

# Planning Committee Agenda



To: Councillor Paul Scott (Chair)  
Councillor Humayun Kabir (Vice-Chair)  
Councillors Jamie Audsley, Sherwan Chowdhury, Luke Clancy,  
Bernadette Khan, Jason Perry, Joy Prince, Sue Winborn and Chris Wright

Reserve Members: Jeet Bains, Simon Brew, Richard Chatterjee,  
Pat Clouder, Patsy Cummings, Steve Hollands, Shafi Khan,  
Maggie Mansell, Manju Shahul-Hameed and Wayne Trakas-Lawlor

A meeting of the **Planning Committee** which you are hereby summoned to attend, will be held on **Thursday, 25 January 2018** at **6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS-BAKER  
Director of Law and Monitoring Officer  
London Borough of Croydon  
Bernard Weatherill House  
8 Mint Walk, Croydon CR0 1EA

James Haywood  
020 8726 6000 x63319  
james.haywood@croydon.gov.uk  
www.croydon.gov.uk/meetings  
Tuesday, 16 January 2018

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the righthand side.

To register a request to speak, please either e-mail

Planning.Speakers@croydon.gov.uk or call James Haywood by 4pm on the Tuesday before the meeting.

THIS MEETING WILL BE WEBCAST LIVE - Click on link to view:

<https://croydon.public-i.tv/core/portal/home>

N.B This meeting will be paperless. The agenda can be accessed online at [www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)



## **AGENDA – PART A**

**1. Apologies for absence**

To receive any apologies for absence from any members of the Committee.

**2. Minutes of Previous Meeting (Pages 7 - 16)**

To approve the minutes of the meeting held on 11 January 2018 as an accurate record.

**3. Disclosure of Interest**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

**4. Urgent Business (if any)**

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

**5. Development presentations (Pages 17 - 18)**

To receive the following presentations on a proposed development:

**5.1 17/05999/PRE Crystal Palace Football Club, Whitehorse Lane, South Norwood (Pages 19 - 30)**

Alterations and extensions to the existing stadium, and in particular to increase seating capacity of the Main Stand by 8,000 additional seats and increase internal floor space beneath the stand by 20,000sqm.

Ward: Selhurst

**6. Planning applications for decision (Pages 31 - 34)**

To consider the accompanying reports by the Director of Planning & Strategic Transport:

**6.1 17/05701/FUL Shirley High School, Shirley Church Road, CR0 5EF (Pages 35 - 46)**

Erection of 12 no. 10m high floodlight columns to illuminate existing netball courts.

Ward: Heathfield

Recommendation: Grant permission

**6.2 17/05708/FUL 1A West Hill, South Croydon CR2 0SB (Pages 47 - 60)**

Demolition of existing dwelling and erection of two storey building with accommodation in roof space and basement comprising 7 two bedroom, 1 three bedroom and 1 one bedroom flats: formation of vehicular access and provision of 8 parking spaces, refuse store and bike storage.

Ward: Croham

Recommendation: Grant permission

**6.3 17/04836/FUL Canterbury House, 2-6 Sydenham Road, CR0 9XE (Pages 61 - 190)**

Demolition of existing buildings and erection of a 34 storey building comprising 232 x one bedroom and 64 x two bedroom flats, provision of communal amenity space, cycle parking, landscaping and associated plant.

Ward: Fairfield

Recommendation: Refuse permission

**7. Items referred by Planning Sub-Committee**

To consider any item(s) referred by a previous meeting of the Planning Sub-Committee to this Committee for consideration and determination:

There are none.

**8. Other planning matters (Pages 191 - 192)**

To consider the accompanying report by the Director of Planning & Strategic Transport:

There are none.

**9. Exclusion of the Press & Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

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## Planning Committee

Meeting of held on Thursday, 11 January 2018 at 6.30 pm in Council Chamber, Town Hall,  
Katharine Street, Croydon CR0 1NX

### MINUTES

**Present:** Councillor Paul Scott (Chair);  
Councillor Humayun Kabir (Vice-Chair);  
Councillors Luke Clancy, Jason Perry, Joy Prince, Sue Winborn and  
Chris Wright

**Also Present:** Councillor Maria Gatland, Lynne Hale, Stephen Mann and Vidhi Mohan

**Apologies:** Councillor Jamie Audsley, Sherwan Chowdhury and Bernadette Khan

### PART A

#### A1/18 **Minutes of Previous Meeting**

**RESOLVED** that the minutes of the meetings held on 7 December 2017 and 28 December 2017 be signed as a correct record with the amendment that Councillor Chris Wright gave his apologies for the meeting held on 7 December 2017.

#### A2/18 **Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

#### A3/18 **Urgent Business (if any)**

There was none.

#### A4/18 **Development presentations**

#### A5/18 **5.1 17/06247/PRE Queens Hotel, 122 Church Road, Upper Norwood, SE19 2UG**

Presentation of a pre-application scheme for the demolition of existing buildings to the centre and rear of the site and the construction of a new spine building, including glazed link to a retained mews building and the erection of a further extension to the south western facing elevation of the existing locally listed building, to create 495 hotel rooms with 207 car parking spaces (including 13 van spaces), the recladding of the 1970's extension with ground

floor canopy, the provision of landscaping including 3 spaces for the parking of coaches within the forecourt area.

Ward: South Norwood

Richard Quelch (GVA), Katie Cairns (Assael Architecture), and Phillip Rust (SDG) attended to give a presentation and respond to Members' questions and issues raised for further consideration prior to submission of a planning application.

The main issues raised during the discussion were as follows:

- Meaningful consultation with residents needed to take place and details of the outcome of the consultation should be shared
- The reduction in massing was welcomed
- Careful consideration needed to be given to the materials used and the elevational treatment of the proposed extensions (the east-west spine and the Church Road elevation); simplified but still of exemplar quality
- Design of the Church Road extensions requires careful consideration to ensure it complements the historic central façade
- Reduction in proposed number of rooms and increase in parking spaces generally welcomed
- Transport mode estimates were needed to assess the impact
- Clarity on how the developer aimed to encourage hotel guests to use the charged car park as opposed to on street car park
- Some concern over the impact of 5 coach parking spaces proposed within the hotel forecourt
- Linked to the above issue, statement required on how off-site coach parking would be managed and capacity of available sites needs to be further clarified
- Overlooking into surrounding properties – some support for the removal of the previously proposed angled windows
- View that obscured glazing should be avoided if at all possible

A6/18 **Planning applications for decision**

A7/18 **17/03953/FUL Thanet House, Coombe Road**

Alterations to roof, erection of dormer extensions in rear roof slopes and installation of roof-lights to front roof slopes and use of fourth floor (roof-space) as 7x1 bedroom flats, provision of associated refuse and cycle storage.

Ward: Fairfield

Following the officers' presentation, Committee Members asked questions on the impact on Thanet Place as it was a small cul-de-sac. Officers confirmed that residents within Thanet House had submitted an asbestos report, however the control and removal of asbestos fell under separate legislation. It

was recommended that a condition be added that required the developer to submit proposals on how to remove the asbestos. Members queried whether there would be any additional amenity space on the site and were informed that no additional space was proposed. The site was within an area where it was proposed more flats be built.

Jan Kool and Ragesh Khahria, speaking in objection, raised the following points:

- The scheme failed to deliver appropriate new housing
- It would not be possible to ensure that only the flats remained single occupant
- The building cannot support the increased massing
- Will negatively impact upon the lives of residences in contradiction to their leases
- The construction will lead to residents having to experience large volumes of dirt, dust and debris
- The developer should look to improving the building before developing additional flats
- Unacceptable fire risks to residents
- The proposal would lead to bathrooms over bedrooms
- There was asbestos in the roof space

Councillor Vidhi Mohan, speaking in objection as Ward Member, raised the following points:

- The proposal would lead to overdevelopment of the property
- There would be a detrimental impact on quality of life of existing residents
- The quality of the habitable space being proposed was not appropriate
- Query whether the minimum space requirement was being met for every flat
- Some flats would only have skylights and no proper windows
- Asbestos was present in the building as outlined in a report from 2004
- The foundation of the building may not be able to take the additional load
- No lift would be provided
- A fire escape was not proposed
- Previous application had been refused.

The Head of Development Management stated that limited weight should be given to historic refusal due to a change in housing pressure. The site was located within the opportunity area and was felt to be an appropriate development, with amenities in the local area. The Committee were informed that Thanet Place was significantly overlooked by the current building and others in the area, and while additional windows were proposed it was felt the impact would be limited. The Head of Development Management informed the Committee that the presence of asbestos was not a planning consideration, as it fell under environmental health legislation, and fire escapes and loading fell under building control. Development would not be able to progress unless it was considered the building could take the additional load.

Some Members noted that the property was within the opportunity zone and the proposal would provide smaller units. The concerns in relation to asbestos and fire safety were felt to have been addressed as the development would need to meet regulations. It was noted that there would be logistics plan in place for a development which would look to mitigate the impact on residents.

Some Councillors raised concerns that the development would not improve or enhance the area, and there was a lack of amenity space. Further concerns were raised that some of the units would not meet the minimum size requirements and the proposal sought to add too many additional units in the space. The impact of the development on current residents of the block were also raised and it was felt that the residents should be consulted on the proposals.

After consideration of the officer's report, Councillor Sue Winborn proposed and Councillor Luke Clancy seconded a motion for **REFUSAL**, on the grounds of overdevelopment and the impact of amenity of existing residents, and the Committee voted 4 in favour, 5 against, so this motion thereby fell.

The Committee then voted on a second motion for **APPROVAL**, proposed by Councillor Humayun Kabir and seconded by Councillor Paul Scott, 5 in favour, 4 against, so planning permission was **GRANTED** for development at Thanet House, Coombe Road.

A8/18 **17/05464/FUL 43 Downsway South Croydon CR2 0JB**

Demolition of existing dwelling and the erection of two storey building with accommodation in roof space and basement, containing 2x one bedroom, 2x two bedroom and 3x three bedroom flats with associated access, 5 parking spaces, cycle storage and refuse store.

Ward: Sanderstead

Following the officers' presentation, Committee Members received confirmation that there was sufficient on street parking in the local area.

Dennis King, speaking in objection, raised the following points:

- Detrimental to the amenities of surrounding properties and loss of light
- 8m high and close to neighbouring property
- 3m beyond back wall of neighbouring property – will impact on the sunlight of the neighbouring property
- Terrace will be overlooked
- Living conditions of adjoining occupier are seriously harmed

Jorge Nash, speaking on behalf of the applicant, raised the following points:

- 7 new dwellings would be created and would include family sized dwellings

- Design of the scheme had been chosen to replicate the appearance of a single dwelling house
- The massing was no greater than neighbouring property and was in keeping with the large detached dwellings of the surrounding area
- Impact of the scheme was largely on No.41, however the property would be set back from the street to reduce the impact
- Did not consider the concerns regarding overlooking to be any different from a two storey property
- Five off street parking spaces were to be provided
- The rear of the property would extend beyond the neighbouring property but was within with guidelines.

Councillor Lynne Hale, speaking in objection as Ward Member, raised the following points:

- Insufficient parking was to be provided
- Highway safety issues had not been addressed
- The design was out of character with the local area
- Impact on No.41 would be significant higher as the current property was a bungalow and had been designed to be lower to enable sunlight to shine into the property
- The scheme was illogical scheme and would put the neighbouring property into shade
- Sunlight was important to good mental health and it was unacceptable to reduce a residents natural light
- The scheme failed to reflect the significant changes in land levels and would create issues of overlooking

Officers confirmed that previous refused applications at the site were deeper than the current proposal, in addition planning policy had changed to reflect the need for more housing. The finished floor levels of the scheme would also be agreed to ensure the development was properly managed.

Some Members stated that the proposal was a large scale intensification of the site which would be detrimental to the local area, with significant impact upon No. 41 in particular with loss of sunlight. Members further noted that three units within the development would be below the minimum space requirement and concerns were raised in relation to flood risk. In response officers stated the scheme was compliant with flood risk assessments and the flood risk would not increase, furthermore a landscaping condition would be put in place to mitigate surface water drainage concerns.

Other Members of the Committee stated that the site could support intensification and while the development would be four storeys high it would appear to look like two storeys. It was felt that the proposal would have the appearance of a large detached house but would accommodate seven homes, and additional housing was required within the borough. It was stated that the largest impact would be upon the side windows of No.41, however as they were secondary windows it was felt that the property would continue to receive good levels of sunlight.

After consideration of the officer's report, Councillor Jason Perry proposed and Councillor Luke Clancy seconded a motion for **REFUSAL**, on the grounds of overdevelopment in relation to the size and massing, and the impact on amenities on neighbouring properties, and the Committee voted 4 in favour, 5 against, so this motion thereby fell.

Councillor Paul Scott proposed and Councillor Joy Prince seconded a second motion for the officer's recommendation, and the Committee voted 5 in favour, 4 against, so planning permission was **GRANTED** for development at 43 Downsway South Croydon CR2 0JB.

*The Committee adjourned from 8.44pm to 8.50pm.*

A9/18 **17/05264/FUL 32-34 Fairview Road, Norbury, SW16 5PT**

Demolition of existing garage and storage units on site, and the construction of a part two/part three/part four storey mixed use development consisting of 9 flats (1x one bedroom, 7x two bedroom and 1x three bedroom) and x1 commercial unit (B1(b), B1(c) and B2) with ancillary works to facilitate the proposal.

Ward: Norbury

*Councillor Shafi Khan recused himself of sitting on the Committee during the consideration of this item due to speaking in objection on behalf of residents.*

Following the officers' presentation, Committee Members asked questions on whether access to the health centre would be impeded and were informed that at present there were a number of vehicles parked on the site, however the scheme would provide one parking space only and there would be a condition to restrict residents from applying for a parking permit. The scheme would return the footway and highway to public highway which should improve access to the health centre. A condition would also be put in place for a Construction Logistics Plan to be agreed to ensure the disruption to the doctor's surgery was kept to a minimum, and this would be enforced.

In response to Member questions officers confirmed that the buildings were not in a conservation area and were neither locally listed, or proposed to be listed. Officers stated that should the commercial unit be proposed to be of B2 usage then full details would be required to be submitted before operation began.

James Cross and Sean Creighton, speaking in objection, raised the following points:

- There were 8,000 registered patients at the medical centre which required accessible access to the centre
- The road was narrow

- The developers had not consulted the surgery and there were concerns in regards to the impact and safety of patients
- A number vehicles needed access to the surgery and construction would limit this
- The development could bring into question the viability of the surgery
- Large development on a tight site which was badly designed
- The size of the proposed units was not appropriate and would not provide appropriate family housing
- The application should be deferred to enable consideration of the possible expansion of the surgery

Councillor Shafi Khan, on behalf of Councillor Maggie Mansell, speaking in objection as Ward Member, raised the following points:

- Previous permissions had been for three flats only
- Constrained site
- Concerns whether the units would be of sufficient size
- Appreciate the need for housing but inappropriate scheme
- Lack of amenity space
- Close to the railways line which would impact upon the lives of residents
- Impact of the construction on the patients of the neighbouring health centre and access to the site.
- Increased pressure on parking in the local area
- Concerns regarding the future viability of the medical centre

The Head of Development Management informed the Committee that prior approval had been given for three flats in one building and three in another, however the quality of the units could be far less under prior approval as there was less control of the application. Construction logistics would be carefully monitored to ensure that the medical practice maintained freedom of access, and the Head of Development Management assured the Committee that officers would speak with the applicant to ensure that they spoke to the surgery. He further stated that following construction there would likely be greater access to the medical centre as there would be greater control of the highway as there would no longer be parking from the garage.

