE guidance. Where it does not, there are material mitigating factors which are cited in the daylight/sunlight assessment report submitted. The BRE guide is intended to be used flexibly, particularly where urban locations and tall buildings are concerned. Given the urban nature of the site and the emerging densities, arising from the consented tall buildings and the future adjacent proposals, we consider the proposed building to be appropriate from a natural light perspective. Furthermore, the results correlate with the 2015 consented scheme for the site (LBC Ref 14/01594/P) which further demonstrates that it is appropriate for the location.

Environmental Impacts

Contamination

9.99 Chapter 13 of the NPPF relates to facilitating the sustainable use of minerals and seeks to (in part) ensure that permitted operations do not have unacceptable adverse impact on migration of contamination from the site.

9.100 Policy 5.21 of the London Plan supports the remediation of contaminated sites and that the development of brownfield sites does not result in significant harm to human health or the environment and to bring contaminated land to beneficial use.

9.101 Croydon Local Plan: Strategic Policies 6.3 requires development to positively contribute to improving air, land, and noise and water quality by minimising pollution. UDP Saved Policies 2013 EP2 and EP3 seek to ensure that the land is suitable for the proposed use and require that an investigation into the extent of any possible contamination with any remedial measures is provided before any application can be determined. Policy EP3 allows for remediation to be secured via an appropriate planning condition or planning obligation if appropriate.

9.102 A geo-environmental desk study has been submitted with the application which indicates that there may be potential soil contamination risks mainly associated with the sites former use as railway land. The report recommends that an intrusive site investigation is carried out. It is considered that a condition related to contaminated land is appropriate.

Air pollution, noise and vibration

9.103 Policy 7.14 of the London Plan states that the Mayor will work with strategic partners to ensure that the spatial, climate change, transport and design policies of his plan support the implementation of his Air Quality Strategy to achieve reductions in pollutant emissions and public exposure to pollution. It also states that development should be 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas). The whole of Croydon Borough has been designated as an Air Quality Management Area – AQMA.

9.104 Chapter 11 of the NPPF also requires planning policies and decisions to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development; and to recognise that development will often create some noise. Chapter 13 states that when determining planning applications, local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source.

9.105 Policy 7.15 of the London Plan states that development proposals should seek to minimise the existing and potential adverse impacts of noise on, from, within or in the vicinity of development proposals. Croydon Local Plan: Strategic Policies 6.3 requires development to positively contribute to improving air, land, and noise and water quality by minimising pollution. Policy EP1 of the UDP Saved Policies 2013 refers to the pollution of water, air or soil or pollution through noise, dust, vibration, light heat or radiation.

9.106 The effects on air quality associated with the completed development would result from the significant change of use of the site former commercial use to a predominately residential development. Whilst the submitted Air Quality Impact Assessment indicates that the proposed building would result in negligible air quality impacts, the authority requires that the proposed building should be air quality neutral. The developers would be required to complete the Croydon Development Emission Tool (CDET) which is an Excel based building modelling tool. CDET focuses on quantifying the levels of the air pollutants from homes, commercial buildings and other non-industrial buildings. This could be secured through a condition requiring the submission of a Low Emission Strategy.

- 9.107 Given the central location of the development in an area of high human exposure there is a requirement for this development to incorporate a S106 contribution for air quality. As such a S106 air quality contribution is required to ensure air quality benefits are realised.
- 9.108 The application is accompanied by a noise assessment which indicates that the internal noise conditions for future residents will be acceptable provided that appropriate noise mitigation is put in place. It is recommended that compliance with the measures identified in the report and details of any plant and machinery be secured by condition.
- 9.109 As a large scale development, the construction phase would involve very large scale operations and is likely to be elongated. As the potential for significant adverse environmental effects during this phase is large, a Construction Logistics Plan and an Environmental Management Plan should therefore be secured by condition.

Water resources and flood risk

- 9.110 Policy 5.12 states that development proposals must meet flood risk assessment and management requirements. CLP1 Policy SP6.4 states that the Council will seek to reduce flood risk and protect groundwater and aquifers.
- 9.111 The London Plan SPG states new development should incorporate Sustainable Urban Drainage Systems and green roofs where practical with the aim of maximising all opportunities to achieve a Greenfield run-off rate, increasing biodiversity and improving water quality. Greenfield runoff rates are defined as the runoff rates from a site, in its natural state, prior to any development. Typically this is between 2 and 8 litres per second per hectare. Surface water run-off is to be managed as close to source as possible.
- 9.112 A Flood Risk Assessment has been submitted and whilst information has been submitted that assesses flooding and drainage matters associated with the development and indicating that the development is not likely to result in an increased flood risk, additional information will need to be submitted. Conditions are recommended to ensure a detailed drainage scheme that incorporates SuDS as requested by the Lead Local Flood Authority (LLFA) is delivered.
- 9.113 The LLFA are satisfied that drainage can be addressed through the imposition of suitable planning conditions (which are recommended). As such the impact of the development on water resources and flood risk is considered to be acceptable and in accordance with the provisions of local and national policy.

