

PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: 17/06318/FUL
 Location: Wandle Road Car Park, Wandle Road, Croydon CR0 1DX
 Ward: Fairfield
 Description: Redevelopment of part of site to provide part 5, 22 and 25-storey mixed used building, incorporating 128 residential units (Class C3) in addition to flexible commercial floorspace (Class A1/A3/B1/D2) on lower levels, as well as new vehicular access, residential car parking spaces, new public realm including shared pedestrian and cycle access through the site.
 Drawing Nos: As specified in Drawing Issue Sheet dated 18/05/2018
 Applicant: Brick by Brick Croydon Ltd – Alison Brennan
 Agent: DP9 – Peter Twemlow
 Case Officer: Richard Freeman

	1B 2P	2B 4P	3B 4P	3B 5P	TOTAL	%
AFFORDABLE	9 (AR) 13 (SO)	9 (AR) 16 (SO)	0 (AR) 12 (SO)	0 (AR) 1 (SO)	18 42	14% 33%
PRIVATE	34	34	0	0	68	53%
TOTAL	56	59	12	1	128	
FAMILY UNITS	44%	46%	9%	1%		

Number of car parking spaces	Number of cycle parking spaces
10 disabled bays	214

1.1 This application is being reported to Planning Committee because the former Ward Councillor for Fairfield Ward (Cllr Mohan) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration. Following the May 2018 local elections, Councillor Mohan now represents Park Hill and Whitgift Ward. As such, both Councillor Mohan and currently sitting Fairfield Ward Councillors have been contacted to determine whether anyone would like to address the Planning Committee.

2 BACKGROUND

2.1 This scheme was presented to this Committee during the pre-application process on 30th November 2017. The following comments were raised by the Committee:

- Air quality – surprise at the high level of pollution around the flyover
- Route under the flyover is positive. Scheme brings positive activity to area at junction of Wandle Road and Scarbrook Road and defines a frontage to Scarbrook Road
- Higher level of affordable housing, including affordable rented accommodation welcomed. Viability of office space discussed
- More family sized units – 3-4 bedrooms?
- Impact on heritage assets

- Landmark building - do we have the right approach and is it welcoming?
- Need a bit more of a punch for a gateway building

2.2 The scheme was presented to the Place Review Panel on 27th October 2017. It concluded that the scheme had the potential to provide a tall building and much needed housing. It would need to be of an extremely high quality and a carefully considered design to ensure that it does not have a detrimental impact on nearby heritage assets. Noise and air pollution would need to be mitigated. The Panel was very supportive of deep reveals to address solar gain and noise pollution issues. The Panel noted the building would be expensive to construct and maintain – including necessary air-filtering systems.

2.3 The Panel had the following observations/recommendations:

- The Panel assumed that the space safeguarded for bus standing and energy centre was sufficient for its allocated purposes;
- The site is very challenging in terms of noise and air pollution mitigation requirements due to the proximity of the A232 and the Flyover;
- Further information is required to assess the scheme's impact on heritage assets in and around the Old Town area including The Croydon Minster and The Old Palace (Grade I listed), the Pumping Station (Grade II listed), and The Minster Conservation Area and the Laud Street Local Heritage Area. Based on the information supplied to the Panel, at its currently proposed height the scheme may have a detrimental impact on views of these heritage assets and their settings;
- The Panel was very concerned about the proposed ground floor. It questioned the viability of the proposed office space and strongly opposed the large areas of walls without openings because they would deaden the neighbouring public realm. Entrances must be visible and activate the public realm;
- The building would be very expensive to construct due to the deep reveals, noise insulation and the air filtering system requirements for air pollution (all of which are features which are supported and considered necessary);
- The articulation of the facades breaks up the massing, but this would not read from a distance if the sun is behind the building. The profile and silhouette of the building also needs to be carefully designed;
- More information on how the flue for the proposed neighbouring energy centre will be incorporated into the architecture is required as this could be significantly taller than the proposed building and would be a prominent architectural feature;
- The top of the building requires design development to strengthen its character and profile given it will be highly prominent;
- The Panel had significant concern about air-filtering system including internal noise, maintenance, use in practice by residents and associated expense;
- The quantity of both internal and external communal amenity space for the hundreds of residents that the building would accommodate is too low;
- Wind testing is essential and is likely to inform the form of the building;
- The winter gardens must be generous and attractive spaces and include sufficient space for furniture;
- The Panel recommended that all flats include windows should be openable for internal amenity;
- The architectural balustrades could be lowered from 1100mm to 800mm to improve views from within the flats from sitting positions;
- The deep reveals would create comfortable locations for pigeons to rest. This needs to be addressed in the design process;

- The applicant should be mindful of the rapidly changing fire safety regulatory environment for towers and that RIBA recently recommended that towers should have two escape cores;
- The service lane should be controlled as it is likely to be a space that could attract anti-social behaviour;
- The individual flats would be expensive to maintain due to the air filtering requirements and therefore the Panel recommended consideration for locating affordable-rent accommodation on a different site;
- The Panel supports the intention to create a pedestrian and cycle link under the flyover, in line with the Old Town Masterplan and recommends that the applicant ensure that this is delivered.

3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 3.1 The proposal in principle would provide a significant quantum of housing and affordable housing. It would make better use of part of an underutilised site and contribute to the development of the Metropolitan Centre and Opportunity Area.
- 3.2 Wandle Road Surface Car Park is allocated in the Croydon Local Plan 2018 for an energy centre, bus standing under the flyover and residential uses. This proposal would only use part of the site and would not prejudice the delivery of the energy centre and some on site bus standing. Other sites are being actively considered for additional bus standing. The site layout has been developed to ensure that all three uses can be accommodated on site satisfactorily. The site does not form part of the retail core of the Metropolitan Centre so conditions are required to restrict the creation of stand-alone A1 (retail) uses.
- 3.3 The development would provide 50% affordable housing by habitable room, which meets the policy requirement. The tenure mix within the affordable housing provision would be 28% affordable rent and 72% shared ownership. A viability assessment has been submitted and independently verified to confirm that this is the maximum level and optimal tenure mix of affordable housing which the development is able to provide. Viability review mechanisms would be secured by legal agreement in case the scheme is not delivered within a set timescale to ensure that the affordable housing delivery remains optimal.
- 3.4 The development proposes a mix of 1, 2 and 3 bedroom homes. The OAPF suggests this area should provide 45% of units as 3-bed family units on the basis that developments are more likely to be mid-rise. The scheme proposes 10% 3-bed but 46% 2-bed 4-person units which could be suitable for family accommodation. Policy DM1 of the Croydon Local Plan 2018 (CLP2018) sets out that 2b4p units can be considered as family housing in specific circumstances, which are met by this scheme. The housing mix is considered acceptable.
- 3.5 The townscape impacts of the development in terms of its bulk, height, layout and massing are acceptable. The Opportunity Area Planning Framework (OAPF) sets out that this is an area in where taller buildings would need to be justified on a site by site basis. The site, albeit located at some distance from other consented tall buildings, has potential to mark an important and prominent entrance to Central Croydon from the west and is considered appropriate.
- 3.6 The proposal would cause harm to a number of designated heritage assets of varying levels of significance including Listed Buildings (including Grade I Listed Buildings) and

Conservation Areas and also to a number of non-designated heritage assets (Locally Listed Buildings and a Local Heritage Area). The degree of harm caused to each heritage asset and the level of significance of each heritage asset varies, but when the impact on all heritage assets is considered in the round, harm caused to designated assets is considered to be 'less than substantial' and harm caused to non-designated heritage assets is considered to be modest. It should be noted that some of the greatest harm is caused to heritage assets of the most significance, including Grade I Listed Buildings. However the harm caused is considered to be outweighed by the public benefits of the scheme which include the architectural and urban design quality of the scheme, the physical, economic and social regeneration benefits of the development to the local and wider area, delivery of affordable housing and a public pedestrian and cycling route across the site. The proposed development would therefore comply with paragraphs 134 and 135 of the NPPF.

- 3.7 The proposal would improve the public realm along Wandle Road and Scarbrook Road through the creation of a public space to the front of the site with suitable landscaping and improvements to the footway on Scarbrook Road. The scheme would also create new active frontages, activity and natural surveillance of surrounding streets. Opportunities for soft landscaping would be provided at the front of the site. The built form of the development itself would help better connect and integrate the currently disjointed urban fabric of this part of Croydon Old Town, providing improved continuity of built form. Overall, the street-scene and public realm would be considerably improved over the current site arrangement.
- 3.8 The proposal would have an impact on residential amenity of surrounding occupiers. There would be some impact in terms of light and outlook but none so detrimental as to warrant refusal of a scheme. Positive impacts in terms of noise and air pollution are anticipated to some properties.
- 3.9 The development would comply with residential standards in terms of internal floor areas and all of the units would also meet the requirements in relation to amenity space. Given the site constraints (including air quality) this would be provided as internalised winter gardens. Most of the units would be dual aspect, being arranged around corners or facing south-east. There are no north-facing single aspect units and lighting levels would be satisfactory.
- 3.10 The site is at some risk of flooding which has led to a raised ground floor and entrance and access from the least at risk part of the site. A sustainable drainage system is proposed and would be secured by condition.
- 3.11 The highway layout, access points and the provision of disabled parking spaces is considered to be appropriate. No parking spaces would be provided for residents or commercial occupiers beyond disabled spaces which is considered suitable in a highly accessible location. The loss of parking spaces is acceptable given the OAPF position on the reduction in surface car parks in the Opportunity Area and studies undertaken of parking habits. Servicing would occur in a satisfactory fashion from the service road, which would also facilitate future bus movements.
- 3.12 Pedestrian access points to the building are level and the residential units would be constructed to part M4(3) and M4(2) of Building Regulations.
- 3.13 The sustainability aspects of the scheme are acceptable.