The Members expressed concern that the medical centre had not been consulted, and while there was a need for housing it was important that developers worked with the local community. The construction logistics plan was noted as being an important aspect of the application to mitigate the impact on the medical centre.

Some Members stated that it was a shame that the buildings would be lost and suggested the matter should be reconsidered as it was overdevelopment and would seriously impact on the existing medical centre. It was further stated that the amenity of current and future occupiers would be negatively impacted.

Other Members noted that it was a constrained site, but there was a possibility that permission could be granted under prior approval for a lower quality development with conditions on restricting parking permits for future residents. While it was noted that the site was near a railway line, it was acknowledged that a number of homes were near railways and did not benefit from modern construction methods that minimised disruption.

Members stressed the importance of consultation with the medical centre, in particular in regards to the construction plan to ensure access was maintained throughout construction. Concerns were raised regarding the possible future use of the commercial unit and proposed that the B2 usage be removed.

After consideration of the officer's report, Councillor Chris Wright proposed and Councillor Jason Perry seconded a motion for **REFUSAL**, on the grounds of; overdevelopment in relation to the scale, size and massing, the quality of design, and the amenities of future occupiers and existing occupiers; and the Committee voted 4 in favour, 4 against. The Chair used their casting vote and voted against so this motion thereby fell.

The Committee then voted on a second motion proposed by Councillor Paul Scott and seconded by Councillor Humayun Kabir for the officer's recommendation with the proposed B2 category being removed from the description of development, for **APPROVAL**, and the Committee voted 4 in favour, 4 against. The Chair used their casting vote and voted in favour so planning permission was **GRANTED** for development at 32-34 Fairview Road, Norbury, SW16 5PT.

A10/18 **17/04330/FUL 360 Brighton Road, South Croydon, CR2 6AL**

Demolition of existing light industrial buildings; erection of 2 three storey building comprising 2 two bedroom and 2 one bedroom flats; 4 two storey two bedroom houses and 1 single storey two bedroom house; provision of associated parking.

Ward: Croham

Following the officers' presentation, Committee Members sought confirmation that the light industrial buildings proposed for demolition were in use and clarification as to the how the marketing of the buildings had taken place. Officers confirmed that the site was fully occupied and that it was a requirement for employment sites to be marketed for 18 months before consideration would be given to release the land for residential use. It was the officers view that the site was marketed at too high a value and details were not provided as to who had responded to the marketing. Officers further stated that if the site was over 500sqm then prior approval could not be applied.

Katherine Lloyd, speaking in objection, raised the following points:

- The local community were strongly opposed to the scheme

- No consultation with residents had taken place
- Felt to be fundamentally detrimental to local community
- Churchill Road was at capacity for parking and there were road safety concerns. The scheme would increase the parking stress experienced in the area
- The access from Churchill Road was not wide enough and would not enable access for emergency vehicles
- The light industrial buildings were mainly one and two storey buildings and the proposed housing would be taller with windows overlooking neighbouring properties
- Would not be a pleasant area for the new residents
- Building design was out of character for local area
- Concerns regarding the marketing of the site

James Munroe spoke on behalf of the applicant and made the following points:

- The scheme would be a valuable contribution to the community
- Would provide new housing in the area
- The business currently occupying the site was in the process of being wound down
- The site was being maintained to avoid issues such as squatting
- The only interest received during the marketing of the site was from commercial developers who sought to change the site to housing
- There would be a net benefit to residents as there would be fewer car movements associated with the site
- The proposed materials would connect the development to its previous industrial usage
- The scale and massing of the proposal was appropriate to the site
- The units would comply with size requirements
- Parking, fire safety and access had been assessed

Councillor Maria Gatland, speaking in objection as Ward Member, raised the following points:

- The site was a back land industrial site and would create a constrained development
- Housing was welcome, however there would be no family units or affordable housing provided
- Detrimental impact on the amenity of residents
- The design of the buildings were not in keeping with the character of the area
- Vehicle movements would increase which would exacerbate issues already experienced on Churchill Road
- The site was in a flood zone and objections had been received from the Environment Agency and the flood risk authority
- Concerns in regards to the marketing undertaken and the need for light industrial sites in the area to provide local employment
- Overdevelopment of the site

Members stated that it was important to maintain jobs in the local area and that the scheme was not in keeping with the local area. Concerns were further raised in regards to flood risk and highways safety.

Some Members stated that a future innovative scheme on the site could be appropriate but the size and massing of the current scheme was too great and there was not sufficient amenity space for potential residents.

After consideration of the officer's report, Councillor Jason Perry proposed and Councillor Paul Scott seconded the officer's recommendation, and the Committee voted unanimously in favour, so planning permission was **REFUSED** for development at 360 Brighton Road, South Croydon, CR2 6AL.

A11/18 **17/04610/FUL Alice Lodge, 40 Brighton Road, Purley, CR8 2LG**

Proposed change of use from C2 residential care home to a house in multiple occupation for 18 occupants (sui generis).

Ward: Coulsdon West

This application was withdrawn from consideration by the Planning Committee for decision under delegated authority by officers.

A12/18 **Items referred by Planning Sub-Committee**

There were none.

A13/18 **Other planning matters**

There were none.

The meeting ended at 10.10 pm

**Signed:**

**Date:**

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## **PLANNING COMMITTEE AGENDA**

### **PART 5: Development Presentations**

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#### **1 INTRODUCTION**

- 1.1 This part of the agenda is for the committee to receive presentations on proposed developments, including when they are at the pre-application stage.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

#### **2 ADVICE TO MEMBERS**

- 2.1 These proposed developments are being reported to committee to enable members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 2.2 Members will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Planning Code of Good Practice Part 5.G of the Council's Constitution). Failure to do so may mean that the Councillor will need to withdraw from the meeting for any subsequent application when it is considered.

#### **3 FURTHER INFORMATION**

- 3.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

#### **4 PUBLIC SPEAKING**

- 4.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

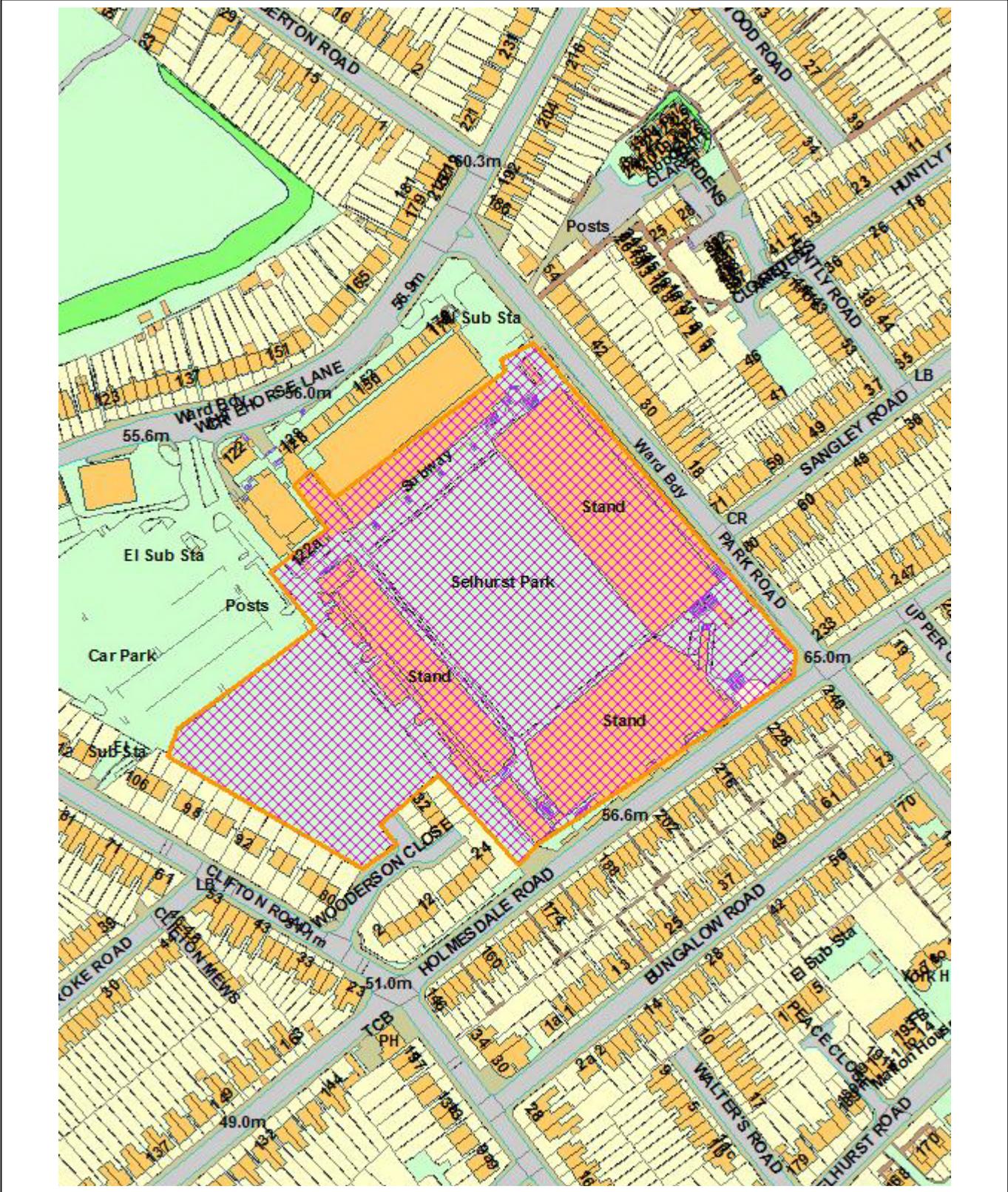
#### **5 BACKGROUND DOCUMENTS**

- 5.1 For further information about the background papers used in the drafting of the reports in part 8 contact Mr P Mills (020 8760 5419).

#### **6 RECOMMENDATION**

- 6.1 The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The attached reports are presented as background information.

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**PART 6: Development Presentations****Item 5.1****1 DETAILS OF THE DEVELOPMENT**

Ref: 17/05999/PRE  
Location: Crystal Palace Football Club, Whitehorse Lane, South Norwood, London  
Ward: Selhurst  
Description: Alterations and extensions to the existing stadium, and in particular to increase seating capacity of the Main Stand by 8,000 additional seats and increase internal floor space beneath the stand by 20,000sqm.  
Applicant: Crystal Palace Football Club Ltd  
Agent: Martin Robeson Planning Practice  
Case Officer: Matt Duigan

**2 BACKGROUND**

- 2.1 This proposed development is being reported to Planning Committee to enable Members to view it at an early stage and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 2.2 It should be noted that this report represents a snapshot in time, with negotiations and dialogue on-going. The plans and information provided to date are indicative only and as such the depth of analysis provided corresponds with the scope of information made available to Council officers. Other issues may arise as more detail is provided and the depth of analysis expanded upon.
- 2.3 The report covers the following:
1. Location detail, planning history and the proposal
  2. The principle of the development (including loss of housing)
  3. The impact on highway and parking conditions in the locality
  4. The appearance of the development and impact on the townscape
  5. The impact on nearby occupiers
  6. Other planning matters
  7. Specific Feedback Requested

**3 LOCATION DETAILS, PLANNING HISTORY AND THE PROPOSAL****Site and surroundings**

- 3.1 The application site is Selhurst Park Football Stadium, Crystal Palace Football Club's (CPFC) home ground since 1924. The site is bounded to the north-west by Whitehorse Lane, to the north-east by Park Road and Holmesdale Road to the south-east.
- 3.2 The site is within Selhurst Ward and is approximately 600m from Selhurst Station, 615m from Norwood Junction Station and 900m from Thornton Heath Station. Public Transport Access Level (PTAL) varies across the site and ranges between 2 and 5 (on

a scale of 1 to 6, where 6 is the most accessible). Overall, given the proximity to rail stations, the site is considered to be reasonably well served by public transport.

3.3 The area is predominantly residential in character, although within the site itself and in addition to the stadium, there is a Sainsbury's supermarket, a number of small shop units and a night club (above the supermarket). Adjoining the supermarket to the north-west are residential flats fronting onto Whitehorse Lane.

**Relevant Background**

3.4 The current match day capacity of Selhurst Park is approximately 26,000 and seats for competitive matches are regularly sold out. The ticket allocation/profile of the spectators regularly attending a football match consist of mostly general admission (season ticket holders/club members) followed by hospitality and visiting supporters.

3.5 The existing stadium has four stands that surround the pitch, namely the 'Main Stand' which adjoins the Club car park and fan zone, the Holmesdale Road Stand (adjoining Holmesdale Road and featuring a distinctive curved roof) the Arthur Waite Stand (adjoining Park Road and accommodating away fans) and the Whitehorse Lane Stand.



3.6 All the stands were built at different times; the oldest stand being the Main Stand, which originally opened in 1924. New seats were installed in the Main Stand during the summer of 2013, player change facilities, restaurant, lounge and bar facilities are also within the stand.

Stand	Current seating capacity
Main Stand	6,163
Holmesdale Road Stand	8,147

Arthur Wait Stand	9,754
Whitehorse Land Stand	2,245 + seating in 24 executive boxes

- 3.7 During the 2015-2016 season there were 22 first team home games played at Selhurst Park with 21 games played during the 2016-2017 season. Of those games played, 15 were played at weekends with the remainder on week nights. While it is noted that additional fixtures are played at the ground, these are not as well attended as the games played by the Club's first team.
- 3.8 On match-days, a temporary road closure is put in place on Park Road, Holmesdale Road and Clifton Road. The road closures are operative during and for a period before and after each home game, and implemented by way of a Traffic Management Order (TMO). Sainsbury's is also temporarily closed during home fixtures.

### **Relevant planning history**

- 3.11 The following planning decisions are relevant to the proposal:

**77/20/997** dated 19/12/1977 approved the Whitehorse Lane end redevelopment to create 26 flats and a retail supermarket, with ancillary facilities, alterations to vehicular access and car park and replacement of some of the football stadium facilities.

A number of conditions are imposed on the consent to ensure the supermarket isn't open to the public in the 3 hours before or after football matches, and to ensure the car parking areas are appropriately controlled on match and non-match days.

This planning history is relevant in that the Main Stand would be expanded over a part of the Sainsbury's car park and the Club's car park.

**86/01940/P** dated 17/3/1987 approved an application for the erection of 16 x 3 bed houses and 16 x 4 bed houses along Holmesdale Road and Clifton Road.

It is of note that the approved plans show that 4 of the houses described as being located along Holmesdale Road, are actually approved to be built to the west of Holmesdale Road (fronting onto Wooderson Close and backing onto the access-way into the Club's car park from Holmesdale Road).

**87/3645/P** dated 29/3/1988 approved the erection of 12 x 3 bedroom and 16 x 4 bedroom houses along Holmesdale Road and Clifton Road.

It is worth highlighting that while a differing number of dwellings is approved in this scheme (when compared to the scheme approved in 86/01940/P) the approved plans are identical in relation to the housing to be built along Holmesdale Road (including the 4 houses approved to be built to the west of Holmesdale Road, fronting onto Wooderson Close and backing onto the accessway into the Club Car park).

These planning permissions (i.e. 86/01940/P and 87/3645/P) are relevant in that the expanded Main Stand would encroach onto housing land and result in the need to demolish some existing housing in Wooderson Close.