Wind microclimate

- 9.114 Policy 7.7 of the London Plan states that tall buildings should not have an unacceptable harmful impact on their surroundings and should not adversely affect microclimate or wind turbulence. CLP1 Policy SP4.6 states that tall buildings will be required to minimise their environmental impacts. Paragraph 6.71 states that tall buildings will need to demonstrate how their designs do not have a negative impact on environmental conditions, including wind.
- 9.115 The wind microclimate impact is considered in relation to both adjoining occupiers and users of the adjoining highway. The boundary layer wind tunnel study allows

the pedestrian level wind environment at the site to be quantified and classified in terms of suitability for current and planned usage, based on the industry standard Lawson criteria for pedestrian comfort and safety. The study combines measured pedestrian level wind speeds at key areas in and around the site with long-term wind frequency statistics to determine the probability of local wind speeds exceeding comfort and safety thresholds for a range of common pedestrian activities based on the industry standard Lawson criteria. This defines the type of activities for which the wind conditions would be safe and comfortable.

- 9.116 The study takes into account the recent developments approved at Mondial House and the Croydon College sites and concludes that wind conditions throughout the highways surrounding the site would be acceptable, provided that trees are installed within the landscaping as specified in order to mitigate the potential wind tunnel effect. The following wind mitigation measures are proposed (and would be secured by way of planning conditions and obligations):
- 9.117 In relation to wind conditions at the entrances to St. Matthews House, it is noted that they sit upwind of the development for the critical / key wind directions – and are therefore unlikely to be affected by the development. The wind conditions would be suitable for entrance use at these locations with the development (and associated recommended mitigation measures) in place.

Transportation, Access and Parking

- 9.118 Chapter 4 of the NPPF seeks to promote sustainable transport. London Plan Policies 6.3 and 6.13 and Croydon Plan Policies T2 and T8 require that development is not permitted if it would result in significant traffic generation which cannot be accommodated on surrounding roads. They also require that acceptable levels of parking are provided. Disabled parking spaces are required by Policy 6.13 of the London Plan and the accompanying Housing SPG.
- 9.119 Policy 6.9 of the London Plan states that secure, integrated and accessible cycle parking should be provided by new development in line with minimum standards. These are 1 space for each 1 bedroom unit and 2 spaces for 2 bedroom + units.
- 9.120 The site is in an area with a Public Transport Accessibility (PTAL) rating of 6b (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have an excellent level of accessibility to public transport links. The proposal is predominantly car-free with the exception of 28 dedicated disabled bays proposed within the basement, which the applicant has provided at significant expense to the scheme in response to pre-application discussions. These spaces form the extent of the total parking provision for the development. This level of provision (5% of the total) is considered to be acceptable by both the Council's Transportation Section and TfL and would provide a satisfactory level of car parking for the wheelchair accessible or easily adaptable units proposed. Further provision (taking overall provision to 10%) on such a tight site, would require the provision of a further sub-basement, which would eat into existing scheme viability and will have a negative impact on the quantum of affordable housing being delivered as part of these proposals.
- 9.121 786 cycle parking spaces are also proposed to be located predominantly within the basement with the remainder short term visitor spaces for the commercial uses provided at ground floor level next to the intended public realm area. This provision

meets the London Plan requirements for the site and is supported. The proposed service arrangements along College Road, layout of the proposed parking and proposed ramp access are also acceptable. It is important to restrict access to resident's car parking permits – which will be managed through the S.106 Agreement.

- 9.122 The Transport Assessment submitted with the application indicates that the scheme will generate additional trip generation. Transport for London have commented that this should be mitigated by a financial contribution towards buses and trams in the locality of the site. The proposal will involve the relocation of the existing public cycle parking stands close to the eastern boundary of the site. A Public Realm Cycle Parking contribution towards the relocation of the existing public cycle parking outside the site would therefore be required (the Applicant has agreed to meet this).
- 9.123 Given the scale of the development, it is considered that conditions requiring the submission of a detailed Travel Plan, Construction Logistics Plan and Delivery and Servicing plan are warranted in order to ensure that both the construction phase of the development and the operation phase of the development (once occupied) do not result in undue impacts upon the surrounding highway network. TfL is currently working with the applicant and Council to agree the construction methodology which will feed into the construction and logistics to be secured by condition.