4 RECOMMENDATION

4.1 That the 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 legal agreement to secure the following planning obligations:
 - a) Provision of affordable housing, including target income levels for intermediate accommodation;
 - b) Provision of an early stage review mechanism and a late stage review mechanism, to include the tenure mix of affordable rent and intermediate accommodation;
 - c) Financial contributions to sustainable travel, play-space provision, air quality mitigation and local employment and training;
 - d) Provision of a travel plan, including travel plan monitoring contribution;
 - e) Provision of car club spaces and membership
 - f) Restriction on future residents obtaining car-parking permits
 - g) Local Employment and Training strategy
 - h) Carbon offset payments
 - i) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport

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

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

Conditions

- 1) Development implemented in accordance with submitted drawings
- 2) Details of materials to be submitted and approved including detailed design of specified elements
- 3) The requirement to enter into Highways Agreement to address changes to on-street parking and provision of accesses prior to commencement of development with works to be completed to a specified timetable
- 4) Provision of pedestrian and cycling route, public realm landscaping and disabled parking prior to occupation of the development
- 5) Detailed hard and soft landscaping maintenance/management plan including details of children's play space
- 6) Details of lighting, public art, CCTV, wayfinding and vehicle signage
- 7) Accord with recommendations of Ecological Assessment and other submitted documents
- 8) Flood risk mitigation measures including evacuation plan to be provided
- 9) Detailed sustainable drainage strategy to be provided
- 10) Provision of contaminated land assessment
- 11) No infiltration of water or piling to be carried out without consent
- 12) Full details of residential and commercial ventilation strategies and flues to be provided
- 13) Water efficiency targets to be met

- 14) Sustainable development 35% carbon reduction
- 15) Full details of noise mitigation measures to be provided to achieve specified internal standards and take future uses in to account
- 16) Boilers/Energy/heating plant specifications
- 17) Noise from air handling units
- 18) Provision of a Construction Logistics Plan, a Delivery and Servicing Plan, and a disabled parking management plan
- 19) Scheme of archaeological investigations to be undertaken
- 20) Details submitted for electric vehicle charging points, disabled parking bays, pedestrian routes, cycle facilities, refuse and recycling storage and sight lines to accesses
- 21) Submission of low emissions strategy
- 21) Façade maintenance and cleaning strategy
- 22) No self-contained A1 (retail) units to be provided
- 23) Site management plan to be provided
- 24) Development to commence within three years of the date of permission
- 25) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Requirement for Highway Licence and S.278 under the Highways Act
- 2) Code of Practice on Construction Sites – ‘Control of Pollution and Noise from Demolition and Construction Sites’ and ‘The Control of dust and emissions from construction and demolition’.
- 3) Historic England informatives
- 4) Thames Water informatives
- 5) Any [other] informative(s) considered necessary by the Director of Planning

- 4.4 That, if within 6 months the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.
- 4.5 That the Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.6 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

5 PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1 The proposal is as follows:

- Erection of a part-5, part-22 and part-25 storey building on the north-east part of the site to provide 128 flats and 782m² of flexible office and commercial space on the lower floors.
- The residential elements of the building would be accessed via a colonnade off Scarbrook Road with the commercial and flexible use areas accessed from a new public space fronting onto Wandle Road

- Disabled parking spaces would be provided to the rear, under the flyover
- A servicing road would run from Wandle Road through to Church Road to the south-west to service the development and access the disabled parking. Existing access points leading to the remainder of the car park would be brought back in to use.
- A new pedestrian and cycle route would be provided from Scarbrook Road to Sheldon Street to allow easier movement north-south
- Communal amenity space would be provided in a communal roof garden on the 22nd floor, as well as a contribution being provided towards local play enhancements.

Site and Surroundings

- 5.2 The site is located adjacent to and under the Croydon flyover and is currently used as a pay and display car park and for Council staff. CLP 2018 allocates the site for bus standing, an energy centre and residential uses. It is in the Croydon Metropolitan Centre, the Opportunity Area and an Archaeological Priority Zone and part of it is at risk of flooding. The site is also part of the Old Town Masterplan area. The site falls away in height from Wandle Road towards Church Road to the south-west.
- 5.3 The area outlined in red hatching on the plan (below) is the application site for the current scheme with the proposed main residential entrance fronting onto Scarbrook Road and the secondary office entrance fronting onto Wandle Road with a small landscaped area to the front. A service road would run along the rear (parallel to the flyover) with disabled parking spaces being provided off this access. Access would be off Wandle Road with egress onto Church Road.
- 5.4 The area under the flyover is the part of the site proposed to provide the bus standing



allocation in the future, to remove buses from Central Croydon. A number of layouts for this part of the site have been investigated at high level. The area in orange would accommodate an energy centre in the future. These spaces do not form part of the current application or application site.

Planning History

- 5.2 There is no relevant planning history beyond pre-application enquiries relating to this proposal as listed in the paragraph 2.1 (LBC Ref 17/05566/PRE) and an environmental screen opinion which concluded that no Environmental Statement was required (ref 17/05312/ENV).

6 CONSULTATION RESPONSE

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

Greater London Authority

- 6.3 Being a GLA referable scheme (due to the height of the proposal) the London Mayor has considered the scheme. A number of amendments have been received since receipt of their report, which is summarised below:

- *The proposed removal/reduction of the car park is strongly supported. TfL is satisfied that the existing provision can be met elsewhere within the town centre and the optimisation of this underutilised public land responds positively to the draft London Plan.*

[OFFICER COMMENT: see paras 9.2 below]

- *The proposal to provide a high density residential-led mixed use development is consistent with the policy aspirations for this area, best optimises public land and has strong strategic support in principle. Concerns are raised regarding bringing forward proposals for part of the site only, as opposed to all uses allocated. An overarching masterplan for the entire site allocation should be developed, facilitating the early delivery of this element of the site in a manner which ensures the long term success of the wider development and its contribution to the Opportunity Area, in line with its local plan allocation.*

[OFFICER COMMENT: Officers are satisfied that the proposal would not prejudice the delivery of the other allocations for this site. Buses could use the part of the site under the flyover and further locations for bus standing are being developed in conjunction with TfL. Space is reserved for an energy centre on the wider site. See para 9.6 below.]

- *The proposed scheme will deliver 48% affordable accommodation by habitable room and should be increased to 50% requiring no viability assessment and no “late stage review”. An early stage review would be required. The proposed tenure split at 31:69 affordable rent to intermediate shared ownership responds positively to the draft London Plan and the Affordable Housing & Viability SPG. The higher proportion of intermediate accommodation is supported noting the high density nature of the development and its town centre location. Details of the affordability of the units should be secured.*

[OFFICER COMMENT: Since the report the level of affordable housing has been increased. The review mechanism and affordability details would be secured by a legal agreement as set out in the RECOMMENDATION]

- *Children's play-space of 207 m² is required. The applicant should clearly set out how the play-space requirement will be met, including details of the provision.*
[OFFICER COMMENT: Further details have been provided as set out in para 9.59 below. This will be secured by condition and legal agreement]
- *The impact of issues such as raised floor levels on the design of the scheme are noted as is the desirability of providing a high quality route under the flyover. An overarching public realm strategy must be considered and should include opportunities for public art and/or lighting installations to improve the public realm and a consideration of how the spaces around this tall building will feel to pedestrians in what is a relatively hostile and unwelcoming environment*
[OFFICER COMMENT: Amendments have been made to landscaping and detailed design of the base of the building following receipt of this response. Landscaping and public realm materials would need to be of a very high quality and can be secured by condition. The public route has been amended to be more open. Public art and lighting can be secured by condition. Officers are satisfied with this element of the proposal.]
- *Density levels are acceptable and a management plan must be secured. Consideration must be given to the impact on residential amenity of the other uses for the site.*
[OFFICER COMMENT: This would be secured by condition. Residential amenity is considered in paragraph 9.56 below.]
- *There is a case for a taller building in this location. Brick is supported and deep reveals break up massing and give interest but may be too subtle in longer views. The crown should be better integrated across the two building masses*
[OFFICER COMMENT: Amendments have been received which introduce recessed brick elements and a second brick colour to break up elements of the scheme, including the crown of the building. This is considered in paragraph 9.24 below.]
- *Although not part of the application, concern is raised that a future flue for the energy centre would be prominent, taller than the building and should be reconsidered and the site allocation should be dealt with coherently*
[OFFICER COMMENT: Issues of the site allocation are considered in paragraph 9.6 below. A flue is likely to be a bold and prominent element of an energy centre and it could be integrated successfully into this scheme.]
- *The proposal would cause harm to a variety of heritage assets through introduction of a tall building into their setting. This is considered to be less than substantial and is outweighed by the public benefits of the proposal.*
[OFFICER COMMENT: Officers concur with this approach. This is considered in paragraph 9.27 onwards below.]
- *The proposed residential units would meet Building Regulation requirements for accessible and wheelchair user homes and ample blue badge parking spaces are provided. Materials in the public realm must be considered carefully.*
[OFFICER COMMENT: These matters can be secured by condition.]