## **Proposal**

- 3.9 The proposal is currently for:
- Demolition of some of the houses in Wooderson Close and loss of car parking spaces (in both the Club and Sainbury's car park);
  - A new extension to the Main Stand to create a three tier structure. The enlarged stand would increase to be 41 metres in height and accommodate an additional 8,000 seats;
  - Improved hospitality and entertainment facilities;
  - A new Football Club Museum.
- 3.10 Externally, the design of the stadium would not follow the standard rectangular box design, typical of many existing football stadiums in the UK. The extensions to the Main Stand would extend in a semi-circular form to join the ends of the Whitehorse Lane and Holmesdale Road stands. The design of the façade features extensive areas of glazing with a central vaulted arch (referencing the iconic 1851 Crystal Palace Exhibition Hall) with the Club's Eagle crest and Eagle wings flanking the proposed 41-metre high structure.

## **4 PLANNING CONSIDERATIONS**

- 4.1 The main planning issues raised by the development that the committee should be aware of are:
- The principle of the development (including loss of housing)
  - The impact on highway and parking conditions in the locality
  - The appearance of the development and impact on the townscape
  - The impact on nearby occupiers
  - Other planning matters

### **The Principle of the Development (including loss of Housing)**

#### *Loss of housing and car parking spaces*

- 4.2 The expansion of the Main Stand will involve displacement of land which is currently used for car parking and housing. Some of the houses towards the north end of Wooderson Close would be lost to make way for the expanded stadium.

#### *Loss of housing – policy context*

- 4.3 London Plan policy 3.14 makes it clear that the loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. Croydon Local Plan (CLP): Strategic Policies policy SP2.2 echoes the London Plan stating that the Council will not permit developments which would result in a net loss of homes or residential land. CLP policy DM1.2 states that there should be no net loss of 3 bedroom homes.

#### *Loss of housing – working towards a solution*

- 4.4 At this stage, the Club are still exploring ways in which the design of the extended stadium can be altered to minimise the loss of housing and impacts on residents. It is however clear that some housing would need to be displaced in order to accommodate

the expanded stadium. The Applicant has indicated a willingness to work with the Council to consult with affected occupiers, to identify their housing needs to ensure the occupants are rehoused in accommodation which is appropriate in terms of tenure, size, location and quality.

- 4.5 In addition to the need to rehouse affected tenants, the Applicant is required to ensure there is no net loss of housing floor space or land to the Borough. There is no scope to re-provide the residential land or floorspace which would be lost on site as part of the development. The applicant will therefore be required re-provide equivalent housing off site elsewhere in the Borough. This would be secured by way of a planning obligation (embedded in a S106 legal agreement). The triggers around when this replacement housing would need to be planned and delivered would need to be negotiated – to ensure that re-provision is in place prior to any first occupation of the replacement stand.
- 4.6 The Applicant has been made aware that satisfactory proposals for rehousing affected residents and to ensure no net loss of dwellings or housing land are critical to the success of the scheme.

#### *Loss of car parking*

- 4.7 CLP Policy DM31 requires the loss of any car parking to be justified. While no formal details have yet been provided, it is safe to assume that justifying a reduction in car parking will require a modal shift from cars to more sustainable forms of transport. Transportation and travel planning proposals will need to be robust and properly explained any subsequent planning application.

#### *Expansion of the stadium*

- 4.8 The importance of professional sporting organisations (including Football Clubs) to London is recognised in London Plan policy 4.6, which provides support for the continued success of professional sporting enterprises and the cultural, social and economic benefits that they offer to residents, workers and visitors.
- 4.9 The presence of a major Football Club within Croydon brings many economic, social and cultural benefits to the Borough. In recognition of this, emerging Local Plan Policy DM21 sets out clear support for Selhurst Park to remain the home stadium of Crystal Palace. The policy goes on to state that the Council will ensure that any redevelopment would enhance the Club's position, with a football stadium which makes a significant contribution to the Borough. Subject to compliance with the other detailed policies in the Development Plan there is no objection in principle to the proposed stadium expansion.
- 4.10 If the proposals introduce additional floor space within the new stadium, which may have a competitive relationship with facilities within existing town centres (e.g. conferencing facilities) the application will need to demonstrate that the proposals will not cause harm to the viability and vitality of the town centres.

#### *Realising the Full Regenerative Benefits of the Development*

- 4.11 There is an expectation that this scheme and the extent to which it will significantly respond effectively to the existing and potential fan base of the Club should provide wider benefits to the local area and the local community, in terms of employment and training opportunities (during the construction and end user phases of the

development, supporting sporting initiatives locally and facilitating enhancements to district and local centres within the immediate area, so that the increased capacity and associated well-being of the Club can contribute positively to businesses operating within the neighbouring centres – especially those when supporters will pass through on their way to and from the matches. This will need to be explored further and discussed as part of the planning application process.

### **The Impact on Highway and Parking Conditions in the Locality**

- 4.12 Chapter 4 of the NPPF seeks to promote sustainable transport, noting that planning permissions should not be refused on traffic ground unless impacts are severe. Policy 6.13 of the London Plan indicates that a balance should be struck between promoting development and preventing an excessive parking provision. Policies T8 and T2 of the CLP respectively require development to make appropriate provision for car parking on site and to ensure that traffic generated does not adversely affect the efficiency of nearby roads. Policies SP8.1, SP8.3, SP8.4, SP8.6, SP8.12, SP8.13 and SP8.15 of the Croydon Local Plan: Strategic Policies seek to ensure that sustainable transport will be promoted, that traffic generated by new development can be safely accommodated on the road network and that there is an appropriate level of car parking.
- 4.13 On match days, due to the large number of spectators attending the stadium, all modes of transport to/from the site become severely congested. Given the proposed capacity increase, it will be pivotal to the success scheme that measures are put in place to reduce traffic impacts.
- 4.14 No proposals have yet been put forward by the developer, but the Council expects that sustainable means of transport be promoted through a suite of on and off site measures to achieve the modal shift needed to mitigate impacts.
- 4.15 There is concern that the large area of proposed car parking detracts from the area's sense of place. Additionally, no detail has been provided in terms of how the site will be serviced (and what potential conflicts would exist in terms of fans, cars and coaches, delivery vehicles, media vans etc). It is also currently unclear how pedestrian movements will be facilitated and separated from vehicles (concerns are raised in relation to this shortcoming).
- 4.16 On match days the roads immediately around the site are closed. Advice from the Metropolitan Police suggests that the management of the road closures could be greatly improved and as such, the development should include measures to improve the way in which road closures are managed on match days.

### **The Appearance of the Development and Impact on the Townscape**

- 4.17 London Plan Policies 7.4 and 7.6 states that new development should be complementary to the established local character and that architecture should make a positive contribution to its context. CLP1 Policy SP4.1 states that developments should be of a high quality. Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 require development to be of a high quality and visually appropriate design. Policies UD14 and NC4 place importance on trees and landscaping as an integral part of new developments. There is a clear policy basis for requiring the design and landscaping to be of a high quality.

### *Massing*

- 4.18 The massing is considered broadly acceptable given the local significance of the structure as a landmark building. The applicant has chosen a curved form to reduce the visual on the surrounding area and to reduce the impact on the adjacent residential properties. Whilst this appears to have been reasonably successful, key views demonstrating this approach will need to be submitted and properly assessed.
- 4.19 Concerns are raised in terms of the impact upon the adjacent residential properties along Wooderson Close. Views in this area have been requested to confirm the extent of visual impact.

### *Design and Appearance.*

- 4.20 There is concern that the overall design concept (utilising both “The Crystal Palace” and Eagle motifs) appears to be competing with each other. The Eagle ‘wings’ and the vaulted arched form (reflecting the historic Crystal Palace Exhibition Hall) could well be argued as being tokenistic and not well integrated into the building form and architectural language.
- 4.21 In addition, there is concern that the current external form has too great a corporate appearance, which might well weaken the conceptual motifs. Specifically “The Crystal Palace” motif in particular, which is the preferred aesthetic, requires a lot more development beyond the subtle illusion of its silhouette. This is not to encourage a pastiche, but embedding a modern interpretation of the intricate ironmongery that made the “Palace” iconic into the proposed architectural language and across the full elevation.
- 4.22 In regards to the lower levels, these need to be further developed to relate to the residential context at eye level in terms of both scale, materiality and detailing. This will be key to integrating the expanded stadium into its immediate context at the level experienced by those passing by. It is unclear what materials are being proposed at the ground and first floor level and so further detail is requested. It is also important to determine how best the stand relates to the open spaces to the south – which links back to the future use of this part of the site (in terms of car parking) and any moves to reduce the reliance on on-site car parking, providing more space to allow for fan assembly and gathering before and after the match (as raised below).

### *Landscape and Placemaking*

- 4.23 The scheme appears to lack development of the design in terms of landscaping and place-making design both within the site bounds and beyond it. The following has been suggested that the Applicant:
- Break up the area of car parking as much as possible with soft landscaping.
  - Provide protected routes for pedestrians around and through the car parking
  - Identify opportunities around the site to create an improved public realm offer to the local community in respect to new public spaces, seating and planting.
  - Analyse the key journeys towards the site and enhance these

### *Hostile Vehicle Mitigation*

- 4.24 The design of the expanded stadium has a requirement to integrate any Hostile Vehicle Mitigation measures within the place-making strategy, this must start by researching into precedents of best practice and applying the JASPER methodology: Justifiable, Appropriate, Sustainable, Practical, Affordable, And Reasonable. Integration could include planter, furniture or wayfinding. No details have as yet been provided.

The scheme was reviewed by the Council's Place Review Panel on 18<sup>th</sup> January 2018 and officers will be able to provide preliminary PRP feedback to the Planning Committee.

### **Impact on Nearby Occupiers**

- 4.25 Policy 7.6 of the London Plan indicates that buildings and structures should not cause unacceptable harm to amenity of surrounding land and buildings. Policy UD8 of the Croydon Plan (2006) Saved Policies 2013 requires the Council to have regard to the privacy and amenity of adjoining occupiers.
- 4.26 The main residential occupiers to be considered are along Holmesdale Road and Clifford Road and Wooderson Close. The privacy, sunlight and daylight and outlook of these occupiers of the adjoining properties must not be significantly adversely affected as the result of the proposed development. Daylight/Sunlight and Micro Climate assessments (e.g. wind impacts) will be required. This will need to be updated with the final proposal and submitted as part of the application.
- 4.27 Outlook and privacy from the properties in Wooderson Close should be given careful consideration and sections through should be submitted with evidence on this matter. No information has yet been submitted, but given the distance from the proposal and the closest properties, the siting of the extended Main Stand may well be considered acceptable.

### **Other Planning Matters**

- 4.28 London Plan policy deals with safety and security and seeks to ensure London is resilient to terrorism (development should include measures to design out crime that, in proportion to the risk, deter terrorism, assist in the detection of terrorist activity and help defer its effects). Safety and security must be intrinsic considerations in the detailed design and layout of expanded stadium and spaces around it. The proposed development should incorporate Secured by Design principles.
- 4.29 London Plan Policy 6.3 seeks Construction Logistics Plans to be secured. London Plan: Policy 7.15 concerns the reduction of noise and enhancement of soundscapes. Policy 7.21 seeks to improve air quality. Croydon Local Plan: Strategic Policy SP6.3 requires development to positively contribute to improving air and water quality by minimising pollution. Policy SP8.5 states that major development proposals will be required to be supported by construction logistic plans.
- 4.30 Given the sites location in the heart of a residential area, it is critical that construction is managed in a way that minimises impacts. A Noise Assessment, Air Quality Assessment, a Construction Environmental Management Plan and a Construction Logistics Plan will need to be provided as part of the application submission.

## **5 SPECIFIC FEEDBACK REQUESTED**

- 5.1 In view of the above, it is suggested that Members focus on the following issues.

- 1) Member expectations in dealing with:
  - The loss of housing (including – in this case - affordable housing);
  - Management of fans moving to and from the game, including management of road closures on match day;
  - Safety, security and resilience to terrorism;
  - Construction logistics and construction management.
- 2) Any concerns over the approach being taken to highway and parking matters;
- 3) The design and appearance of the proposal;
- 4) Impacts of the proposal on neighbouring occupiers and in the wider vicinity of the site.
- 5) Wider regeneration benefits associated with this proposal and associated prioritisation.

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## PLANNING COMMITTEE AGENDA

### PART 6: Planning Applications for Decision

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#### 1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning Committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 The following information and advice applies to all reports in this part of the agenda.

#### 2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
  - the London Plan July 2011 (with 2013 Alterations)
  - the Croydon Local Plan: Strategic Policies April 2013
  - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
  - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by **Highways Legislation**.
  - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the **Party Wall Act**.
  - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

### 3 ROLE OF THE COMMITTEE MEMBERS

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

### 4. THE ROLE OF THE CHAIR

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

## **5. PROVISION OF INFRASTRUCTURE**

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
  - ii. Health care facilities
  - iii. Projects listed in the Connected Croydon Delivery Programme
  - iv. Public open space
  - v. Public sports and leisure
  - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

## **6. FURTHER INFORMATION**

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

## **7. PUBLIC SPEAKING**

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

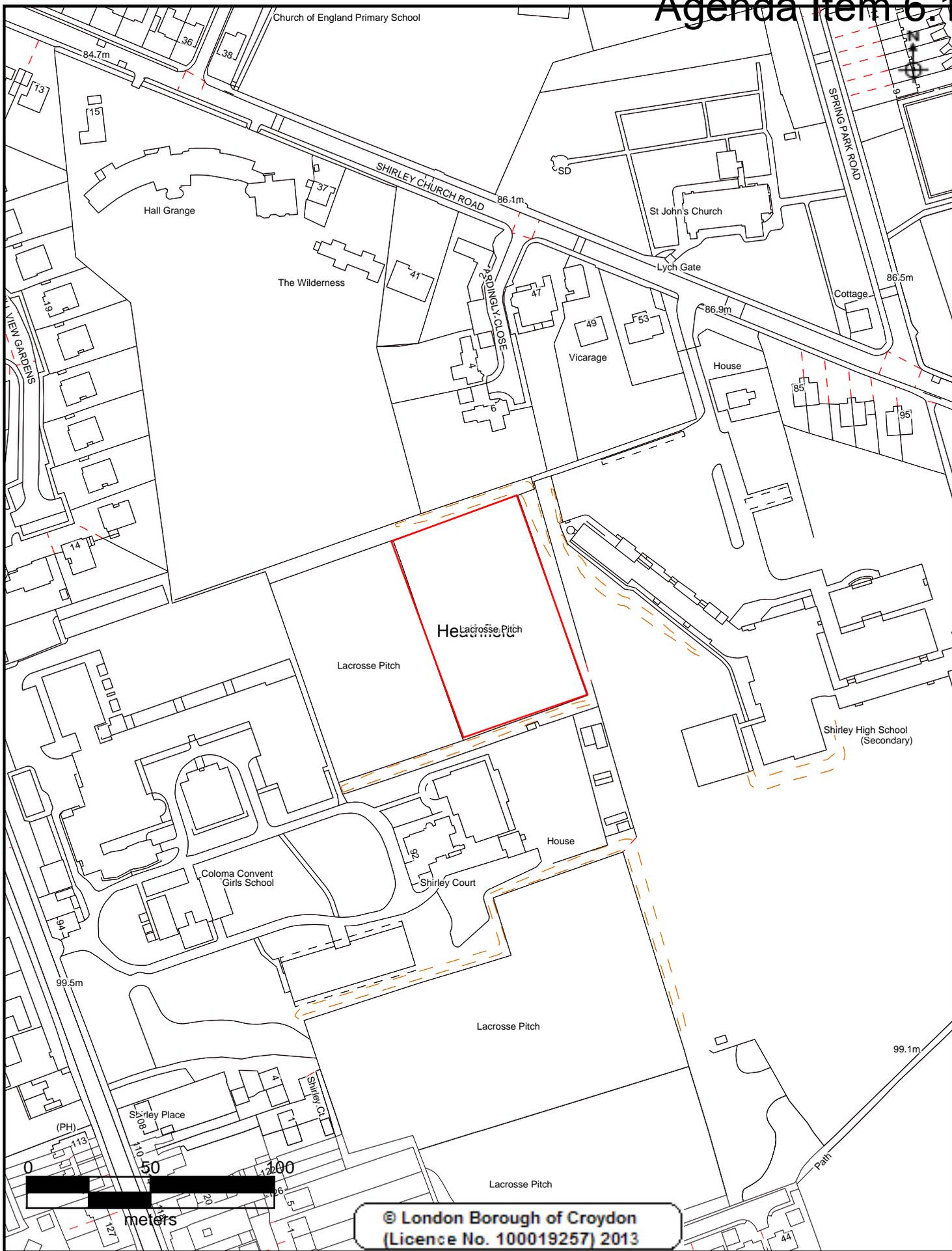
## **8. BACKGROUND DOCUMENTS**

- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

## **9. RECOMMENDATION**

- 9.1 The Committee to take any decisions recommended in the attached reports.