Sustainability

- 9.124 At the heart of the NPPF is a presumption in favour of sustainable development. It states: *'Planning plays a key role in shaping places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impact of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure'*.
- 9.125 The NPPF actively promotes developments which reduce greenhouse gas emissions (para 95). In determining planning applications it states that local planning authorities should expect development to comply with local policies and expect that layout of development in a manner that would reduce energy consumption through building orientation, massing and landscape (para 96).
- 9.126 Policies 5.2 and 5.3 of the London Plan state that development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, whilst policy 5.7 states that they should provide on-site renewable energy generation. London Plan policy 5.5 states that Boroughs should seek to create decentralised energy networks, whilst Policy 5.6 requires development proposals to connect to an existing heating network as a first preference if one is available.
- 9.127 Policy SP6.2 from the borough's Local Plan Strategic Policies sets out the Council's expectations in relation to energy and CO2 reduction, in accordance with the London Plan. It states that it would be expected that high density residential development would (a) incorporate site wide communal heating systems, and (b) that major development will be enabled for district energy connection unless demonstrated not to be feasible or financially viable to do so.
- 9.128 The Sustainability and Energy Assessment submitted with the application demonstrate that the proposal has been prepared in accordance with relevant

strategic and local planning policies to provide a high quality and sustainable building in this key central location.

- 9.129 The fundamental principle on which the sustainability policies are based is an expectation that development will follow the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), and be green (use renewable energy).
- 9.130 The energy strategy is based on a two-steps strategy, where a connection to a future heat network for the site will be available as confirmed by Croydon Council. Initially, the building is provided with a communal gas fired boiler system that will provide the towers' energy needs and the capability of connecting to the future external heat network.
- 9.131 The development will be built to a high specification prioritising a passive 'fabric first' approach with the contribution of high fabric efficiency, good air tightness levels, efficient building services and renewable energy generation. On-site renewable energy generation will be provided through the use of roof mounted photovoltaic panels that will contribute to the CO2 reductions in accordance with London Plan Policies 5.2 and 5.7.
- 9.132 In addition to the high energy efficiency and fabric performance, the dwellings will also reduce the use of potable water below 105 litres/person/day using water efficiency fittings.
- 9.133 The proposed development will incorporate a range of energy efficiency measures including levels of insulation exceeding current Building Regulations requirement, the installation of high performance glazing, energy efficient lighting, and natural ventilation in all habitable spaces. The implementation of these measures would potentially reduce regulated CO2 emissions by 14.69%, when compared to a notional built to current Part L Building Regulations (2013).
- 9.134 The Council's policy requires zero carbon and also requires non-residential parts of a scheme to be constructed to BREEAM "Excellent" standards. The carbon dioxide savings proposed fall short of the policy requirement. The Council would accept a cash in lieu payment to be secured through a S106 legal agreement and the applicant has accepted this.
- 9.135 To future proof the development provision would need to be made for connections and space within the buildings to allow connection to any future Croydon District Heating Network, should such a network come forward. This provision would be secured through an appropriate clause in the S106 legal agreement and by conditions to secure all relevant pipe work from the buildings to the edge of the site (to allow easy connection).

Other Planning Issues

Employment and training

- 9.136 Planning policy including the adopted Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy— Review 2017 sets out the Councils' approach to delivering local employment for development proposal. The applicant has agreed to a contribution and an employment and skills strategy.

Designing Out Crime

- 9.137 For a building of this nature, the main considerations would relate to counter terrorism, access to the building and the areas of public realm around the building.
- 9.138 Discussions have taken place with the Designing out Crime Officer and the proposed development would incorporate principles of Secured by Design. Conditions requiring CCTV, delivery and servicing plan, public realm management plan and a car park management plan will ensure that the proposed development provides a safe and secure environment.

Telecommunications and aircraft

- 9.139 As tall buildings are proposed, the development has the potential to create electronic interference within surrounding buildings. However, a section 106 legal agreement clause is recommended to ensure that any potential adverse impact is mitigated at the applicant cost.
- 9.140 Tall buildings also have the potential to pose hazards to aircraft, and for this reason aviation bodies within this region have been consulted. None have raised concerns and the development is therefore considered acceptable in this regard.

Conclusions

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