- *Energy savings in excess of targets would be made and details should be secured. A number of public transport and sustainable travel initiatives are required to meet the significant intensification of the Growth Zone overall. In order to mitigate the impact of this scheme, a contribution to sustainable travel measures should be made.*

[OFFICER COMMENT: These matters will be secured by contribution and legal agreement as set out in the RECOMMENDATION section. The exact figure of financial contribution is being set following trip generation calculations].
- *Bus driver welfare facilities are requested to be delivered as part of this scheme and could help activate the ground floor.*

[OFFICER COMMENT: amendments to the scheme have been made following receipt of the Stage 1 response which do further activate the ground floor. A communal resident's area includes welfare facilities. Whether this is available to TfL would be a commercial decision between the applicant and TfL.]
- *Cycle parking should be increased to 327 spaces and matters such as disabled parking spaces and restriction on parking permits should be secured.*

[OFFICER COMMENT: Officers consider that sufficient cycle parking is provided in line with current adopted standards. As set out in the RECOMMENDATION these matters can be secured by condition.]

Historic England

- 6.4 Historic England requested that additional analysis be provided through an improved Heritage Assessment, verified views and a kinetic views study to illustrate the impact of the proposal on a number of heritage assets. These details were provided by the applicant. They advise that the proposal would significantly project above the ridge line of Victorian low rise housing and so impact upon the setting of the Grade I Listed Old Palace School and Minster which currently enjoy intimate surroundings would be adversely affected.
- 6.5 The proposal would be visible above the rooflines of Grade II listed buildings on Church Road and from within the Croydon Minster Conservation Area. Although partially obscured by tree cover, the proposal would detract from the setting of the Conservation Area and would have some adverse impact on the setting of the Grade I listed Minster.
- 6.6 Historic England consider that the degree of harm caused to the significance of the heritage assets, would be less than substantial and so should be weighed against the public benefits of the proposal, including securing the optimum viable use of the site.
- 6.7 They recommend that the Council should be clearly convinced of the worth of public benefits arising from the proposal and whether they outweigh the identified harm.
- 6.8 [OFFICER COMMENT: This is a very important element of the consideration of the scheme and is set out at paragraphs 8.25 below. In summary the National Planning Policy Framework (NPPF) states that great weight should be given to an asset's conservation and preserving its significance. Any harm caused to the significance of designated heritage asset requires 'clear and convincing justification'. If harm is "less than substantial" it can be weighed against public benefits of a scheme. On balance, officers are satisfied that the public benefits outweigh the harm to heritage assets.]

Environment Agency

6.9 No objection subject to conditions relating to infiltration, piling and pollution control.

Lead Local Flood Authority

6.10 No objection subject to conditions.

Greater London Archaeological Advisory Service

6.11 No objection subject to conditions.

Thames Water

6.12 No objection subject to informative relating surface water drainage and connections to sewage.

7 LOCAL REPRESENTATION

7.1 A total of 160 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 19 Objecting: 15 Supporting: 1 Comment: 3

7.2 The following Councillor made representations:

- Councillor Mohan [objecting] made comments stating that the scheme is an over development of the site, would result in loss of vital parking spaces in the town centre, including for residents in the evening.

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

Objections

- Overdevelopment
- Out of keeping with character of the area including height
- Loss of light and overshadowing
- Makes a mockery of heritage ambitions
- Noise and disturbance
- Not enough parking already heavily over parked area
- Impact on traffic
- Area is overpopulated with too many high rise flats
- Unsafe location adjacent to the flyover
- Impact of air quality on residents
- Problematic impact on the water table
- Overlooking to surrounding residents
- Not environmentally friendly

- Impact on infrastructure from new residents
- Need more parking and open space
- Need for proper outdoor space for residents
- Gang crime is an issue
- Croydon is becoming a shanty town and ghetto
- Croydon has not learnt anything from tower blocks built in the 70s

Supporting Comments

- Area does not feel safe – with redevelopment it could be somewhere pleasant and actually appealing.
- Space is wasted currently as there is a carpark adjacent to this one
- The new block would fit well with other well-designed blocks in the area

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

- Impact on local house prices

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 Croydon Local Plan (2018), Mayor's London Plan (2016) 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;
- Requiring good design;
- Preserving and enhancing the historic environment.

8.3 There is a draft revised NPPF that is currently out for public consultation until the 10th May 2018. The draft revised NPPF incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the right homes in the right places consultation. The draft NPPF is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the draft NPPF in general is considered to carry minimal weight.

8.4 The main policy considerations from the London Plan (2016) raised by the application that the Committee are required to consider are:

- Policy 1.1 Delivering the Strategic Vision and Objectives for London.
- Policy 3.3 Increasing Housing Supply.
- Policy 3.5 Quality and design of Housing Developments

- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.12 Flood Risk Management
- Policy 5.13 Sustainable Drainage
- Policy 6.1 Strategic Approach
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands

8.5 There is a new draft London Plan that is currently out for public consultation which expires on the 2nd March 2018. The GLA current program is to have the examination in public of the Draft London Plan in autumn 2018, with the final London Plan published in autumn of 2019. The current 2016 consolidation Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the plan in general is considered to carry minimal weight.

8.6 The Mayor of London has published and adopted Supplementary Planning Guidance, of which the London Housing SPG, the London Affordable Housing and Viability SPG and the Croydon Opportunity Area Planning Framework SPG are of relevance.

Croydon Local Plan (2018)

8.7 The new local plan was adopted on the 27th February 2018 and now carry full weight. The main relevant policies to this application are as follows:

- SP2: Homes.
- SP2.1 Choice of homes.
- SP2.2 Quantities and locations.
- SP2.7 Mix of homes by size.
- SP2.8 Quality and standards.
- DM1: Housing choice for sustainable communities.
- SP4: Urban Design and Local Character.
- SP4.1 High quality development that responds to local character.
- DM10: Design and Character.
- DM10.1 High quality developments, presumption for 3 storeys.
- DM10.2 Appropriate parking and cycle parking design.
- DM10.4 Private amenity space.
- DM10.5 Communal amenity space.
- DM10.6 Protection to neighbouring amenity.
- DM10.7 Architectural detailing, materials respond to context
- DM10.8 Landscaping.
- DM10.9 Lighting and light pollution.
- DM13: Refuse and Recycling.
- DM13.1 Design, quantum and layouts.
- DM13.2 Ease of collection.

- DM 15 Tall and large buildings
- DM 18 Heritage assets and conservation
- SP6: Environment and Climate Change.
- SP6.3 Sustainable design and construction.
- Water efficiency 110 litres.
- SP6.4 Flooding and water management.
- SP6.6 Waste management.
- DM25: Sustainable drainage systems.
- DM27: Protecting and enhancing our biodiversity.
- DM28: Trees.
- SP8: Transport and the Communication.
- SP8.5 and SP8.6 Sustainable travel choice.
- SP8.7 Cycle parking.
- SP8.12 and SP8.13 Electric vehicles.
- DM29: Promoting sustainable travel.
- DM30: Car and cycle parking.
- DM38 Croydon Opportunity Area

9 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the proposed development
2. Housing (affordable, tenure & mix)
3. Townscape, design and heritage
4. Impact on adjoining occupiers
5. Quality of living environment provided for future residents
6. Transport, parking and highways
7. Impact on environmental conditions
8. Sustainability
9. Other planning matters

Principle of the Proposed Development

9.2 The wider site is allocated in the Croydon Local Plan 2018 (CLP 2018) as Site Allocation 522 by Policy SM38.7 for the following land uses, which are also supported by the Old Town Masterplan SPD:

“Bus stand underneath the flyover and a district energy centre and residential development on the remainder of the car park.”

9.3 As such, residential uses are fully in accordance with the adopted allocation for the site and are in principle acceptable. The non-residential uses are not considered to be contrary to the site allocation, given that they are a minor element of the scheme compared to the residential quantum and provide a mixed use development enabling active frontages at ground floor.

9.4 The allocation of parts of the wider site for bus standing and a district energy centre to serve the Metropolitan Centre are of strategic importance and are required to support the growth expected in this area. It is therefore important to ensure that the proposal

does not prejudice their delivery. It is not considered that this needs to be carried out through a formal master-planning process, as requested by the London Mayor, as the wider area is covered by the Old Town Masterplan.