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**PART 6: Planning Applications for Decision**

**Item 6.1**

**1. APPLICATION DETAILS**

Ref: 17/05701/FUL  
Location: Shirley High School, Shirley Church Road, Croydon, CR0 5EF  
Ward: Heathfield  
Description: Erection of 12 no. 10m high floodlight columns to illuminate existing netball courts  
Drawing Nos: SHS/NC/1 A, SHS/NC/2, Lighting Assessment – Netball Floodlighting 19-10.2016  
Applicant: Mrs Maeve Garcia, Shirley High School  
Case Officer: Louise Tucker

- 1.1 This application is being reported to committee because the ward councillor (Cllr Margaret Mead) made representations in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

**2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issues the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- (1) In accordance with approval drawings and documents
- (2) Lighting shall be installed as specified
- (3) Hours of use with review after a period of 12 months for hours
- (4) Management Plan
- (5) Three year commencement
- (6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- (1) Any informative(s) considered necessary by the Director of Planning and Strategic Transport

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 Full planning permission is sought for:

- Erection of 12 floodlight columns, each 10m in height, to six existing netball courts within the Shirley High School site
- The installation of the lighting is predominantly to allow later use of the courts, particularly during winter months

3.2 This permission relates only to the use of the floodlights, not to the use of the netball courts.

#### **Site and Surroundings**

3.3 The wider secondary school site is located on the southern side of Shirley Church Road, made up of a number of buildings and surrounding land and playing fields. The six netball courts are located to the western boundary of the school site, surrounded by perimeter fencing on all sides.

3.4 Coloma Convent Girls School bounds the site to the west immediately adjacent to the netball courts. This neighbouring school has sports pitches on the boundary lit by 6 x 18m high floodlit columns. The area to the north of the school is largely residential in character, with properties in Ardingly Close to the north of the netball courts (the rear boundary of no.6 Ardingly Close adjoins the school site).

3.5 The school is designated as Educational Open Space. A Site of Nature Conservation Importance and a Locally Listed Historic Park and Garden is sited to the north of the courts.

#### **Planning History**

3.6 None at the application site are considered to be relevant to this application, but the following application at the adjacent site is considered to be of relevance:

Coloma Convent Girls School, Upper Shirley Road:

08/00696/P – Erection of single storey changing room building and 6 floodlight columns around existing pitch – Permission granted and implemented with the following condition:

*“4. The new changing room building and floodlighting pitch shall not be used after 2200 hours*

*Reason: To protect the amenities of adjoining occupiers”*

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of enhanced sports provision at a school site is acceptable
- The design and appearance of the columns are appropriate
- The residential amenities of adjoining occupiers through light and noise disturbance would not be unduly harmed, subject to conditions

#### **5 CONSULTATION RESPONSE**

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

#### **6 LOCAL REPRESENTATION**

6.1 32 letters of representation were sent to adjoining occupiers to advertise the application. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 126    Objecting: 19    Supporting: 107

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

##### Objections

- Out of character with residential area
- Noise and disturbance to adjoining occupiers
- Light pollution to adjoining occupiers
- Light levels too high
- Inadequate parking provision
- Increased traffic
- Siting of lights too close to neighbouring properties
- Not environmentally friendly
- Disruption to wildlife
- Inadequate need for floodlights – other facilities available elsewhere

6.3 Ward Councillor Margaret Mead has made the following objection to the scheme:

- Overbearing impact and light pollution to adjoining occupiers
- Noise nuisance to adjoining occupiers
- Out of character with residential area

##### Support

- Use of pitches during winter months/evenings will benefit pupils at the school, local netball clubs and the community
- School is very accessible by public transport for use of the courts
- Promotes development of netball clubs and leagues in Croydon
- Promotes active and healthy lifestyle for Croydon residents, particularly young people
- Netball is not generally a noisy sport so will not cause undue disturbance

6.5 The following issues were raised in representations that are not material to the determination of the application but are addressed below:

- Will provide income for the school [OFFICER COMMENT: This is not a material planning consideration]
- The school do not respect neighbouring occupiers and has not consulted with them [OFFICER COMMENT: Whilst this is encouraged, this is not a statutory requirement]
- Other activities at the school already cause disturbance to neighbouring occupiers [OFFICER COMMENT: The application relates only to the installation of floodlights]
- Reduction in property value [OFFICER COMMENT: This is not a material planning consideration]
- Netball players have little regard for the community or neighbouring occupiers when participating [OFFICER COMMENT: This is not a material planning consideration]
- Impact on the Metropolitan Green Belt [OFFICER COMMENT: The netball courts are not within the Green Belt, nor do they adjoin it]
- Loss of business income for those who work from home nearby [OFFICER COMMENT: This is not a material planning consideration]

6.6 The following procedural issues were raised in representations, which are addressed below:

- Inadequate information submitted to determine the application [OFFICER COMMENT: The application is valid and a decision can be made on the basis of the information that has been provided]

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

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

7.2 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.

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

7.4 Consolidated London Plan 2015

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Conservation of archaeological interest
- 7.15 Reducing and managing noise
- 7.21 Woodlands and trees

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

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP6.1 Environment and climate change

- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 & SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

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

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design
- UD15 Refuse and recycling storage
- NC4 Woodlands, trees and hedgerows
- T2 Traffic generation from development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- EP1 Control of Potentially Polluting Uses

7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council have consulted on these modifications. The Inspector is finalising his report now, and this is expected to be published in early February.

7.9 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee must consider are:

- 1) The principle of development
- 2) The design and appearance of the development and its effect upon the character and appearance of the area
- 3) The impact of the development upon the residential amenities of the adjoining occupiers
- 4) Parking and highways

### **The principle of development**

8.2 The site is in use as a school, and there have been sports pitches in the existing location for some time. Improvements to sport and recreation facilities for schools are supported. The applicant has outlined the community benefits which would result from the installation of the floodlights, in allowing pupils and local netball clubs use of the facilities during weekday evenings in the winter months, which is supported. The principle of development is therefore acceptable.

### **The design and appearance of the development and the impact on the character and appearance of the area**

8.3 Given the location of the netball courts within the school, the height of the columns and the screening around the site, the floodlights would have limited visibility in the surrounding streetscene. There would be some visibility from Ardingly Close given the land level changes, but the visual impact on the streetscene would be minimal given the distance from the road and the screening apparent. In any case, the columns would be seen against those existing higher columns beyond the boundary within the adjacent school.

8.4 Taking these factors into account, it is considered the impact of the floodlight columns on the character and appearance of the area would be acceptable.

### **The residential amenities of the adjoining occupiers**

8.5 In terms of light spill, the nearest residential property would be no.6 Ardingly Close to the north of the courts. The closest section of the rear elevation of the building is sited approximately 22m from the rear boundary with the school. It would be approximately 28m from the fencing bounding the netball courts where the floodlight serving Court 4 would be sited beyond.

8.6 The applicant has submitted a lighting assessment, providing details of the resulting light spill from the proposed floodlights. This document has been assessed by the Council's Environmental Health officers, who have considered this is acceptable in demonstrating that there would not be an unduly harmful light

spill affecting the occupiers of no.6, nor any of the other properties in Ardingly Close. The proposals are considered to be satisfactory for light nuisance control purposes, and a condition can ensure that the works are carried out in accordance with this document.

- 8.7 Representations have raised concerns regarding the potential for increased noise and disturbance in the evenings following the installation of the floodlights. It must be noted there are existing floodlights on the adjacent sports pitches within Coloma Convent Girls School, which are 18m in height. The floodlights here proposed are of a reduced height at 10m, and can be controlled individually by court, meaning only courts actually in use will be illuminated at any one time. The applicant has also indicated that when not all six courts are in use, those furthest from the northern boundary will be used where possible, to minimise potential for noise and disturbance in the most sensitive areas. A condition requiring the submission of a management plan for the floodlit courts is recommended to secure these details in full.
- 8.8 In addition to the above measures, a condition is recommended to be imposed restricting the hours of use of the floodlights to further protect the amenities of adjoining occupiers. This will permit their use from 09:00 to 22:00 hours Monday to Friday, subject to a review by the Council after a period of 12 months where the hours of use could be reduced should a statutory nuisance be established. The hours of use until 22:00 hours would be consistent with the condition imposed on the floodlights serving the sports pitches within the neighbouring school (see planning history section of this report).
- 8.9 There are no current restrictions on the school in terms of its permitted hours of use (other than for the sixth form building on the opposite side of the site), nor on the use on the netball courts specifically. The courts can therefore currently be used in the evenings during summer months, when there is no need for artificial lighting. This permitted use would have a similar impact in terms of noise and disturbance, with the additional restrictions to protect neighbouring occupiers which could be imposed by condition.
- 8.10 Taking into account these factors, it is not considered there would be undue harm caused to adjoining occupiers through light or noise nuisance.

### **Parking and highways**

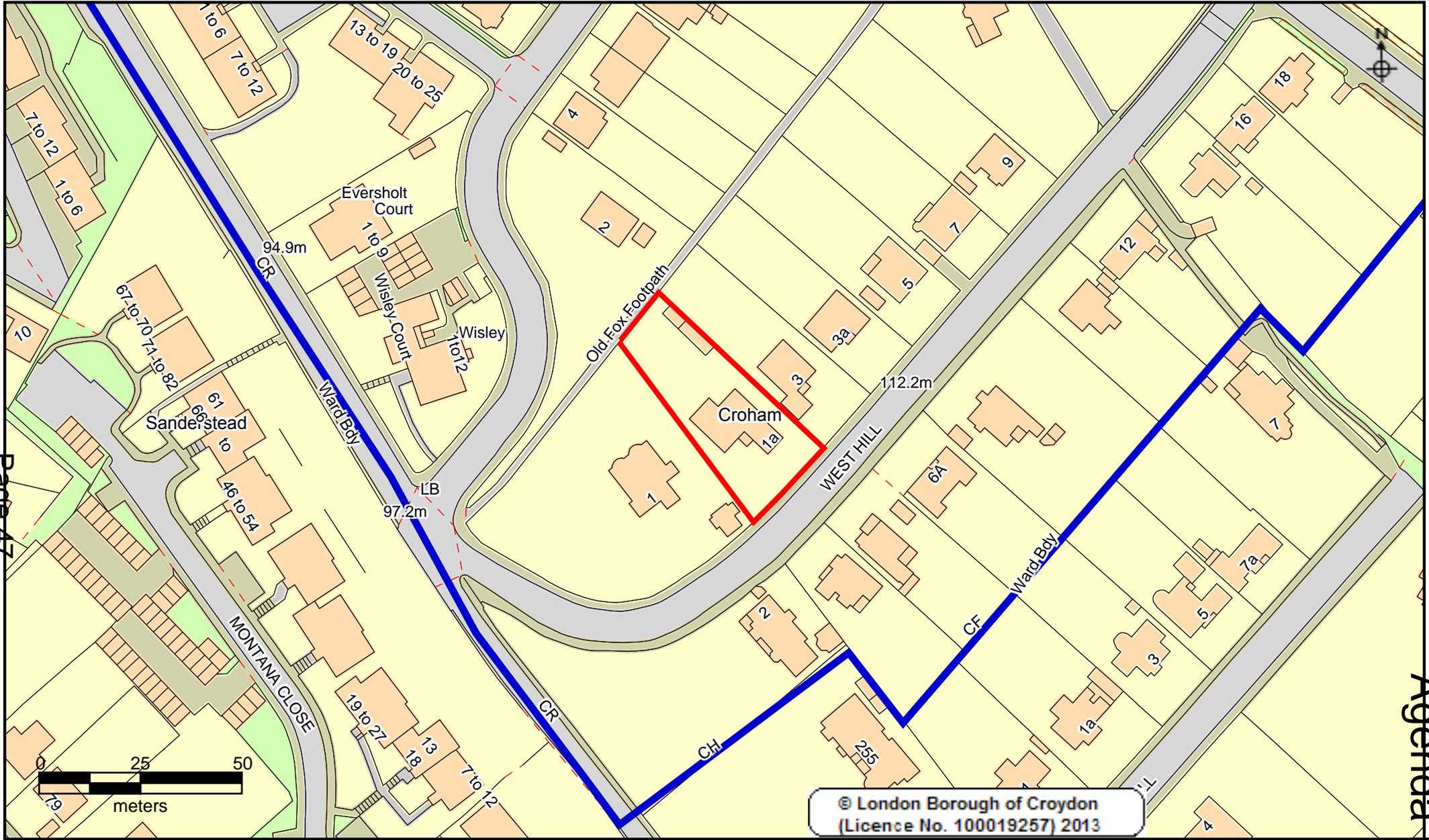
- 8.11 Representations have raised concerns relating to the pressure on parking in the local area and increased traffic, as a result of the lighting of the netball courts. As previously stated, the pitches and their use are existing. Whilst the floodlighting would allow use of the courts in the evenings during winter months, this can already take place during summer months where there are no restrictions at present. There would be no changes to the existing parking provision and the school has a car park which is available for users of the netball courts at all times of operation. It is not considered there would be an undue impact on the parking and highways

network in the area as a result of the installation of the floodlights, and the development is acceptable in this respect.

### **Conclusions**

- 8.12 The installation of the floodlights is considered an appropriate addition to the pitches within the school grounds. The design and appearance of the lighting columns are appropriate and with conditions, there would be no harm resulting to surrounding occupiers through light spill or noise and disturbance. The impact on parking and highways matters is considered acceptable. The proposal would accord with the relevant policies.
- 8.13 All other relevant policies and considerations, including equalities, have been taken into account.

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# London Borough Croydon



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**PART 6: Planning Applications for Decision**

**Item 6.2**

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 17/05708/FUL  
 Location: 1A West Hill, South Croydon CR2 0SB  
 Ward: Croham  
 Description: Demolition of existing dwelling and erection of two storey building with accommodation in roof space and basement comprising 7 two bedroom, 1 three bedroom and 1 one bedroom flats: formation of vehicular access and provision of 8 parking spaces, refuse store and bike storage  
 Drawing Nos: BX18-S1-101; BX18-S1-102; BX18-S1-103; BX18-S1-104; BX18-S1-105; BX18-S1-106; BX18-S1-107; BX18-S1-108; BX18-S1-109; BX18-S1-110 and BX18-S1-111  
 Applicant: Mr Haris Constanti (Aventier Ltd)  
 Agent: N/A  
 Case Officer: Robert Naylor

	<b>studio</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Apartments</b>	0	1 (2 person)	7 (3 person)	1 (4 person)	0

*All units are proposed for private sale*

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
8 (including one disabled space)	18

1.1 This application is being reported to committee because Ward Councillor Maria Gatland has referred the item and objections above the threshold in the Committee Consideration Criteria have been received.

**2.0 RECOMMENDATION**

- 2.1 That the Planning Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- 1. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. Materials to be submitted
- 3. Details of Finished Floor Levels/Refuse/Cycles/Boundary/Electric vehicle charging point to be submitted
- 4. Car parking provided as specified
- 5. No additional windows in the flank elevations
- 6. Obscured glazing in flank elevations above first floor level
- 7. Hard and soft landscaping to be submitted to incorporate SuDS
- 8. 19% Carbon reduction

9. 110litre Water usage
10. Permeable forecourt material
11. Visibility Splays
12. Construction Logistics Plan to be submitted
13. Drainage Strategy to be submitted
14. Archaeological condition
15. Time limit of 3 years
16. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Community Infrastructure Levy
- 2) Code of practise for Construction Sites
- 3) Wildlife protection
- 4) Archaeological informative
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **3.0 PROPOSAL AND LOCATION DETAILS**

3.1 The proposal includes the following:

- Demolition of existing detached house and outbuildings
- Erection of a t storey building with accommodation in roof space and basement
- Provision of 1 x one bedroom flats 7 x two bedroom flats and 1 x three bedroom flats fronting West Hill.
- Provision of 8 off-street spaces with associated access via West Hill.
- Provision associated refuse/cycle stores

### **Site and Surroundings**

3.2 The application site consists of a large dwellinghouse located on a fairly large plot, access via the northern side of West Hill. The surrounding area is mainly residential and there is an existing flatted development adjoining the site to the south of the (1 West Hill). The site is located in a Local Area of Special Character (LASC) and within an archaeological priority zone (APZ). The application site lies within an area at risk of surface water flooding as identified by the Croydon Flood Maps while Sanderstead Road is classified as a London Distributor Road.

3.3 The surrounding area is residential in character and comprises of a mix of two storey detached properties within generous plots with a recently approved flatted scheme immediately opposite at 2 West Hill. Further flatted developments lie to the north along Sanderstead Road and to the west within Montana Close.

### **Planning History**

3.4 In terms of recent planning history at the site the following applications are considered relevant:

- A lawful development certificate (Ref: 05/03431/LP) was approved in October 2005 for the erection of a rear conservatory.

- Planning permission (Ref: 12/01161/P) was approved in July 2012 for the retention of a re-built out building at the rear of the site.

3.5 Planning permission has also been recently granted at the property opposite the application site at the land adjoining number 2 West Hill and the details are as follows:

- Planning permission (Ref: 17/02918/FUL) was granted in December 2017 for the erection of part three/four storey buildings comprising 9 three bedroom flats with associated basement parking and cycle storage Formation of vehicular access and provision of refuse storage.

#### **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory and Nationally Described Space Standard (NDSS) compliant
- The level of parking and impact upon highway safety and efficiency is considered acceptable and can be controlled through conditions.
- Sustainability aspects can be controlled by conditions

#### **5.0 CONSULTATION RESPONSE**

5.1 Historic England: The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to Local Planning Authorities (LPA) and have identified that the planning application lies in an area of archaeological interest. GLAAS have indicated that the proposed development is likely to cause some harm to archaeological interest but it is not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. [OFFICER COMMENT: The suggested condition has been attached as requested by GLAAS)

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

#### **6.0 LOCAL REPRESENTATION**

6.1 The application has been publicised by 24 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, MPs, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 31    Objecting: 31    Supporting: 0    Comment: 0

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

- Over development – size, density, bulk and massing
- Over-intensification
- Out of character
- Not in keeping with the surrounding area
- Loss of trees and vegetation
- Negative impact on amenities
- Loss of privacy/overlooking
- Increase in noise and disruption
- Increase impacts on local infrastructure
- Density is too high
- Loss of light
- Poorly designed
- Inadequate parking spaces
- Increase in traffic
- Impact on road safety
- Increase impacts on local infrastructure
- Description of the development is misleading

6.3 Ward Councillor Maria Gatland has made the following objection to the scheme:

- Misleading description of the number of storeys
- Overdevelopment of this site
- More information required in respect to the landscaping and appearance
- Out of character with the existing streetscape.
- Loss of privacy through the provision of balconies
- Loss of family home and affordable homes

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

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

7.2 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.

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

7.4 Consolidated London Plan 2015

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

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

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 & SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

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

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design

- UD15 Refuse and recycling storage
- T2 Traffic generation from development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing

7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

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

7.9 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Access and parking
6. Sustainability and environment
7. Trees and landscaping
8. Archaeological Priority Zone
9. Other matters

### **Principle of Development**

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the borough, which the Local Planning Authority (LPA) is seeking to promote. Furthermore the scheme would provide an additional three bedroom unit, which the borough has an identified shortage of and is seeking to provide.

8.3 The site is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

## **Townscape and Visual Impact**

- 8.4 Whilst it is acknowledged that the proposal would consist of units being located within a basement level and the roof space, the appearance of the property from the front would be akin to a two storey property, given the steep topography of the area the property has been stepped down from the adjoining property at 3 West Hill. The stepped effect provides an eaves and ridge height which respect the overall size and character of the area. The area is characterised by large detached properties, and the proposal would be akin to these reading as a large detached house rather than a “block of flats”. Furthermore, the site is adjoined to the south by an existing block of flats and a recent approval at land adjacent to 2 West Hill almost opposite, was for a part three/part four storey building.
- 8.5 The design of the building incorporates a traditional styled appearance in order to appear in keeping with the main street scene with appropriate materials with an adequate balance between brick and glazing and appropriate roof proportions. The main front element contains an asymmetric traditional arts and crafts feel, and will consist of gabled bays which are features of the surrounding area and wider townscape.
- 8.6 The main difference between the existing property and the proposal is highlighted by the increased in the height and depth of the new building. The overall footprint has increased to accommodate the large rear extension at the site which consists of a lower and upper ground floor level which is comparable to a large householder rear extension. The front elevation will sit in further back than the existing front elevation and as such would not project forward of the existing building line and the scheme will not appear as an intrusive feature to the street scene.
- 8.7 Currently there is no basement underneath the existing dwellinghouse, and the proposed scheme is to build a basement under its rear portion of the footprint with a moderate projection at the rear to create semi-private amenity areas for the units located at this level. The application site has a large rear garden which is not visible from the public highway or any public vantage points. As such, the alterations at the rear of the site including the two storey (partially subterranean) rear extension would have limited visual impact on the character of the locality due the indirect visibility available from public view. The rear element has been designed to appear subservient to the main property and has been set off the side boundaries and the upper floor has been set back from the rear, again to provide a degree of subservience.
- 8.8 As with the adjoining properties, the proposed building would be centrally located and this setting ensures that the development does not appear overly cramped in its plot. The frontage would be given over to hard-standing to allow for off street parking for the new dwellings. However there are areas of soft landscaping at the ground floor and along the boundary of the site. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 8.9 Given the overall scale of the development, the extent of hardstanding would not be excessive. The site offers sufficient opportunities for soft landscaping to the rear and the frontage as well as between the proposed development and the neighbouring property to the rear.

- 8.10 The existing unit does not hold any significant architectural merit and therefore demolition can be supported. However it is acknowledged that the application site lies within a local area of special character (LASC) as designated in CLP1. It is important to note that under CLP1.1 LASC's are becoming Local Heritage Areas (LHA); as part of this change these places have been reviewed. West Hill is not proposed to be a LHA under CLP1.1 and this policy has no changes proposed through the main modifications and so carries significant weight in the planning balance. The scheme has been designed to be respectful to the character and appearance of the surrounding area, given that the LASC designation is to be removed and subject to suitable conditions the scheme would be acceptable.
- 8.11 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 2 and as such the London Plan indicates that the density levels ranges of 150-250 habitable rooms per hectare (hr/ha) and the proposal would be within this range at 246 hr/ha. However, the London Plan further indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad, to enable account to be taken of other factors relevant to optimising potential – such as local context, design and transport capacity. These considerations have been satisfactorily addressed, and the London Plan provides sufficient flexibility for such higher density schemes to be supported. Furthermore, it is significant that the New London Plan (currently out to consultation) removes reference to the density matrix, focussing on intensification of the suburbs as a means to achieve housing numbers.
- 8.12 The scale and massing of the new build will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area, and would result in a high quality design. Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

### **Housing Quality for Future Occupiers**

- 8.13 The proposal would comply with internal dimensions required by the NDSS and all units are in excess of the minimum GIA requirements, as highlighted in the following table:

Unit	Bedrooms	GIA (sqm)	NDSS requirement (GIA sqm)
1 (2B3P)	3	62	61
2 (2B3P)	3	62	61
3 (2B3P - Duplex)	3	71	70
4 (2B3P - Duplex)	3	71	70
5 (1B2P)	2	52	50
6 (3B4P)	4	76	74
7 (2B3P - Duplex)	3	74	70
8 (2B3P)	3	72	61
9 (2B3P)	3	70	61

- 8.14 The internal layouts would be acceptable with adequate room sizes and a large open plan living, kitchen and dining area and includes the provision of a three bedroomed

unit. With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional unit.

- 8.15 Units 1-4 have access to private amenity space in excess of minimum standards, whilst the remaining properties have access to the communal gardens at the rear of the site. The proposal has been designed to be in keeping with the surrounding area; the provision of private balconies is not a feature of the area and has the potential to impact on the amenities of the adjoining residents, as no private balconies/terraces are proposed.
- 8.16 In terms of accessibility, level access would be provided to the front door and there is a lift installed in the property for access from the ground floor level to the upper floors as necessary, ensuring that the proposal is fully accessible. A disabled space is proposed for the parking area.
- 8.17 The development is considered to be a high quality, offering a variety of housing types including a 3 bedroom unit all with adequate amenities and provides a good standard of accommodation for future occupiers.

### **Residential Amenity for Neighbours**

- 8.18 The properties that have the potential to be most affected are the adjoining properties at 1 and 3 West Hill and the property at the rear of the site at 2 Beechwood Road.

#### *Impact on 1 West Hill*

- 8.19 The adjoining property at 1 West Hill is set off the boundary as there is an access road separating the properties. The proposal and the existing unit at 1 West Hill are approximately 16m apart, although there are windows along the flank elevation at first and second floor that serve bedrooms. It is acknowledged that the flank elevation of the proposal contains windows at the ground, first floor and roof levels.
- 8.20 The windows at the first floor level of the proposal are high level (1.8m above floor level) in order to mitigate any issues of overlooking. Furthermore the opening at the roof level are also sufficiently high level. Nevertheless it is considered prudent to condition this application to ensure that the proposed fenestration are fitted with obscured glazing to ensure that any future overlooking is mitigated along the flank elevations whilst still allowing sufficient light into the rooms. Combined with the separation and boundary treatment (including landscaping) the relationship is acceptable.

#### *Impact on 3 West Hill*

- 8.21 The property at 3 West Hill to the north of the site is located at a higher ground level than the proposed development. As with the flank elevation adjoining number 1 West Hill there are windows at the ground, first floor and roof levels of the proposal. There are a number of windows and openings in the flank elevation of 3 West Hill all of which serve non habitable rooms including w/c's; utility rooms, study and stairwells.
- 8.22 Again the windows and openings in the flank elevations at the proposal have been designed to mitigate overlooking. Subject to a condition for the windows to be obscured glazed and fixed shut above 1.70m from the relevant finished floor level the scheme is acceptable in relation to actual and perceived levels of overlooking and loss of privacy.

### Impact on 2 Beechwood Road

- 8.23 Given the separation between this property and the proposal is approximately 40m this relationship is acceptable. However, it is prudent to ensure that a landscaping condition is attached to ensure that levels of privacy and overlooking are mitigated.
- 8.24 Whilst there would be a degree of overlooking as a consequence of the rear fenestration, this is not uncommon in a suburban location. Given the design, layout and separation between the properties the current boundary treatment and provision of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.
- 8.25 Given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site. Subject to conditions the proposed development is not visually intrusive or result in a loss of privacy.

### **Access and Parking**

- 8.26 The PTAL Rating is 2 for the proposed development site which is poor, although it is a short walking distance from Sanderstead, Beechwood Road bus stops serving bus route 403. The site is approximately 400m from Sanderstead Station to the north and also Purley Oaks Station is located approximately to the 600m to the west from the site.
- 8.27 The parking is generally unrestricted in the surrounding roads with spare capacity on street. The applicant has undertaken a Parking Beating Survey on West Hill and Beechwood Roads confirming the absence of parking stress within 200m of the site and it is able to accommodate overspill that may be associated with the proposed 9 residential units. As such the Strategic Transport team has no objection in principle, as the scheme would promote sustainable travel in the borough.
- 8.28 In compliance with the London Plan, electric vehicle charging points should be installed in the parking area and this can be secured by way of a condition.
- 8.29 Cycle storage facilities would comply with the London Plan (which would require 18 spaces) as these are secure and undercover. There is scope for the space allocated for cycles and bin storage to be used more effectively, as such further details of these can be secured by way of a condition.
- 8.30 Concerns have also been expressed in regard to the amount and type of excavation required at the site and further details are required as part of a construction method statement. A Demolition/Construction Logistic Plan (including a Construction Management Plan) will be needed before commencement of work and this could be secured through a condition.

### **Environment and sustainability**

- 8.31 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

8.32 The site lies within a critical damage flood risk area and is sloping. Given the areas for landscaping there are opportunities for SuDS to be located in the communal areas. Officers are satisfied that these issues can be dealt with by condition. A Flood Risk Assessment has been submitted and the Local Lead Flood Authority have reviewed the information. No objection has been raised however they would require further information in respect to the drainage proposals at the site and this can be conditioned as part of any approval.

### **Trees and landscaping**

8.33 There are no trees on site subject to a tree preservation order, and the Council's Tree Officer raises no objection to the development subject to a suitably worded landscaping condition secured through the landscaping condition. The development would therefore have an acceptable relationship with trees on site and in neighbouring gardens.

8.34 It is recommended that 2 new trees are planted at the front of the site to soften the frontage of the proposal, and this can be secured by way of the landscaping condition.

8.35 The application site is not near an area of special scientific interest or a site of nature conservation value. From the officer's site visit, there is no evidence to suggest that any protected species are on site and as such further surveys are not deemed necessary.

8.36 With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

### **Archaeological Priority Zone**

8.37 The application site is located in an area of archaeological interest. The scheme has been reviewed by Greater London Archaeological Advisory Service (GLAAS) who have concluded that the development could cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. As such a suitability worded condition has been attached.