- 9.5 The residential development would be located on the part of the site away from the flyover, at the junction of Wandle Road and Scarbrook Road and would extend approximately 66 metres along Scarbrook Road. It would leave an area of the site (approximately 40 metres long by 16 metres deep) which would be adequate and reasonably sized to accommodate a future energy centre. An energy centre has not been designed, but early feasibility work suggests that it could be accommodated on the remaining available site and configured as a building up to four storeys which would likely be acceptable in terms of massing. Whilst a future planning application would need to consider this layout and its design in detail, it is considered that there is adequate room within the site to accommodate the future energy centre. It is likely that a future flue would need to be increased in height due to the presence of the proposed development and the proposal has been designed to be able to accommodate a flue in the future.
- 9.6 The site allocation itself does not define specific numbers of bus stands but the intention is that standing for up to 13 buses is required, as set out in the adopted Mid-Croydon Masterplan and a minimum of 7 buses is set out in the adopted Old Town Masterplan SPD. The strategy to move on-street bus standing from Mid Croydon to the Wandle Road site is also set out in the adopted OAPF. The allocation, supported by the OAPF, Mid Croydon and Old Town masterplans, refers to the bus standing being underneath the flyover and a number of potential layouts have been separately progressed by the Council, as regards future delivery of bus standing.
- 9.7 An option which shows 13 buses standing under the flyover, entering from Wandle Road and exiting onto the Old Town roundabout appears to be technically feasible and could be acceptable in design and impact terms. However, TfL are concerned that it would result in buses needing to travel significant distances to the start of various routes. Various options which show a lower number of buses, either 4 or 6 spaces, allowing access and egress from Wandle Road are considered likely to be acceptable and would be compatible with this scheme. The Council is looking to actively progress one of these options in the short term and is investigating other sites to accommodate the short-fall in bus standing numbers in a location which is more convenient for the routes which would be serviced.
- 9.8 In order to ensure that the wider site comes forward as a coherently designed area, a co-ordinated approach to a number of items (such as public realm materials, art, lighting and landscaping) would need to be adopted, which will be established through the use of conditions.
- 9.9 The proposed non-residential uses are considered to be acceptable; there is no policy restriction on office developments in this location. Significant design thought has been put to the provision of ground floor flexible space and lower floor commercial space, to ensure that it would be viable and attractive to future occupiers as well as providing facilities which future residents or businesses could make use of. The spaces would be designed to be flexible and multi-purpose, which is considered to be the best approach to ensuring that they can meet a number of functions. The office space is located within the flyover-facing lower floors of the proposed building. This is considered an appropriate location in a part of the building which would not be suitable

for residential accommodation. Conditions are recommended to ensure that no fully self-contained A1 units are formed, which would otherwise have had the potential to impact on viability of the retail core in Central Croydon.

Housing (Affordable Housing, Tenure and Mix)

9.10 The Croydon Local Plan 2018 Policy SP2 states that on major sites the Council will negotiate to achieve up to 50% affordable housing, subject to viability and seek a 60:40 ratio between affordable rented homes and intermediate (including starter homes). The London Affordable Housing and Viability Supplementary Planning Guidance requires schemes to maximise affordable housing delivery by use of grant funding and expects development on public land to achieve 50% affordable housing delivery. It sets out a number of “review mechanisms” for different scenarios.

9.11 The scheme now provides 50% affordable housing by habitable room, which meets the overall amount of affordable housing to be delivered by policy. The affordable housing tenure split would be 27% affordable rented and 73% intermediate, in the form of shared ownership accommodation. This is summarised in the table below:

	Private	Affordable housing	TOTAL	Affordable Rent	Intermediate	TOTAL
Units	68	60	128	18	42	60
Unit %	53	47	100	30	70	100
Habitable Rooms	170	171	341	45	124	169
Habitable Rooms %	49.86 (50)	50.14 (50)	100	27	73	100

9.12 Whilst this would not accord with the policy requirements set out in the Plan, is considered acceptable due to the high density nature of the scheme and its town centre location. The London Mayor has also accepted this approach and justification.

9.13 Additionally, viability modelling has showed that providing a 60:40 policy compliant mix of tenures would reduce the overall amount of affordable housing to approximately 28%. This would equate to approximately 35 units of affordable housing being delivered (as opposed to the currently proposed 58) of which 21 would be affordable rent, compared with the current proposal of 18 affordable rent units. Taking a policy compliant 60:40 split would therefore increase the number of affordable rent units by approximately 3 units, but reduce the overall affordable housing delivery by approximately 23 units.

9.14 The proposal consists of 10% 3-bed units in an area which the Opportunity Area Planning Framework (OAPF) identifies as being suitable for 45% family accommodation. The scheme provides all 2-bed units as 2-bed 4-person units, which can be suitable for family accommodation and policy DM1 of CLP2018 states these can meet a family accommodation need for the first three years of the plan. Furthermore, the high rate of family accommodation in this area of the OAPF is based on schemes generally being mid- to low-rise and so being more suitable for family

accommodation. The level of family accommodation is therefore considered to be satisfactory.

Townscape, Design and Heritage

9.15 Policy SP4 of the Croydon Local Plan requires development to be of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. The OAPF states that this is an "edge" height area in which tall buildings are unlikely to be acceptable and will need to make a case for their acceptability based on their impacts. The Old Town Masterplan provides development parameters and design guidance for sites in Old Town and site-specific guidance for this site.

Site Layout

9.16 This scheme would be located closest to the junction of Wandle Road and Scarbrook Road and would successfully define a street frontage to Scarbrook Road and introduce an enhanced public realm at this junction. It would also introduce a prominent feature building visible along Whitgift Street with an appropriate connection to the wider Metropolitan Centre. It is also the best location to achieve a significant quantum of development; the flyover would impact on residential amenity of a development set further back within the site and the massing of the local area steps down significantly towards Church Street meaning that less development would be likely to be successful towards the western end of the site.

9.17 The site allocation states that the bus standing should be located under the flyover, which is also the best location in terms of visual amenity and noise screening. A bus stand would be unlikely to provide a high quality active frontage in any case and so would be better located towards the centre of the site. The energy centre could be delivered flexibly, depending on decisions about its capacity and internal layout, but is likely to require a building of up to three or four storeys (potentially with other uses above or adjacent to it). This facility would therefore be better placed towards the south-west part of the site where the massing of the local area is generally lower. As such, the proposed distribution of uses and development is considered to give rise to a coherent and sustainable site plan from both an overall site layout perspective and how the other uses might well come forward across the remaining parts of the site over time.

9.18 The proposal includes the provision of a pedestrian and cycle route across the site from Scarbrook Road to Laud Street. This is a strategic opportunity identified by the Old Town Masterplan which sets out that the flyover is a significant barrier to southerly movement from the Old Town area. The proposed cycle route has been amended as part of the planning application process to make it more straight and direct, thereby enhancing the sense of safety and security. The design of this route has been co-ordinated alongside the scheme, with the majority of the cycle parking being located in this area with easy access to the cycle network. Careful detailed design work will be required by condition to ensure that the route does not conflict with vehicle movements where it crosses the car park and is the area designed as a primarily pedestrian/cycle environment given the inhospitable environment under the flyover. Conditions are recommended to ensure that this is a high quality environment, incorporating public art, lighting, high quality materials and safety features including CCTV. This is

considered to be a significant positive element of the scheme and conditions are recommended to secure its delivery.

- 9.19 The proposed block has been pulled away from Wandle Road, so that a small public square, measuring approximately 13m deep and 25m wide, can be provided. This will improve the public realm at this junction, giving greater connectivity to the Metropolitan Centre and providing a sense of relief from the tight urban spaces surrounding it, a place for people to stop, rest and meet as part of their journeys on foot or cycle and an improved environment for the public. This also results in the 5-storey mass of the plinth of the building being pulled away from 1 Wandle Road (12 storey block of flats) and surrounding buildings, ensuring that this junction does not have an enclosed feeling with the flyover in close proximity.
- 9.20 In order to overcome flooding concerns, the ground floor has been raised above the current ground levels by over 1m. This level change is less significant at the north-east end of the site (which is on higher ground) and so at this point is gradually graded out through the new area of public realm by a series of generous steps and ramps. The non-residential flexible uses front directly on to this public space and have a good relationship with it. The ground floor along Scarbrook Road has been amended during the proposal to increase the amount of active, usable, space along this frontage and to open up the colonnade and connect it better to Scarbrook Road. These changes have improved the appearance and open character of this element of the scheme significantly and with careful control over materials and lighting, will be a pleasant, open, well connected element of the scheme.
- 9.21 By addressing the frontages of Wandle and Scarbrook Road and providing a well-designed, active series of frontages and spaces, the development would remove a site which currently forms a break in the built form between the Old Town area, Laud Street and the restaurant quarter beyond. It would help stitch together two areas of the Old Town and wider Metropolitan Centre, providing a more positive, integrated and continuous urban form which would significantly aid enhanced connectivity. The scheme would successfully define frontages to the two roads immediately adjacent, would screen the flyover and connect two parts of the Metropolitan Centre. These elements are particularly positive interventions.