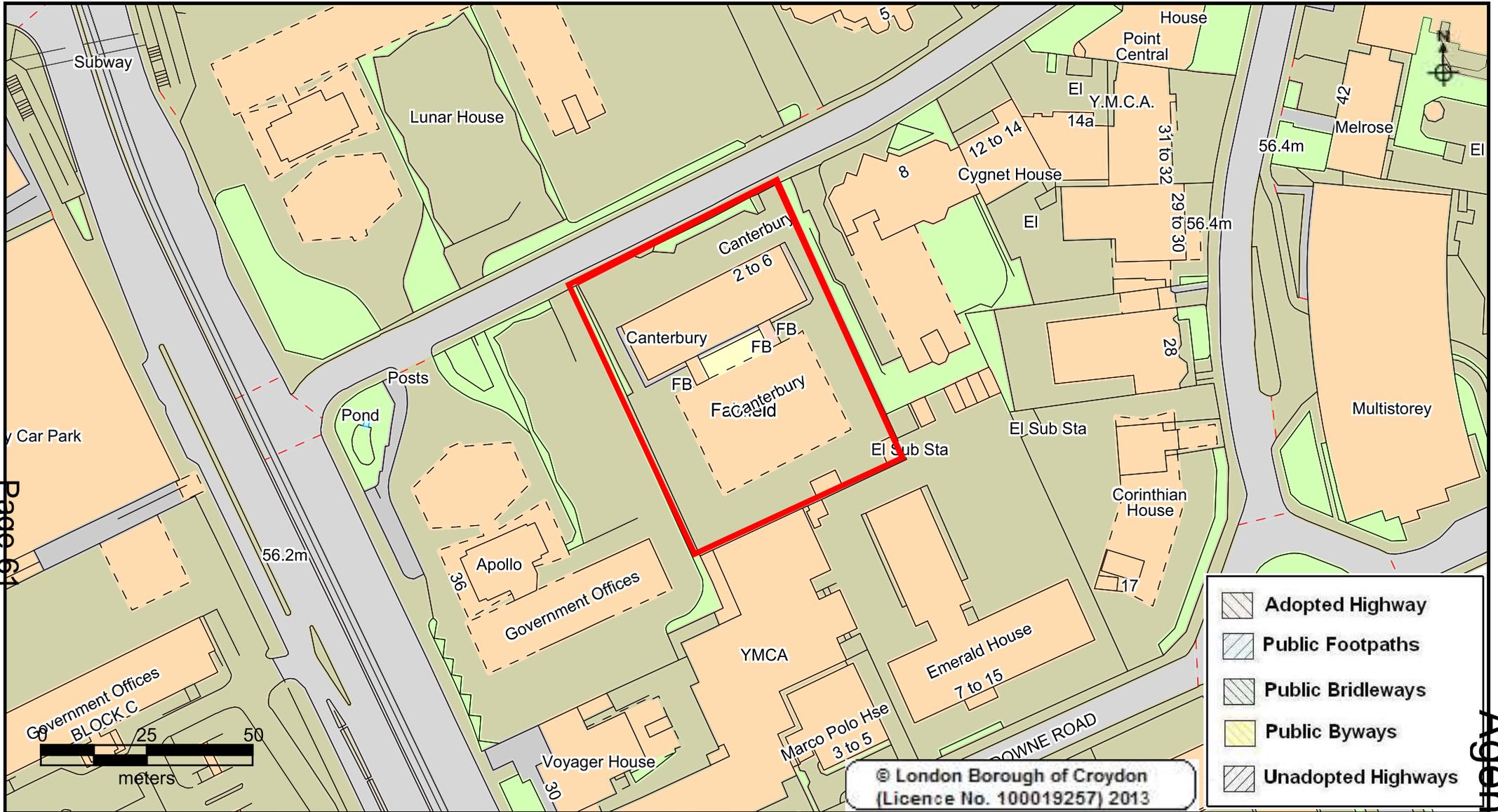
### **Other matters**

8.38 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst it is acknowledged that the site could reasonably be accessed from West Hill, it would be prudent to control details of construction through the approval of a Construction Logistics Plan. Overall however, it is not considered that the development would affect highway safety along the access road.

8.39 Representations have raised concerns that local schools and other services will be unable to cope with additional families moving into the area. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

### **Conclusions**

- 8.40 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard given the proposed and conditioned landscape and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.
- 8.41 All other relevant policies and considerations, including equalities, have been taken into account.



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**1 SUMMARY OF APPLICATION DETAILS**

Ref: 17/04836/FUL  
 Location: Canterbury House, 2-6 Sydenham Road, Croydon, CR0 9XE  
 Ward: Fairfield  
 Description: Demolition of existing buildings and erection of a 34 storey building comprising 232 x one bedroom and 64 x two bedroom flats, provision of communal amenity space, cycle parking, landscaping and associated plant

Drawing Nos: 610-00-CH-00-0000-03, 610-20-CH-00-0001-03, 610-20-CH-00-1130-09, 610-20-CH-B1-1121-09, 610-20-CH-B2-1122-08, 610-25-CH-00-1300-07, 610-25-CH-01-1301-06, 610-25-CH-02-1302-07, 610-25-CH-11-1303-07, 610-25-CH-31-1304-02, 610-25-CH-32-1305-07, 610-25-CH-33-1306-08, 610-21-CH-99-1211-05, 610-21-CH-99-1212-05, 610-21-CH-99-1213-05, 610-21-CH-99-1214-06, 610-21-CH-99-1215-09, 610-21-CH-99-1216-07, 610-21-CH-99-1217-02, 610-21-CH-99-1218-02, 610-25-CH-99-1221-04, 610-25-CH-99-1222-04, 610-25-CH-99-1223-05, 610-25-CH-99-1224-02, 610-25-CH-99-1225-06, 610-25-CH-99-1226-06.

Applicant: Croydon Investments Ltd  
 Agent: Savills  
 Case Officer: Allison De Marco

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>Total</b>
<b>Market Rent</b>	116	32	0	148
<b>Offered as: Intermediate Tenure // Discount Market Rent (Living London Rent)*</b>	116	32	0	148
<b>Total</b>	232	64	0	296

\* Refer Affordable Housing section below.

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
10*	434*

\* Refer Proposals below.

- 1.1 This application is being reported to Planning Committee because the Chair of Planning Committee (Councillor Paul Scott) made representations in accordance with the Committee Consideration Criteria. The proposal is also for a large scale major development.

**2 BACKGROUND**

- 2.1 Pre-Application: This proposal has not been presented to the Planning Committee at pre-application stage.

### **3 RECOMMENDATION**

3.1 That the Planning Committee resolve to agree the REASONS FOR REFUSAL.

3.1.1 That the Director of Planning and Strategic Transport has delegated authority to refuse the planning permission subject to:

3.1.1.1. any direction from the Mayor of London;

3.1.1.2. amendments considered necessary by the Director of Planning and Strategic Transport to the Reasons for Refusal;

#### **Reasons for Refusal**

##### **Liveability of Proposed development and Impact on Adjacent Dwellings (Amenity / Liveability / Health)**

- 1) The proposed development, by reason of its design including siting, scale, massing, relationship to adjoining development (including outlook), unit size, aspect, environmental performance, lack of private amenity space and deficient consideration of health and wellbeing, represents a form of harmful development of insufficient design and residential quality which would result in a detrimental impact on the amenity and health of future occupants and adjacent occupiers.

The quality of accommodation would not accord with the requirements of the good design principles of the NPPF, the requirement set out in the Mayor of London's Housing SPG for exemplary design and liveability, Affordable Housing and Viability SPG, Providing for Children and Young People's Informal Recreation, London Best Practice Guidance (BPG) on Health Issues in Planning, BRE guideline standards for daylight and sunlight (both in respect of future occupiers and impact on adjacent occupiers) and London Plan Policy 3.8 requirements in respect of good quality accommodation for Private Rented Sector housing and would result in a poor quality living environment which would fail to promote healthy lifestyles or reduce health inequalities and would therefore constitute unsustainable development.

Therefore the application is contrary to part 7 'Requiring good design' of the NPPF; London Plan Policies 3.2, 3.4, 3.5; the Mayor of London's Housing SPG and SPG on Providing for Children and Young People's Informal Recreation and Affordable Housing and Viability SPG, Croydon Opportunity Area Planning Framework, adopted CLP1 Policy SP2.6 and emerging Policies CLP1.1 SP2.7, SP2.8 and CLP2 Draft Policies DM11, DM16 and DM17, draft London Plan Policies D2 and D4.

##### **Inclusive Access including insufficient Blue Badge parking**

- 2) The proposal fails to address inclusive design and access considerations, specifically by proposing a very significant proportion of small 1-bed and 2-bed units which are inflexible and not readily capable of adaption or meeting accessible requirements therefore failing to deliver an inclusive environment to meet the needs of all Londoners.

The scheme would not accord with adopted London Plan Policy 3.8 of the London Plan that 10% of units should meet building regulation requirement M4(3) 'wheelchair user dwellings' and the Mayor of London's Housing SPG standards in respect of inclusive design. The scheme would not accord with adopted London

Plan Policy 3.8 that 90% of new housing meet building regulation requirement M4(2) 'Accessible and Adaptable Dwellings' and the Mayor of London's Housing SPG standards in respect of inclusive design. The provision of blue badge spaces is deficient assessed against a compliant and would be contrary to London Plan policy 6.13 on parking and the Mayors Housing Supplementary Planning Guidance.

Therefore the application is contrary to part 6 'Delivering a wide choice of high quality homes' of the NPPF and London Plan Policy 7.2, draft London Plan Policies D3 and D5.

### **Design**

- 3) The proposed development, by reason of its urban design including layout, siting, landscaping, building arrangement including relationship with the existing Canterbury House Phase 1 block (including interface with existing ground level residential units), proposed 11-storey privacy screen, servicing, refuse design, loading bay, relationship to adjoining sites and vehicular access represents a form of unacceptably harmful development which would have a detrimental impact on local character, place making and its surrounds constituting unsustainable development and undermining the regeneration objectives of the Croydon Local Plan in respect of the Croydon Opportunity Area.

The quality of the development would not accord with the requirements of the good design principles of the NPPF, London Plan Policies and Croydon adopted policies.

Accordingly the application proposal is contrary to part 7 'Requiring good design' of the NPPF; London Plan Policies 2.13, 3.4, 3.5, 7.5, 7.6, 7.7, the Mayor of London's Housing SPG and SPG on Providing for Children and Young People's Informal Recreation, Croydon Opportunity Area Planning Framework, CLP1 Policy SP2.6, SP4, SP4.4, SP9.5, and CLP2 Draft Policy DM11 and DM16 and DM17, draft London Plan Policies D2, D3, D7 and D8.

### **Mix**

- 4) The proposal fails to provide an appropriate mix of new homes, including affordable housing of a mix, type and tenure is assessed as being inconsistent with the adopted and draft policy position on housing needs. The provision of 78% of units as very small one-bed units, no family units and no units capable of adaption fails to provide a range of housing choice, in terms of mix of housing sizes, types and need failing to result in good quality (Private Rented Sector housing) accommodation, mixed and balanced communities and sustainable neighbourhoods contrary to London Plan Policy 3.8. Insufficient information has been submitted to substantiate that the affordable housing proposed would accord with identified housing needs as set out within adopted policy and the departure from adopted planning policy has not been adequately justified in this case.

The scheme would not accord with adopted policies by failing to meet need across the Borough. The mix does not accord with identified housing needs as set out within policy and departure from adopted planning policy has not been adequately justified in this case. Accordingly the development would be detrimental to the delivery of housing of a mix and type which meets strategic and local needs.

Therefore the application is contrary to part 6 'Delivering a wide choice of high quality homes' of the NPPF; Affordable Housing and Viability SPG, Croydon Opportunity Area Planning Framework, London Plan Policies 3.1, 3.5, 3.8, 3.9, 3.10, 3.11, 3.12 and 7.2, CLP1 Policy SP1.4, SP2.1, SP2.3, SP2.4, SP 2.5, CLP1.1 draft Policy SP2.1, SP2.3 and SP2.4 and CLP2 Draft Policy DM1, draft London Plan Policies H12 and H13.

### **Insufficient Details**

- 5) The proposal, by reason of insufficient information fails to demonstrate that the development would be sustainable in that insufficient information has been provided on the following:
- a. The matters highlighted by the **Council's Environmental** advisors in their 'initial' report and confirmed in their 'final' report as listed at Appendix 2.
  - b. The matters highlighted by the **Council's Viability advisors** and provided to the Applicant in the Council's correspondence of 1<sup>st</sup> December 2017.
  - c. The matters in respect of **Internal Daylight and Sunlight** performance including kitchen performance, frosted glazing (to windows in Phase 2 and 11 storey screen) and impact of the 1-5 Lansdowne scheme and confirmed in the Council's Environmental advisors 'final' report as listed at Appendix 2.
  - d. The matters raised by the **LLFA** and provided to the Applicant in the Council's correspondence of 7<sup>th</sup> November 2017.
  - e. In respect of **Inclusive Access and Design** - Confirmation that 90% of units would meet M4 (2) 'accessible and adaptable dwellings and 10% of units would meet building regulation requirement M4(3).
  - f. In respect of the impact on the **Grade 1 St Michael and All Angels** - View and assessment of impact.
  - g. **In respect of heritage impact** - Accuracy of the TVBHIA to be confirmed and near views of Corinthian House indicating the level of visibility of the proposed development and confirmed in the Council's Environmental advisors 'final' report as listed at Appendix 2.
  - h. **In respect of townscape impact** - Visual assessment in respect of the area between Phase 1 and Phase 2, including the proposed 11 storey screen. Views showing the full height of Phase 1, Phase 2, frosted screen and 1-5 Lansdowne Road.
  - i. In respect of the **appearance of the screen** - the design, materials, function, timing and discrete environmental effects of the privacy screen
  - j. **In respect of the wind Impacts of the screen** - the impact of the privacy screen needs to be assessed because such a structure could lead to localised wind funnelling. Also, the landscape design measures to ameliorate stronger wind speeds could be better explained. Further information is required on the influence of the Privacy Screen on wind patterns and flows.
  - k. **In respect of climate change**- overheating, worksheet calculations, the site heat network, and combined heat and power

- i. **In respect of swept path analysis** – Showing how refuse vehicles can access the parking layout at the front. The same situation is shown in the swept path analysis for 8m and 10m rigid vehicles.

- m. **In respect of trip generation** - Should be revised using Census data

In the absence of this information, the Local Planning Authority is unable to fully assess the impact of the development including assessment against Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as such the proposal would be contrary to Paragraph 134 of the NPPF, part 6 'delivering a wide choice of high quality homes' of the NPPF; part 7 'Requiring good design' of the NPPF; part 4 'Promoting sustainable transport' of the NPPF; part 10 'Meeting the challenge of climate change, flooding and coastal change' of the NPPF; part 11 'Conserving and enhancing the historic environment', London Plan Policies 2.13, 3.1, 3.2, 3.4, 3.5, 3.8, 3.9, 3.10, 3.12, 6.3, 7.2, 7.5, 7.6, 7.7, CLP1 Policies SP1.4, SP2.1, SP2.3, SP2.4, 2.5, SP2.6, SP4, SP4.4, SP9.5, CLP1.1 draft Policy SP2.1, SP2.3, 2.4(b), SP2.8 and CLP2 Draft Policies DM1, DM11, 16, 17, the Mayor of London's Housing SPG and SPG on Providing for Children and Young People's Informal Recreation and Affordable Housing and Viability SPG.

### **Mitigation**

- 6) In the absence of a legal agreement to secure measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of preventing parking and air quality impacts, carbon reduction and securing affordable housing, local employment and training initiatives, a contribution to TfL for public transport enhancements, funding for a car club, off site highway works, TV signal mitigation, travel planning and securing publically accessible routes through the site) the proposal would fail to mitigate harmful impacts and be unacceptable in planning terms. The proposal therefore conflicts with policy SP2.4 of the Croydon Local Plan: Strategic Policies 2013 and policies 3.11, 3.12 of the London Plan 2016.

### **Informatives**

- 1) Community Infrastructure Levy – refused
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 The proposal is for the construction of a residential development comprising a 34 storey building +169.7(AOD), with 2 x basement levels, providing 296 residential units (232 x 1-bedroom; 64 x 2-bedroom; 0 x 3-bedroom). The tower has an overall footprint of approximately 22.6m (north-south) and 24m (east-west).
- 4.2 The erection of an 11 x storey frosted glass screen (with a height of approximately 34m and width of 11.4m) proposed to be located 4.5m from the southern façade of the existing Canterbury House (Phase 1). The screen is shown fixed by a series of horizontal elements to the southern façade of Canterbury House. The lowest of these horizontal elements is shown approximately 3m above ground. From Levels 2-10

frosted glass panels are proposed to all units at the north-east and north-west corners of the proposed Phase 2 tower to avoid inter-visibility/privacy issues between the proposed tower and existing Phase 1 building.

- 4.3 The applicant proposes 50% of units (116 x 1 bed & 32 x 2 bed) at Discount Market Rent (DMR) at London Living Rent Levels, which within the Fairfield Ward would be: £919/month for one-beds and £1,021/month for two-beds. The units are offered in perpetuity.
- 4.4 None of the one-bed units (78% of total 296 units) meet or exceed the National Described Space Standards (NDSS) in terms of internal floorspace standards, with the majority being very significantly below the minimum threshold – up to 37% smaller than the minimum one-bed/two-person threshold and up to 20% smaller than the minimum one-bed/one-person threshold.
- 4.5 None of the two-bed units meet or exceed the National Described Space Standards (NDSS) in terms of internal floorspace standards for two-bed/four-person threshold. Only 4 two-bed units (at Level 31) are assessed to be above the minimum threshold for 2-bed/3-person units.
- 4.6 0% of the units would have access to private amenity space.
- 4.7 None of the units as submitted are designed to be wheelchair adaptable (requirement M4(3)). Officers note that although the submitted Design and Access Statement illustratively shows how 2-bedroom units may be capable of adaption, the submitted plans show this is likely to require that they be converted to 1-bedroom units, increasing the proportion of one-bedroom units further / altering the proposed unit-mix.
- 4.8 Communal amenity space and external rooftop communal space is proposed as follows:
- **Ground floor** – Lobby and hangout room (approximately 65sqm);
  - **1<sup>st</sup> Floor** – Cinema /Games room (approximately 62sqm); Open plan Multifunction space including workshop space and residents lounge (approximately 175sqm); and Private dining / function space (approximately 100sqm). The floor includes toilets to support the use of the space for communal amenity.
  - **32<sup>nd</sup> Floor** – Two external terraces totalling 264sqm of amenity space and internal amenity space of 245sqm including residents day room.
- 4.9 Publically accessible external space is proposed at ground including two dedicated children's playspaces comprising: a grass hill playspace of 160sqm to the west of the proposed Phase 1 tower and 65sqm to the south of the proposed Phase 1 tower.
- 4.10 The provision of 10\* blue badge disabled parking space (2% of the total number of units on site (out of 392)). A total of 434\* cycle spaces is proposed. \* Officers note that this provision is intended to support the existing Phase 1 building as well as the proposed Phase 2 building and note minor inaccuracies in respect of cycle spaces within the supporting information.
- 4.11 **Environmental Impact Assessment:** The Application is accompanied by an Environmental Statement.
- 4.12 **Financial and Legal considerations**
- 4.13 Should the recommendation to refuse the application be agreed by the Committee then the Council, subject to Mayor of London's further response, would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice

Guidance emphasises that parties usually pay their own expenses arising from an appeal.

- 4.14 Following an appeal hearing or public inquiry costs may be awarded against a party if it has acted unreasonably.
- 4.15 It is noted that the Mayor of London has indicated that he may elect to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application.
- 4.16 The LPA is required to take into account the environmental information for the purposes of the Town and County Planning (Environmental Impact Assessment Regulations) 2001. The environmental information has been taking into account in the consideration of this application.

### **Site and Surroundings**

- 4.17 The Subject Site is located in close proximity to East Croydon Station and is located in an area with a Public Transport Accessibility (PTAL) rating of 6b (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have an excellent level of accessibility to public transport links.
- 4.18 The site is roughly rectangular with a width of approximately 51.5m (east-west) and depth of approximately 67m (north-south) and located on the southern side of Sydenham Road. The total site area, which includes the existing building at Canterbury House, is approximately 0.385ha.
- 4.19 The site area includes both the existing 12 storey Phase 1 block known as Canterbury House and the proposed 34 storey tower referred to as Phase 2. Throughout this report the existing building on site is referred to as 'Phase 1' and the proposed new tower is referred to as 'Phase 2'.
- 4.20 The site is characterised by the existing Phase 1 block at its northern extent and a car park to the south which includes an external one-storey energy centre and external one-storey bin and waste store and cycle storage.
- 4.21 Phase 1 Building: The site currently accommodates a 12 storey former office building (existing Canterbury House) with a footprint of approximately 626sqm that has been converted for residential use which has recently been converted to residential use, containing 98 flats (55 one-bed units and 43 two-bed units). The building is proposed to be retained and appears, according to the submitted Environmental Statement, to remain fully occupied during the construction works.
- 4.22 The proposed demolition and relocation of the adjoining single storey energy centre building, which will be relocated to the ground floor of Canterbury House will result in a loss of 2 flats so that the total number of dwellings will be 96.
- 4.23 The surrounding area contains a mix of commercial and residential buildings. The surrounding areas includes the Grade II listed Electric House located approximately 315m to the south of the site, the Grade I listed Parish Church of St Michael and All Angels approximately 240m to the north-west of the site and Grade I listed Hospital of the Holy Trinity (Whitgift Hospital) located approximately 440m to the south-west of the site. The site does not lie within a conservation area, however the Wellesley Road North Conservation Area is located approximately 350m to the north of the site, with the Central Croydon Conservation Area situated within 300m to the west of the site.
- 4.24 Contemporary existing buildings within the surrounding area include existing buildings to the north across Sydenham Road comprising the 20 storey Lunar House.
- 4.25 The following designations apply:

- Croydon Opportunity Area (Central Area)
- Croydon Metropolitan Centre
- Area of High Density
- LBC Core Tall Building Zone

## **Planning History**

4.26 The following planning decisions are particularly relevant to the application.

### **4.27 Application Site**

#### **4.28 Environmental Impact Assessment Scoping Opinion**

4.29 17/2312/ENVS – The applicant submitted a request for an Environmental Impact Assessment (EIA) Scoping Opinion to the London Borough of Croydon in May 2017. The Council issued its decision in June 2017 concluding that ... “Croydon Borough Council as Local Planning Authority hereby determines that the EIA scope for the development described above, and referred to in your application received on the 5th May 2017, contains relevant topics to be included in the Environmental Statement in support of the proposed planning application, subject to the additional matters set out in the enclosed Scoping Opinion”.

#### **Phase 1 Building**

4.30 The site currently accommodates a 12 storey former office building (existing Canterbury House) with a footprint of approximately 626sqm that has been converted for residential use which has recently been converted to residential use, containing 98 flats (55 one-bed units and 43 two-bed units). The building is proposed to be retained and appears, according to the submitted Environmental Statement, to remain fully occupied during the construction works.

4.31 The proposed demolition and relocation of the adjoining single storey energy centre building, which will be relocated to the ground floor of Canterbury House will result in a loss of 2 flats so that the total number of dwellings will be 96.

- **15/02898/P** – Erection of bin storage, bike storage, fencing, gas meter box and energy centre (partially implemented):

#### **Implemented:**

- The application proposed the erection of bin storage, bike storage, fencing and gas meter box to the south of the Phase 1 building.
- This portion of the permission has been substantially implemented.

#### **Not Implemented:**

- The application also proposed making alterations to the forecourt of the building.
- The layout submitted as existing at the time showed 6 off-street parking spaces, including 4 x blue badge. The Applicant proposed reducing the number of parking spaces to 2 (Disabled spaces) and providing soft landscaping to the north of Phase 1 to allow a pedestrian pathway and entrance to be formed directly to the front of Canterbury House (Phase 1).

- This portion of the permission has not been implemented and the parking arrangements on-site indicate that 4 x blue badge parking spaces still exist on site and all appear to be in use. Additional informal parking is also taking place to the south of the building.
- **15/00670/RES** – Discharge of condition 1 attached to planning permission 14/02050/P for the alterations to elevations
- **14/02067/GPDO** – Use of 98 no. flats granted on 11<sup>th</sup> July 2014. Officers have relied on a combination of the 3 no. drawings listed at the decision notice for 14/02067/GPDO together with those relevant to the applications above and details submitted by the applicant.
- **14/02050/P** – Alterations to Elevations

## **Neighbouring Sites**

### 1-5 Landsdowne Road

- **17/03457/FUL**: To the south-west a scheme at 1-5 Landsdowne Road (ref: 17/03457/FUL) was recently approved on 17 November 2017. The scheme proposed an eastern tower comprising 68 storeys, with a western tower of 41 storeys with a linked 11 storey podium structure. The scheme contains 794 residential units (Use Class C3), 35,000 sq.m (GIA) of offices (Use Class B1a), retailing / restaurant / bar uses (Class A1 / A3 / A4 and/or A5). The scheme also provides a public viewing gallery, swimming pool and gym (Use Class D2), with associated access and servicing, car / cycle parking, landscaped pedestrian walkways and public plaza.
- Units meet London Plan unit size standards, there are no single aspect north facing units, there are a high proportion of corner units with dual aspect, all residential units meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% meet Building Regulation requirement M4 (3) designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Units include private amenity space in the form of either winter gardens or balconies or are oversized and additionally areas of communal amenity space are provided. The two tower forms are in proximity, however arranged in an east-west arrangement, which minimises overshadowing of one form on the other.
- The consented scheme provides a range of benefits including: private amenity areas throughout, mix of residential units including 3-bed and 4-bed units, rooftop public acceptable amenity, affordable housing which has been assessed as meeting need and a monetary contribution of £1.2 million towards tram and/or bus capacity improvements within the town.

## **5 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 5.1 The principle of a high-density residential development on the Application Site (c.0.385ha site) is strongly supported given the significant housing demand within Croydon, London and nationally. Adopted planning policies, guidance and Officers are strongly supportive of regeneration supporting growth, including housing, within the Croydon Opportunity Area.
- 5.2 Officers have assessed however that these ambitions and policy requirements are not met by the proposed scheme.

- 5.3 Regrettably Officers have assessed that the proposals would result in unsustainable development at the expense of appropriate affordable housing and appropriate mix required to meet identified housing needs and the creation of mixed and balanced communities.
- 5.4 The proposals significantly compromise residential amenity (within the proposed Phase 2 tower and adjoining Phase 1 block), do not represent exemplary or in some cases good design and are assessed as an unacceptable response to inclusivity, health and wellbeing and sustainable development.
- 5.5 The Applicant's justification for the proposal's impacts including departures from adopted development policies and departure from adopted guidance on the delivery of quality PRS/Build to Rent is based on an offer of 50% of the dwellings (no. 148) at Discount Market Rent at London Living Rent. The Applicant considers that these dwellings are of 'high quality'. Officers assessment indicates that the dwellings offered at Discount Market Rent at London Living Rent are characterised by a combination of significantly compromised outlook (towards a 11 storey frosted glass screen 4.5m away from habitable room windows), substantially reduced daylight and sunlight at lower levels and a disproportionately higher number of single aspect units than those which the application material assume are retained as market rent.
- 5.6 Officers consider that an offer of 148 very substantially undersized and compromised units (amenity and design) as intermediate housing does not provide a compelling case for accepting departures from policy requirements and housing standards. The Affordable Housing offer is considered to be substantially undermined by its lack of adherence to guidance in respect of this specific and unique housing product, specifically the offer does not adhere to the design requirements set for Build to Rent typology.
- 5.7 The scheme was reviewed by Croydon Council's Place Review Panel, chaired by Angela Brady OBE, Past President of the Royal Institute of British Architects (2011-2013). The Place Review Panel concluded that *'the scheme is not of the quality and standard that Croydon needs and expects and that such a scheme would set a dangerous precedent. The panel remains unconvinced about a significant number of aspects of the scheme as submitted and presented, and do not consider it to be exemplar design in any aspect'*.
- 5.8 The GLA have commented that the total disregard for London Plan space standards, particularly at this scale, is unacceptable. They have assessed that the current design and residential quality of the proposals fail to meet the policy requirements and that a complete review of the approach to the positioning of the building, the retention of Canterbury House (Phase 1), and the residential accommodation and design quality must be undertaken.
- 5.9 The LLFA have objected to the proposals and Historic England conclude that the proposals have the potential to cause some harm to the setting of nearby designated heritage assets in line with paragraph 134 of the NPPF and recommend that further assessment of the likely impacts is undertaken before reaching a decision.
- 5.10 No objections have been received in response to consultation undertaken including site notices, press advertisement and consultation letters. Responses of no comment or no objection are listed in the report below.
- 5.11 The Application is accompanied by an Environmental Statement which has been reviewed by the Council's Environmental Consultants who have advised that there are a number of matters raised which render the submitted Environmental Statement deficient and which contravene the requirements of the EIA Regulations and/ or related

case law. A number of omissions and weaknesses in the ES have been identified by Council's Environmental Consultants which necessitate the provision of further information or clarification from the Applicant. These matters are attached to this report and it is considered that this adds weight to Officers assessment of the scheme's detrimental environmental impacts.

- 5.12 The report sets out how Council Officers have worked with the applicant positively and proactively throughout the pre-application and post-submission process. Officers have acknowledged the positive elements of the scheme, including the principle of a significant amount of housing offered at Discount Market Rent (LLR), a tall building element of some height, a public route from Sydenham Road to Lansdowne Road and the positive architectural features of the Phase 2 tower façade design.
- 5.13 Council Officers have provided consistent advice to the Applicant highlighting their concerns in respect of the scheme's unsatisfactory relationship between Phase 1 and Phase 2, amenity and design. Officers highlighted in particular concerns in respect of detrimental impact on amenity, including outlook, daylight and sunlight, at a very early stage in February 2017.
- 5.14 At the time of writing no formal response has been received from the Applicant to the substantial matters raised and this is set out in detail within the report.
- 5.15 On balance the adverse impacts are considered to significantly outweigh the benefits assessed within the report. The scheme's adverse impacts are considered to undermine the regeneration objectives of the Croydon Local Plan and specifically those of the Croydon Opportunity Area in delivering high quality housing growth.
- 5.16 Regrettably Officers are unable to support this application and recommend that planning permission be refused for the reasons set out above.