Townscape

- 9.22 The siting of the building results in the taller part of the building being located towards the middle of the site. This helps to open up the sense of space and distance from 1 Wandle Road and in turn helps to open up the Scarbrook Road/Wandle Road junction. This also positions the tallest element of the scheme in the gap between the two four storey blocks of flats on the northern side of Scarbrook Road, so reducing the impact of the proposal on those blocks.
- 9.23 The site does fall within the OAPF “edge” height area, where tall buildings need to be justified on their merits. The adopted Old Town Masterplan and Local Plan site allocation does not envisage or specifically endorse a tall building on this site. The tall element of the building would be easily visible in the wider townscape of Croydon Metropolitan Centre and would be a local landmark. In townscape terms, the site is on the edge of the Metropolitan Centre and is near to some taller buildings, such as 1 Wandle Road and so in some views would be directly connected to the mass of tall buildings in the Metropolitan Centre, as well as being seen with those in the

background in some wider views. From other directions, the proposed tall building would appear more visually disconnected from the predominant cluster of tall buildings in Croydon Metropolitan Centre and in such instances, would appear somewhat isolated and in contrast to the lower rise context of Croydon Old Town and other parts of Central Croydon's residential hinterland. However, a tall building can be justified in this location in view of the flyover and the A232 being a major route in to Croydon Metropolitan Centre. The building's siting adjacent to the flyover, close to the main centre of Croydon and within the Opportunity Area marks a very significant entrance in to the Metropolitan Centre. Additionally the Old Town Masterplan acknowledges that the raised roadway of the flyover has a negative impact on the local environment in terms of noise, visual severance and its impact on the local townscape. Screening it provides an opportunity to improve this element of the townscape locally as well as providing a positive marker to an entrance to the Metropolitan Centre.

- 9.24 The OAPF advocates a "slenderness ratio" as a broad means of ensuring that tall buildings are well proportioned and do not dominate the local environment and views. The scheme achieves this slenderness on the side elevations. To the front and rear elevations, the wider massing of the building has been broken down through a series of measures to provide elegant proportions, a vertical emphasis and a finer grain to the building. The recessed stair core separates the building in to two slender elements which are further emphasised by the split height of the top of the building. As such, with the addition of a stepped element on the north-east elevation, the building appears as a series of recessing volumes, resulting in an elegantly proportioned, visually interesting and yet architecturally consistent and confident proposal which would be a strong, positive marker at an entrance to the Metropolitan Centre and would be beneficial to the wider area.
- 9.25 The detailed design of the building and architectural approach is very much led by the use of brick as a high quality, robust and attractive building material which is used in much of the existing local housing stock and in some of the more intricate high quality heritage "anchor buildings". Brick provides an opportunity to design a building which responds to these contexts and has a fine level of detail without needing to build in artificial decorative elements. The building has been articulated with a "top, middle and bottom", with the bottom forming the 5-storey plinth. This is emphasised by the horizontal bands of brickwork which frame this part of the building. Especially on the rear elevation there would be a number of different elements within this plinth (plant/servicing areas, the office space and a number of types of residential space) but they form a coherent appearance through the use of strong horizontal framing elements.
- 9.26 The plinth establishes a language of a grid of horizontal and vertical elements, within which the bays of the residential and office fenestration sits. In the middle section of the building this is continued and clearly expressed with a fine domestic grain. Due to the orientation of the building with a wide elevation facing the south east, the building needs to ensure that solar gain does not lead to overheating of residential units. A sustainable way of addressing this by having a deep façade, with the glazing set significantly behind the outer brick grid of the scheme so that it naturally provides some shading and air movement. This also gives rise to a visually deep appearance to the scheme which will help to visually break up its solid brick appearance.
- 9.27 As set out in the GLA's response, there is a concern that, despite the depth of the recesses in the bays of the elevation of over half a metre, in long views of the scheme

this would not be particularly legible and the finer detail of the building could merge together. The nature of the design approach taken is such that the building is designed to be a solid, confident brick building and so this is to an extent inherent in the style of the proposal. However, the applicant is proposing to use a secondary brick colour in some of the recessed elements of the scheme, primarily the lift core areas and has introduced recessed areas to the lift core at the top of the building, the bulkiest element of the proposal. The detailed design of these elements including number of courses per band, exact brick and brick and mortar colours, is recommended to be secured by condition.

Heritage

9.28 Policy DM18 of CLP2018 states that development affecting heritage assets will only be permitted if their significance is preserved or enhanced and lists, at DM18.2, a number of issues which schemes affecting heritage assets must consider (including scale, height, massing, pattern of development, detailing, materials, and integrity and significance of historic fabric). Specifically regarding heritage, the NPPF provides detailed guidance on its consideration in a development management context, the relevant sections of which are highlighted below:

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).... They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

131. In determining planning applications, local planning authorities should take account of:

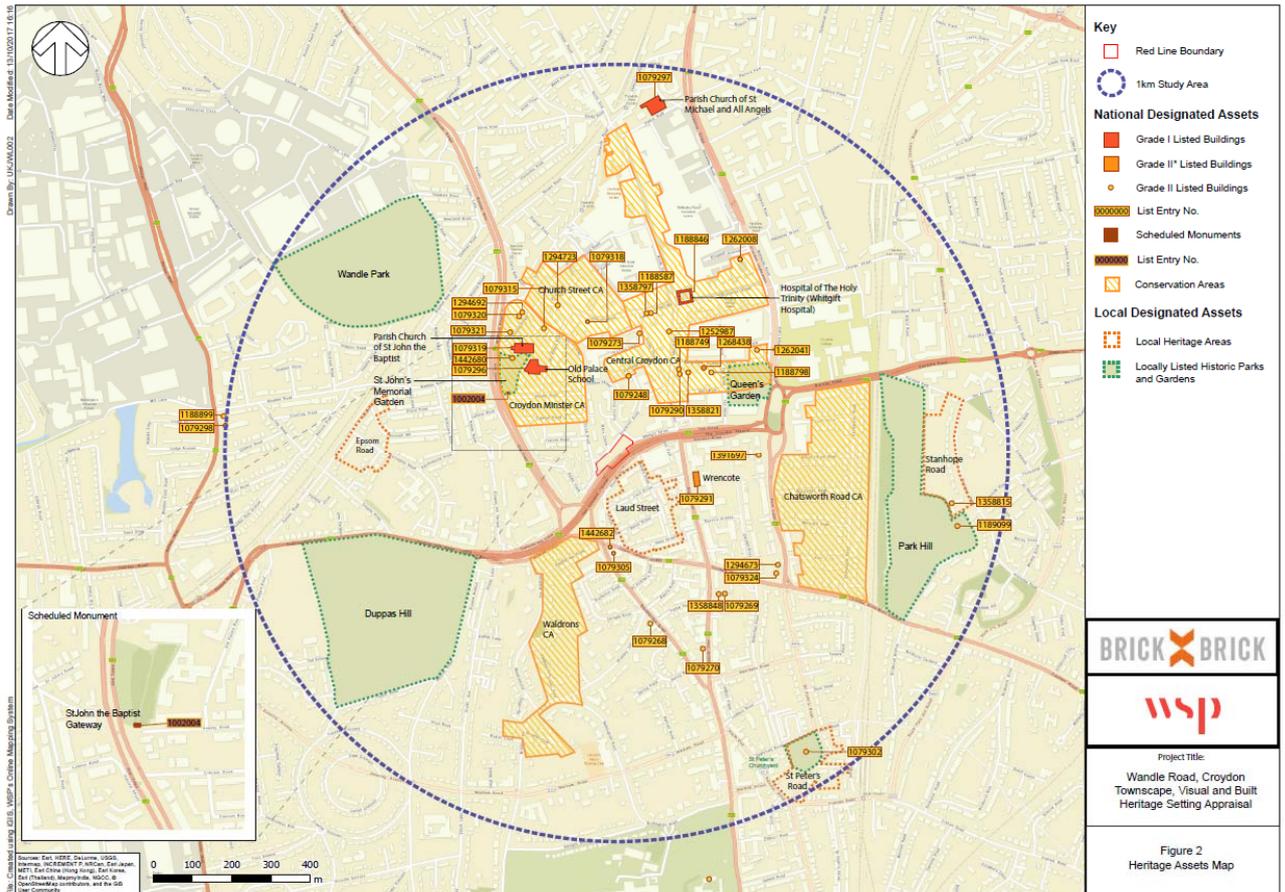
- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments ... grade I and II listed buildings ... should be wholly exceptional.*

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

(Note: emphasis added)

9.29 The site falls outside of Conservation Areas and is not immediately adjacent to any listed buildings. However, in view of its height, design and prominence, it does interact with a complex series of heritage assets as illustrated on the map below:



9.30 In summary the proposal would have some impact on the following heritage assets:

Area designations:

- Croydon Minster Conservation Area
- Church Street Conservation Area
- Central Croydon Conservation Area
- Chatsworth Conservation Area
- The Waldrons Conservation Area
- Laud Street Local Heritage Area
- St John's Memorial Garden Locally Listed Historic Park or Garden

Site designations:

- St John the Baptist – Grade I Listed (Croydon Minster)
- Old Palace School – Grade I Listed
- Tudor Gateway - Scheduled Ancient Monument
- Rose and Crown Public House – Grade II Listed
- Elis David Almshouse – Grade II Listed
- 120 Church Street – Grade II Listed
- Gothic Villas - Nos. 2-8 (even) Church Road – Grade II Listed
- Pumping Station – Grade II Listed

- Union Bank Chambers – Grade II Listed
- Municipal Buildings including Clocktower, Public Library and Corn Exchange – Grade II Listed
- 91-93 Church Street – Grade II Listed
- 61, 63, 65 Church Street – Grade II Listed
- Green Dragon Locally Listed Building
- Royal Standard Locally Listed Building

Croydon Minster Conservation Area and Assets

9.31 The Croydon Minster Conservation Area is the historic heart of Croydon. It comprises Croydon's place of origin and has been continuously inhabited for over a thousand years. Its association with the Archbishop of Canterbury for over nine centuries has shaped the identity of the area and left an enduring physical legacy, through the variety and high quality of its historic buildings. Croydon Minster and Old Palace School (both Grade I listed buildings) are of particular quality and significance as part of this. The area around Church Street contains a high quality sequence of buildings, many of which are listed and locally listed and the green spaces surrounding the Minster retain much historic integrity which contrasts in character with the more modern development seen elsewhere in Croydon Metropolitan Centre. The close relationship between the Minster and Old Palace (and Tudor Gateway), physically, architecturally and historically, is of particular significance to these listed buildings (and scheduled monument) and to the conservation area. The conservation area includes the "Victorian Terrace Character Area" which contains characteristic examples of mid and late Victorian houses with a strong and consistent small-scale and dense urban grain. The particular sensitivity and historic integrity of Croydon Minster Conservation Area is emphasised by the density of heritage assets it contains, and the presence of highly graded assets such as the Scheduled Monument and grade I listed buildings. It is the interplay between these individual assets which create the special character and appearance of the conservation area.

9.32 The proposed development would be visible in numerous views within the conservation area and will be perceived as part of the wider setting of the conservation area as a whole. Its height and form would erode the historic integrity of the area and this is particularly sensitive where it would be visible in the context of the Minster and the Old Palace Grade I Listed Buildings. It should be noted that there are currently views of these particular assets in which Croydon Metropolitan Centre and the tall buildings associated with it, are visible and impinge on ones experience of the assets. However especially as one approaches these assets from the north there are some views in which these modern interventions do not significantly impinge. The Minster is particularly visible along Rectory Grove and the proposal would have an impact on that view although it would be limited by being seen in the context of terraced houses and other built forms. The proposed development would be visible across the Old Palace from Minster Churchyard/St John's Memorial Garden and from within the courtyard of the Old Palace. It is acknowledged that views of the proposed development from within the courtyard are orientated away from the listed buildings but the proposal would form part of the setting of the Old Palace. In a number of these views, significant elements of the tower would be visible with a strong presence which detracts from the historic character and setting of these assets. As one moves around the Minster and through St John's Memorial Garden there are a number of locations where the views would only be glimpsing and have less of an impact.

Central Croydon Conservation Area and Assets

- 9.33 The conservation area is the commercial and civic heart of Croydon. Its largely medieval street layout is of special historic interest. The long history and affluence of the former market town is reflected in the variety and quality of architecture. The area retains important remnants of Croydon's industrial past in the layout of yards behind the main streets and in Surrey Street Pumping Station (Grade II listed) in Exchange Square. The space retains an industrial character through its location and narrow access from Surrey Street. The space allows for clear views of the Pumping Station. Despite tall buildings bounding the Square, there is a clear gap to either side of the Pumping Station which accentuates its prominence and allows its silhouette to remain legible. The proposal would impact on this asset but given that the asset reflects part of the industrial heritage of Croydon and that a number of tall buildings form part of its setting which has changed over time, this impact is considered to be limited.
- 9.34 The area also contains the late Victorian Town Hall and associated municipal buildings (grade II) which are of historic interest in reflecting the civic function and aspirations of the Victorian town. The building presents high quality architecture including a prominent clock-tower and complex roof-scape which contribute to the prominence of the building as a historically significant landmark. Much of the silhouette of the building remains unaltered and free from modern intrusions. The proposal would be visible above the southern end of the roofline of the building, when seen from the east. This would be located furthest away from the most intricate elements of the roof, such as the clock-tower and closer to Bernard Wetherhill House, thereby limiting the effects of the proposal on the Town Hall.

Other Assets

- 9.35 There would be some impacts on other heritage assets mentioned above. The impact on the Waldrons would be limited to increased visibility of a tall building, but visible generally within the context of the Metropolitan Centre in the background. Similarly, the impact on the Chatsworth Road Conservation Area would be limited.

Impact and Harm Caused

- 9.36 The proposal does have a detrimental impact on the majority of these heritage assets, with the key impacts set out above. The impacts are varied; in some instances the building intrudes on a historic setting where there is currently very little intrusion of modern buildings. Some impacts are on the settings of listed buildings, others are on the views into and out of conservation areas. Some impacts are limited by the nature of the asset affected; proposal would only be visible at an angle or for a short period of time in one's experience of a heritage asset. Critically, no direct harm to the fabric of any heritage assets would occur.
- 9.37 In line with the advice from Historic England, the impact on all these assets is considered to be "less than substantial", including the cumulative impact on the assets as a whole. In coming to the conclusion that the impact is less than substantial, the context of the setting of the heritage assets is taken into account, namely that the majority of them are located within or adjacent to a busy Metropolitan Centre which is frequently changing to accommodate growth in a sustainable fashion.

9.38 As well as concluding that the scheme causes “less than substantial harm”, alternatives to the scheme have been considered, in line with paragraph 129 of the NPPF; specifically a reduction in height of the proposal by 7 storeys. Such a proposal would still cause some harm to heritage assets although substantially less harm. Furthermore, the harm would be limited to a smaller number of assets. However, and crucially, this lower scheme would not be viable and would not allow the scheme to come forward (including the delivery of a significant level of affordable housing). As such, the level of change to the scheme necessary to get close to a “no-harm” scenario would make the scheme undeliverable under this hypothetical scenario. It is conceivable that a very significantly redesigned scheme could potentially deliver a quantum of development in a different way and cause less harm to heritage assets although your officers consider that sufficient alternative testing has taken place.

9.39 Consideration has also been given to a scheme which reduces the height of the building by two storeys. A reduction of approximately this order would reduce the heritage impact of the scheme from a number of key views around the Minster and Old Palace, such as resulting in the scheme sitting below ridge lines or only being visible in the valleys between roofs – thereby reducing its overall impact. Such a change would give rise to an unsustainable drop in the amount of affordable housing being deliverable (a reduction from 50% to 21% as the reduction in value from the removal of units is greater than the reduced costs of building a scheme and the same overall costs to the scheme of being able to purchase the land would still apply). It is considered therefore that whilst this would be marginally preferable in terms of heritage impact, these benefits are outweighed by the detriment to the delivery of affordable housing and housing quantum.

9.40 Having concluded that the scheme gives rise to “less than substantial harm” it is necessary to weigh that harm against the public benefits of the scheme. As set out above, a reduced scheme in the various scenarios described above would be undeliverable or less beneficial in terms of affordable housing delivery. Therefore, the public benefits as described in paragraph 9.22 above.....

- the delivery of a significant quantum of affordable housing (albeit tempered by the overall policy requirement and makes use of grant monies);
- the opportunity to make use of land which is currently underutilised;
- delivery of an improved public realm and a pedestrian and cycle route across an urban block which is currently a barrier to easy movement;
- facilitating development which supports place-making aspirations whilst helping to create a positive, integrated as co-ordinated urban form;
- the provision of a scheme with a very high quality of architecture and urban design.

.....would outweigh the harm caused to the various heritage assets. Officers are satisfied that following assessment of the various complex issues and considerations, the approach adopted by the applicant (in terms of design, heritage and townscape) is sound and can be supported.

Impact on Adjoining Residents

9.41 The Croydon Local Plan policy SP4 seeks to respect and enhance character to create sustainable communities and enhance social cohesion and well-being. It ensures that the amenity of the occupiers of adjoining buildings are protected, taking into account the context of a development, in this case being within the Metropolitan Centre.

9.42 When assessing impacts on daylight and sunlight, it is common practice to use guidance published by the Building Research Establishment (BRE) which suggests a maximum allowable percentage reduction, and a minimum level which should be met. These measures should be assessed in conjunction with others which look at what percentage of the room would be reached by light, as well as what the rooms are used for. Finally, the guidance itself states that it should not be applied strictly in urban areas where there is commonly a tight urban grain.

Scarbrook Road

9.43 On the north side of Scarbrook Road are two four-storey blocks of flats, with a car park entrance between them. The flats have principal room windows which face towards the development. The site has been laid out so as to minimise the impact on Scarbrook Road residents, as well as others. The tallest element of the building has been positioned so that it sits opposite the gap between the two blocks of flats, and so has a reduced impact in terms of impact on light and outlook.

9.44 Due to the cleared nature of the existing site, most windows looking towards the site would have a reduction in light of more than the 20% recommended by the BRE guidelines – as they currently have very good access to light. When combined with a test of the distribution of light within the room, the majority of windows would have good access to light. 17 windows in the two blocks would be below these standards, but would have light penetrating to over 60% of the room served. The majority of windows would achieve the BRE standards of daylight with a small number not achieving the target for winter sunlight and average annual sunlight hours.

9.45 As set out above, many urban developments do not meet the full standards of the BRE and the level of transgressions to the guidance set out above are not considered to be undue, or to have such a detrimental impact on residential amenity as to warrant refusing the scheme. In order to illustrate this point, the developer also tested a 4-storey development running along Scarbrook Road, to compare the impacts of this scheme. This was found to show very similar amounts of transgressions against the guidelines.

9.46 Concerns have been raised by residents about overlooking from the proposal. The arrangement of the proposal opposite these existing blocks, with principal room windows facing each other across a street, is very common and is not considered to give rise to undue overlooking.

Wandle Road

9.47 1 Wandle Road is a 13 storey flat-block located diagonally opposite the development site. Due to the curved frontage of this building, a number of units and their balconies would face towards the proposal. The 5 storey podium element of the building would be approximately 26m from the nearest elevation of 1 Wandle Road, with the taller elements approximately 40m separated. This is considered to be a high degree of separation in an urban area.

9.48 With regards to daylight, 36 of 155 windows would not meet either the minimum daylight levels or the maximum reduction set out in BRE guidance. Of these, 24 are located underneath projecting balconies, which significantly impact on the levels of

light available to the window. The other 12 windows would all receive between 20% and 27% (the target) daylight and so, taking into account the existing very high levels of daylight that the units enjoy and the urban nature of the area, this is considered to be an acceptable impact on this property. The separation distances are satisfactory to ensure that no significant overlooking occurs.

- 9.49 The next property to the north along Wandle Road (74-100 Scarbrook Road) is located over 40m from the proposal. The proposal would have some impact on the light to the property, but when taking into account the penetration of light in to the room, the impact is considered to be acceptable.

Sheldon Street

- 9.50 Located to the southern side of the flyover and south of the development, the proposal would be separated from these properties by the flyover itself and a distance of some 65m. Despite this, there would be some impacts on the properties, generally due to the open nature of the existing site. Reductions would be within 10% of the maximum suggested reduction and the levels of sunlight remaining are still considered to be good for an urban area and so the impact is considered to be acceptable.

Noise and Disturbance

- 9.51 Elements of the ground floor include flexible A1-A3, office and community use spaces. These uses are likely to give rise to footfall from visitors or customers but due to the floor areas involved, are not considered to be likely to give rise to significant disturbance to local residents. Conditions are recommended regarding control of odours from any cooking processes which would ensure that this impact on residential amenity is acceptable. Servicing is proposed to be from the rear, from a dedicated service route and would be in accordance with an agreed strategy which would control the hours when this would occur. Overall these elements of the proposal are not considered to have a significant impact on residential amenity if appropriately controlled through conditions.
- 9.52 The proposal could have some slight benefits in relation to noise for residents to the north, by blocking flyover noise to these residential properties. Any impact is not likely to be significant overall, when taking into account that the proposal could result in higher levels of noise underneath the flyover or to Sheldon Street.
- 9.53 An assessment of the impact of the proposal on the local microclimate has been undertaken, with the current baseline assessment showing that the corner of Wandle Road and Scarbrook Road is the windiest area at the moment and that this would become windier as a result of the proposal. However with mitigation in the form of soft landscaping including trees this could be overcome, which can be covered by the proposed landscaping condition.

Quality of Living Environment for Future Residents

- 9.54 Policy SP2.8 of the Croydon Local Plan 2018 indicates that housing should cater for residents' changing needs over their lifetime and contribute to creating sustainable communities. Individual units should meet the standards set out in the London Housing SPG and Nationally Described Space Standards.

- 9.55 All units comply with the Nationally Described Space Standards and all are arranged around the corners of the buildings, to maximise the number of units which would have dual aspect and the associated benefits of light and outlook. All units also have private amenity space which meets the requirements of the London Housing SPG in terms of size. The amenity space is proposed as winter gardens which would be fully enclosed ensure that they are usable and offer genuine amenity for residents, given the location of the proposal in a noisy and air polluted area.
- 9.56 No residential units are proposed to the rear of the building either below flyover level or at a level at which vehicles on the flyover would impact on residential amenity, either from overlooking or light intrusion from headlights. A noise assessment has been undertaken to demonstrate that with appropriate glazing all residential units can meet the necessary internal noise standards. The scheme has been developed with a very deep façade to ensure that south-facing units higher up the building would not over-heat by providing natural shade and cooling to the windows in these elevations.
- 9.57 A daylighting assessment has been undertaken for the proposed units and has concluded that the vast majority of windows in the development (approximately 95%) would achieve high levels of light. Those windows which don't are usually where they are set behind a winter garden. The winter gardens have been designed to a high quality and so are likely to be a usable room which adds to the amenity of the unit and would itself receive very good levels of light.
- 9.58 The area is noisy and has a significant degree of air pollution due to the presence of the flyover. The submitted noise assessment demonstrates that the proposal can provide the required level of internal noise control through use of specialist glazing and other mitigation. In order to achieve these levels of noise control, the windows would have to be shut. They are proposed to be openable, to allow residents to open them should they wish to, but would achieve the necessary internal noise levels when closed. Mechanical "whole house" ventilation is being proposed to units, to include NO2 filters to ensure that air quality targets within the units are met. The submitted air quality assessment does not provide full details of the proposed mitigation measures, so a condition is recommended for these details to be provided at a later date, as it has been demonstrated that these issues can be satisfactorily mitigated.
- 9.59 The submitted assessments respond to baseline studies of the current scenario – and current noise and air quality readings. They also assess the impact the provision of bus standing and energy centre could have on the scheme and conclude that existing noise levels are high, and so those future uses are unlikely to lead to a significant impact on the proposal. Both assessments conclude that detailed mitigation should be specified at the detailed design stage so a condition is recommended to secure this, including full consideration of the impact of these future uses.
- 9.60 A number of communal areas are proposed for residents in the scheme. On the ground floor, the flexible commercial spaces are being envisaged as providing services which would be of use to residents, such as flexible meeting/café space. A flexible residents' lounge is proposed on the ground floor which would be accessed through the residential entrance and would be multifunctional, with a small kitchen and disabled toilet. The applicant envisages that it would be available freely for residents during the day, potentially available for residential hire in the evenings or for events and could also be used for services such as a crèche.

- 9.61 External communal space is limited to the roof garden on the 22nd floor, which would have an area of 220m². Other areas of the building have been considered for additional external communal amenity space but have been ruled out on grounds of noise or air pollution. Given the other areas of internal communal space, and that the site is located very near to amenities in the Metropolitan Centre this is an adequate provision.
- 9.62 The proposal requires the provision of 207m² of play-space, of which 135m² should be for under 5's. It is proposed to provide the required 135m² in the communal roof area as this should be provided as close to the development as possible. A condition can control the specific details. Whilst the remaining play-space could also be provided within this space, it would result in practically all of this space being play-space which is not considered to be desirable. There are a number of open spaces in the Metropolitan Centre within the likely walking distance that families would travel to play. The applicant has undertaken to provide a financial contribution, based on the costs of equipping an area of approximately 75m² with suitable equipment and including an allowance for future maintenance. Given the constraints of the site, it is considered that this is an acceptable approach in this instance to make up for the shortfall of on-site play equipment.
- 9.63 To protect the amenity of future occupiers fixed plant should be designed to comply with the rating level criteria at least 10dB below existing background noise levels and the details shall be fully implemented prior to the occupation. This can also be secured through a condition.
- 9.64 The scheme has been designed to ensure accessibility and inclusivity where the design allows, in the context of a scheme which has been raised up to overcome flood risk concerns. Level access into the scheme is provided and accessible lifts are proposed. The proposal meets the requirements of 10% (13) of units to be wheelchair accessible M4(3) and all others can meet the requirements of M4(2). Details have also been provided of emergency evacuation for those in a wheelchair, with the stair-cores designed to be protected and to include space for a wheelchair user. Wheelchair parking spaces are discussed below.

Transport, Parking and Highways

- 9.65 The Croydon Local Plan Policy SP8 sets out local requirements to promote sustainable travel and levels of parking. Policy DM30 also requires that the impacts of car parking are reduced and that if a proposal results in a net loss of parking spaces, that it can be demonstrated that they are not required. The OAPF also seeks to manage a reduction in the number of parking spaces in the Metropolitan Centre, with the "southern fringe" parking area to have a reduction of either 1000 spaces (if there is large retail investment in the CMC) or a reduction of 200 spaces if not.
- 9.66 The existing carpark is used during the day by Council staff and parking for Zipcars which are exclusively for the use of the Council during the working day. At weekends and evenings it is a pay and display carpark. The proposal would include a new service road running along the rear of the site, accessed from Wandle Road and with egress on to Church Road. The site has a PTAL rating of 6a. No residents or business parking is proposed, apart from 10 residential disabled parking spaces.

Parking

- 9.67 Strategic Transport have assessed the Transport Assessment (TA), which includes an occupancy survey both on a weekday evening and on a Saturday. It concludes that the carpark is never more than 35% full at these peak times and that on-street parking has a high level of occupancy. However, the NCP carpark adjacent has high levels of vacancy at these times which could accommodate parking which is displaced, if on-street parking (which had a higher level of occupancy) cannot. As such, the policy requirements of DM30 regarding loss of parking is met.
- 9.68 The site is located in a highly sustainable location and so a car free development is considered to be acceptable. In order to limit the impact of the proposal on on-street parking demand, a clause of the legal agreement is recommended to prevent residents from applying for residents' parking permits in the future. A car club space should be provided within the site but there is insufficient room for one to be safely provided. It could however be provided off-site and it is recommended that this is secured by the legal agreement.
- 9.69 The proposal incorporates 10 disabled parking spaces for 13 disabled units. More disabled spaces were proposed but the number of spaces has been reduced to 10 to make the cycle and pedestrian route a straight route. The draft London Plan proposes a new standard of three disabled spaces per 10 disabled dwellings, with a management plan to show how this can be increased to 1 space per disabled dwelling if necessary in the future. The proposal does not fully comply with this, but there are measures which could potentially be put in place to provide a disabled parking space for the three disabled units which don't have them (such as requiring the developer to provide a carpark pass or residents permit, within a set time period). A condition is recommended to require a disabled parking management plan to address this eventuality.
- 9.70 The provision of the service road would reduce the number of on-street parking bays on Church Road by 2, which is considered to have an acceptable impact on local parking capacity and a condition can ensure that the highways agreement is made to enable this to occur.
- 9.71 Similarly, the proposal would remove the existing main carpark entrance, but approximately 120 parking spaces would be retained. A condition is recommended to ensure that a new entrance or entrances and any necessary highway works are undertaken to provide this.

Trip Generation

- 9.72 The TA has used TRICS to generate peak and daily multi modal trip rates of comparable sites to estimate the peak am and pm trips for the proposed development which results in an estimate of on average 3.7 trips per unit spread across modes to include 10% by car driver and 64% across a variety of sustainable public transport modes. This would equate to approximately 45 car movements per day, out of a total of 484 predicted movements.
- 9.73 The Council is satisfied with the proposed approach to trip generation and consider that it would result in the generation of 7 car trips in the AM peak and 4 in the PM peak, which could easily be accommodated on the surrounding highway network. Transport for London have included in their comments to the GLA that they are concerned that the trip generation figures are too low for the PM peak and have requested that these

are revised. The applicant is undertaking this work and any significant change to the trip generation figures will be included in an addendum.

- 9.74 The proposal will clearly lead to a significant increase in the amount of journeys being undertaken by public transport as a result of the development which generates a need for a contribution of approximately £100,000 to sustainable travel initiatives, with the final figure to be based on updated trip generation. The applicant has agreed in principle to this and the final figure will be secured by a legal agreement.

Pedestrian and Cycle Route

- 9.75 The proposal includes the provision of a pedestrian and cycle route across the site from Scarbrook Road to Laud Street. This is an opportunity identified by the Old Town Masterplan and would constitute a significant improvement to the local walking and cycling network and connectivity between two parts of central Croydon. Conditions can ensure that the detailed design of this creates a pedestrian and cycle friendly environment in a safe and accessible manner.

Cycle Parking and Refuse Arrangements

- 9.76 212 cycle parking spaces are proposed, of which 200 would be long stay for residents, 6 for users of the office space and 12 visitor cycle spaces. Residential cycle parking is proposed in triple-bike stackers within the building, adjacent to the cycle route. This provision is considered to be acceptable as it is based on the current standards in the adopted London Plan and a condition would require full details the storage system at a later date.
- 9.77 Refuse collections and deliveries would occur from the single lane service road to the rear. As only one servicing vehicle is anticipated at a time, which could be secured by the Delivery and Servicing plan, there is no need for service vehicles to pass each other on the route. A Delivery and Servicing Plan is recommended by condition to control the areas in which service vehicles would halt, so that they do not conflict with bus movements from a future bus stand and to ensure that adequate signalisation of the one-way nature of the service route is proposed.

Construction Logistics

- 9.78 A Construction Management Plan is required. Whilst the TA proposes measures for the construction phase of the development, detailed requirements are unknown at this time until contractors are appointed. The provision of a construction management plan can be secured through a condition.

Impact on environmental conditions

Trees

- 9.79 Policy DM28 of the Croydon Local Plan 2018 seeks to protect and enhance woodlands, trees and hedgerows by not permitting development that results in the avoidable loss or the excessive pruning of preserved trees or retained trees where they make a contribution to the character of the area. There are no trees on site, but a number of the proposed landscaping interventions would result in an improvement to biodiversity.

Contamination

- 9.80 Policy DM23 of the Croydon Local Plan 2018 states the Council will promote high standards of development and construction to ensure that future development, would not be detrimental to the health, safety and amenity of users of the site or surrounding land.
- 9.81 The applicants have submitted a Phase 1 Desk Study which has been reviewed by the Councils Environmental Consultants. They have confirmed that there are potentially contaminative onsite and offsite land uses. It is therefore recommended that an intrusive ground investigation be undertaken prior to commencement and any remedial measures required are completed prior to occupation. A condition would also address the EA's concerns regarding piling and water infiltration.

Flooding

- 9.82 The Croydon Local Plan states at Policy DM25 that the Council will seek to reduce flood risk and through steering development to lower risk of flooding and applying the sequential test to minimise the risk of flooding. Part of the site is located within Flood Zone 3 and an area at "Medium" risk of surface water flooding. The north-eastern part of the site (nearest to the Wandle Road/Scarbrook Road junction) is not at risk.
- 9.83 A Flood Risk Assessment has been submitted and considered by the Environment Agency and Lead Local Flood Authority. The ground level of the proposed building has been raised to minimise the risk of flooding to the property itself. This effectively protects the property from internal flooding. Service areas at the rear are generally at the lower (existing) ground level and so would be susceptible to flooding but as this does not include residential accommodation, this is considered acceptable. An emergency evacuation plan would also be required by condition to ensure that residents and business users could leave the premises in a flood event.
- 9.84 So as to not increase the risk of flooding to the wider area, the space beneath the raised ground floor would be used for flood water storage, which could then be released in a controlled manner. A scheme of sustainable drainage is also proposed which would see the roof of the 5th floor become a "blue", or water retention roof, which has additional environmental and biodiversity benefits and with additional storage provided underground. With conditions relating to detailed design and other requirements from the EA and LLFA, this is considered to be satisfactorily addressed.

Sustainability

- 9.85 Policy SP6 of the Croydon Local Plan seeks new developments to reduce energy and carbon dioxide and to incorporate sustainable design and construction methods.
- 9.86 New development should make the fullest contribution to minimising carbon dioxide emissions and should incorporate on site renewable energy generation. New dwellings need to achieve 'zero carbon' which sets a minimum level of CO₂ reduction that must be achieved by on-site measures, with the remaining emissions then offset via 'Allowable Solutions' off-site. Where sites cannot achieve 'zero carbon' on its own it would help meet developers' CO₂ reduction targets up to 2016.

- 9.87 An Energy and Sustainability Statement identifies that the residential elements of the scheme would achieve a 35% reduction against Building Regulations 2013, although this would not be achieved by the office space. Both elements of the scheme would be required to achieve zero carbon through a contribution in to the local zero carbon pot, which would be secured by the legal agreement. The clause is recommended to calculate the contribution required once detailed technical design work has been undertaken. A condition is also recommended to ensure that space is reserved in the plant room for a connection to the future energy network, given proximity to the future energy centre.
- 9.88 In addition to this the domestic water consumption target of 110 litre/person/day can be secured by condition.
- 9.89 A package of sustainability measures are proposed to ensure that the construction phase has as little impact on the environment as possible, and these would be secured by condition, and would include swift boxes on the building and the use of native plant species. A contribution to off-site air quality improvements will be secured by legal agreement, as set out in the Council's "Non-statutory guidance on developer contributions".

Other matters

Impact on Local Services (i.e. schools and GP surgeries)

- 9.90 The development would be CIL liable and the levy amount has been calculated to ensure that development contributes to meeting the need for physical and social infrastructure, including educational and healthcare facilities.

Conclusions

- 9.91 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.