## **6 CONSULTATION RESPONSES**

- 6.1 The views of the Planning Service are expressed in the 'MATERIAL PLANNING CONSIDERATIONS' section below.
- 6.2 The following organisations were consulted regarding the application:  
**The Greater London Authority (Statutory Consultee)**
- 6.3 The GLA have made the following comments:
- **Principle / Housing:** Although the principle of high-density residential use on this site is supported, a complete review of the approach to the positioning of the building, the retention of Canterbury House, and the residential accommodation and design quality must be undertaken with GLA and Council officers.
  - **Mix:** The proposal includes 78% one-bed units, with the remainder as two-beds. This, together with the residential and design quality of the scheme raises concerns that the proposals would not deliver an appropriate choice of housing. In addressing design concerns, the applicant must provide a better balance between unit sizes, with a greater proportion of 2-bed units.

- **Density:** Notwithstanding the in principle support for a high density proposal on this town centre site in an Opportunity Area; as discussed below, the current design and residential quality of the proposals fail to meet the requirements of draft London Plan D4 and D2 and London Plan Policies 3.4 and 3.5, and the high density of the proposals cannot therefore be supported.
- **Affordable housing:** 50% (by habitable room) affordable housing, in the form of 148 Discounted Market Rent units (intermediate tenure) at London Living Rent levels. This offer, for a high-density scheme on a vacant site within an Opportunity Area, is supported; however, this is predicated on significant improvements to unacceptable residential and design quality. As it currently stands, the application must follow the Viability Tested Route as set out in the Affordable Housing and Viability SPG, which also requires early and late stage viability reviews.
- **Urban design and inclusive design:** All of the units are below London Plan space standards, and all lack private external amenity or compensatory internal space. The total disregard for London Plan space standards, particularly at this scale, is unacceptable. This is exacerbated by the proximity of the building to the existing Phase 1 residential building; the proposed mitigation of an 11 storey frosted glass screen is unacceptable. The proposals do not meet Building Regulation M4(2) and M4(3) requirements, which is unacceptable. The design of the proposed pedestrian route around the retained building should also be reconsidered. A more comprehensive approach to the development of the site is required.
- **Transport:** A financial contribution is required to mitigate the public transport impacts within Croydon Town Centre. Cycle parking should be increased to meet the standards for all land uses.
- **Climate change:** Further information is required on overheating, worksheet calculations, the site heat network, and combined heat and power.
- **Pre-Application Engagement:** No formal pre-application discussions were held with the GLA.

### **Transport for London (TfL) (Statutory Consultee)**

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

- The trip generation should be revised using Census data
- A financial contribution should be secured to mitigate the public transport impacts within Croydon Town Centre
- Cycle parking should be increased to meet the standards for the residential use (draft London Plan standards)
- The application should investigate the demand and options for providing a car club space and EVCPs
- Car club membership and restrictions for parking permits should be include in any s106 agreement
- The Delivery and Servicing Plan and Construction Logistics Plan being secured by condition; and
- Travel Plan secured through a S106 legal agreement

**Officer Comment** – Officers note that the current financial viability appraisal makes limited allowance for potential s106 contributions.

**Environment Agency (Statutory Consultee)**

- 6.5 The Environment Agency have confirmed that they have no objection to the proposed development subject to conditions in respect of: Contamination (including verification), written express consent for infiltration of surface water drainage into the ground, written consent for piling or other foundation design.

**Historic England - Archaeology**

- 6.6 The archaeology team at Historic England have confirmed that there is no need to consult GLAAS.

**Historic England**

- 6.7 Historic England have stated that the height of the scheme means the proposals will be visible within the setting of designated heritage assets and to some extent from with the boundary of the Central Croydon Conservation Area. They have stated that the supporting TVBHIA identified a small section of the proposed tower that would be perceived between the central gable and northern chimney stack of the Almshouses when viewed from the junction of the High Street and Church Street (view 5). It also identified that the proposed development would be visible in views of St Michael and All Angels church from the west Croydon bus station (view 6), albeit set away from the church behind Lunar House.
- 6.8 Historic England state that at its current scale, they consider that the impact of the proposed development on the setting of the Whitgift Almshouses and the Central Croydon Conservation Area to be limited, although any increase in scale above the proposed 34 storeys would have a more noticeable impact. While the proposed development would be visible in views of St Michael and All Angels church from the west Croydon bus station, it is acknowledge that the backdrop to the church is already compromise within this view by Green Park House and the proposed development would sit to one side of the church, behind Lunar House. They consider the impact on the setting of the church within this view to be limited. However, they do not consider that the wider impacts on the setting of St Michael and All Angels church have been fully assessed within the application submission.
- 6.9 Historic England conclude that the proposals have the potential to cause some harm to the setting of nearby designated heritage assets in line with paragraph 134 of the NPPF and recommend that further assessment of the likely impacts is undertaken before reaching a decision. They recommend that the impacts of the proposed development within the new view of St Michael and All Angels church is modelled to allow for an assessment of the resultant impacts on its setting to be judges.

**Natural England**

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

**The Health and Safety Executive (HSE)**

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

## **Network Rail**

- 6.12 Network Rail have responded to the issued consultation request and provided a standard response.
- 6.13 **Officer Comment** – Officers consider that the site would not have a material impact on the matters listed for inclusion as an informative in Network Rail response.

## **Thames Water**

- 6.14 In respect of surface water drainage requested that the Applicant should incorporate protection to the property by installing by example a non-return valve or other suitable device to avoid the risk of backflow at a later date. In respect of surface water drainage, Thames Water have noted that the developer make proper provision for drainage to ground, water coursed or a suitable sewer. Thames Water have requested that conditions and informative be added to any permission.

## **Metropolitan Police Service – Designing Out Crime Officer**

- 6.15 The Officer in responding to an earlier round of consultation has confirmed no objection to the proposal subject to a ‘Secured by Design’ condition being attached to any permission granted.

## **Gatwick Airport**

- 6.16 Gatwick Airport has confirmed that the site is outside its 15km ‘physical safeguarding zone’. However, as the site is located within 30km of their wind turbine safeguarding zone they should any wind turbines be proposed in future they be consulted.

## **NATS Safeguarding**

- 6.17 NATS has raised an objection on the grounds that the proposal has a potential for the building to reflect energy from its H10 radar located at Heathrow. The reflection of radar signals has been assessed as being likely to cause false aircraft targets to appear on Air Traffic Control screens. NATS states that it will submit a further representation clarifying the grounds of the objection in the near future. Notwithstanding these points NATS states that the impact of the proposal can be mitigated through a modification to the radar system.
- 6.18 Should the LPA be minded to grant the scheme, NATS would be supportive of a conditional consent based on the aviation conditions to secure a Radar Mitigation Scheme (RMS) to be implemented prior to construction.

## **London Borough of Croydon – Environmental Health**

- 6.19 The Council’s Environmental Health Team made the following comments however Officers note that the Council’s Environmental advisors have not accepted the conclusions of the submitted Environmental Statement at this time. The comments below are advisory and superseded by those provided by the council’s Environmental Consultants in this case.
- **Air Quality:** Because there is an increasing relative contribution of no-road transport sources of emissions of air pollution to breaches of the air quality objective and the exposure reduction target, the Council considered the development should play a greater role in improving air quality, especially in such locations as this where air quality is already poor. As such the development would be contrary to Policies EP1, the Councils Air Quality interim policy guidance and the Air Quality Action plan (AQAP). The Council will impose conditions or seek a planning obligation to implement this policy.
  - Any s106 should seek a contribution at a rate of £100/dwelling.

- **Demolition and Construction:** The Applicant should follow the recommendations of the Environmental Statement: Chapter 5 Demolition and Construction;
- **Delivery and Servicing:** The Applicant should follow the recommendations of the Framework Delivery and Servicing Plan and should provide a final Delivery and Servicing Plan; Chapter 8 Noise and Vibration.
- **Construction Management:** The Applicant should follow the recommendations of the Framework Construction Management Plan and should provide a final Construction Management Plan. The final Construction Management Plan should include consideration of: Non-Road Mobile Machinery (NRMM) and Freight Operators Recognition Scheme (FORS).
- **Noise:** The Applicant should follow the recommendations of the Environmental Statement: Chapter 8.

**Officer Comment** – Officers note that the current financial viability appraisal makes limited allowance for potential s106 contributions.

### **Local Lead Flood Authority**

6.20 The LLFA have objected to the proposals in the absence of adequate drainage strategy. The LLFA's response confirms that further acceptable details are required before they can then consider recommending a condition on any permission requiring final detailed surface water drainage information. The following further information is required in order to address the objection.

- An updated topographical survey
  - Clarification over impermeable areas
  - Calculations of run off rates
  - SuDS details including design
  - Storage capacity and attenuation volumes (confirmation)
  - Benefits of the proposed design strategy
  - Details in respect of greenfield runoff rates and justification if these are not met
  - Confirmation that Thames Water has agreed a point of discharge and discharge rates
  - Drainage plans
  - SuDS maintenance plan
- **Officer Comment** – The Applicant was provided with a copy of this representation and asked to respond to the comments on 7<sup>th</sup> November 2017. At the time of writing this report the Applicant had not formally responded to the above objection or submitted any further details. In order to be consistent with the approach adopted on other schemes Officers do not consider that this should be a reason for refusal but rather be listed within the inadequate information reason for refusal.

## **Croydon Council's Place Review Panel (PRP)**

- 6.21 A scheme was formally reviewed by Croydon Council's Place Review Panel on 23rd November 2017.
- 6.22 The review was chaired by Angela Brady OBE, Past President of the Royal Institute of British Architects (2011-2013).
- 6.23 The **Place Review Panel Report** is attached to this report **Appendix 1**.
- 6.24 In summary the following comments were made:

- Following the material presented, the panel does not support the scheme and does not consider it to have demonstrated exemplar design in any respect.
- The panel recognises the potential of the site to accommodate new development of some height, however there are a range of concerns about the quality of the submitted scheme on fundamental levels and in all aspects, from the scale of the amenity space through to the size of the dwellings, the public realm, microclimate, material palette and elevational treatment.
- All of these elements are considered to fall well below an exemplar quality.
- The PRP concluded that the scheme is not of the quality and standard that Croydon needs and expects and that such a scheme would set a dangerous precedent. The panel remains unconvinced about a significant number of aspects of the scheme as submitted and presented, and do not consider it to be exemplar design in any aspect. The panel notes that even with the proposed revisions (such as the angled windows), that unless the scheme is revised to take a more comprehensive approach to the site, it is unlikely to be able to be considered exemplary.

The panel made the following recommendations:

- The panel refers the applicant to the earlier schemes that incorporated Canterbury House into the proposal and advises that a more comprehensive approach to the site should be taken.
- The current relationship with Canterbury House is unacceptable and unresolved.
- Angled windows applied to the façade of the existing Canterbury House (Phase 1) would provide a better opportunity to resolve the overlooking issue than the screen (as submitted) if the current scheme is pursued further. The panel notes that this solution would need significant design development to be acceptable.
- The number of single aspect units needs to be reduced, especially those that are north facing and overlooking Canterbury House. The panel notes the quantum currently proposed is unacceptable and is exacerbated by the small size of the units and lack of sufficient good quality shared amenity spaces to compensate.
- Further interrogate the size of the units and explore all opportunities to increase these as the current sizes are below space standards. The design of the units themselves and the scheme as a whole fail to demonstrate exemplar qualities that could be considered to offset the failure to meet space standards.
- The layouts of the units need to show an understanding of specific domestic functions to demonstrate how falling below the spaces standards may be

acceptable. Currently there is little demonstration that the design of the units has been carefully thought through. The panel advises that the living rooms should be more generous at the expense of the bedrooms and that further work is required to devise space efficient design solutions to make the plan work harder to provide the living, cooking and eating spaces needed.

- An increased area of shared amenity space is required to offset the lack of private amenity space and sub-standard size of the units. The panel refers the applicants to European models of microflat developments that have significant shared amenity and that the architects should consider devoting every 5th floor to shared amenity spaces.
- Further work is needed to demonstrate the quality of the public realm and play spaces, and how the findings from the microclimate technical reports have been incorporated into the design to ensure the spaces are usable. The panel remains unconvinced about the quality of the public realm and play spaces, and the microclimate in these areas.
- The servicing and refuse strategy need further resolution to be effective, with more generous internal basement refuse storage, as well as more direct access between the internal basement refuse and the external grade stores. The current provision is considered inadequate and access routes between the service spaces are convoluted’.

## **London Borough of Croydon – Environmental Consultants**

- 6.25 The Council has appointed external Environmental Consultants to review the submitted Environmental Statement. Comments were issued as ‘initial comments’ on the 6<sup>th</sup> of December 2017 for consideration. The comments were intended to form the basis of discussion with the Applicant. Officers proposed a meeting in early December to discuss the substantial number of matters raised.
- 6.26 The final version of the review completed by Council’s Environmental Consultants is attached at **Appendix 2**.
- 6.27 The Council’s Environmental Consultants have advised that the matters raised have rendered the submitted Environmental Statement deficient. This adds weight to Officers assessment of the scheme’s detrimental environmental impacts.

## **7 LOCAL REPRESENTATION**

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

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

No of petitions received: 00

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

## **8 RELEVANT PLANNING POLICIES AND GUIDANCE**

- 8.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan (Consolidated with Alterations since 2011), the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.
- 8.2 draft London Plan Policies are included as the GLA are treating the draft plan as carrying weight.
- 8.3 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:
- Requiring good design (including Paragraphs 61, 62 and 64).
  - Building a strong, competitive economy
  - Ensuring the vitality of town centres
  - Promoting sustainable transport
  - Delivering a wide choice of high quality homes
  - Meeting the challenge of climate change, flooding and coastal change
  - Conserving and enhancing the historic environment
- 8.4 The main policy considerations raised by the application that the Committee are required to consider are:
- 8.5 London Plan (Consolidated with Alterations since 2011)
- 2.6 Outer London: Vision and Strategy
  - 2.7 Outer London: Economy
  - 2.8 Outer London: Transport
  - 2.13 Opportunity Areas and Intensification Areas
  - 3.2 Improving Health and Addressing Health Inequalities
  - 3.3 Increasing housing supply
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.6 Children and young people's play and informal recreation facilities
  - 3.7 Large residential developments
  - 3.8 Housing choice
  - 3.9 Mixed and balanced communities
  - 3.10 Definition of affordable housing
  - 3.12 Negotiating affordable housing
  - 3.13 Affordable Housing thresholds
  - 3.14 Existing Housing
  - 5.1 Climate Change Mitigation
  - 5.2 Minimising carbon dioxide emissions
  - 5.3 Sustainable design and construction

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

#### 8.6 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable Development
- SP1.2 Place Making
- SP1.3 Growth
- SP1.4 Growth
- SP2.1 Homes
- SP2.2 Quantities and Locations
- SP2.3 Affordable Homes - Tenure
- SP2.4 Affordable Homes - Quantum
- SP2.5 Mix of homes by size
- SP2.6 Quality and Standard
- SP3.2 Innovation, Investment & Enterprise
- SP3.7 Town Centres
- SP4 Urban Design & Local Character
- SP4.1 Urban Design & Local Character
- SP4.2 Urban Design & Local Character
- SP4.4 Croydon Opportunity Area
- SP4.5 Tall Buildings

- SP4.6 Tall Buildings
- SP4.7-4.10 Public Realm
- SP4.12 Character, Conservation and Heritage
- SP4.13 Character, Conservation and Heritage
- SP6 Environment and Climate Change
- SP6.1 Environment and Climate Change
- SP6.2 Energy and carbon dioxide (co2) reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP7.4 Enhance biodiversity
- SP8 Transport and Communication
- SP8.1 Transport and Communication
- SP8.3 Pattern of development and accessibility
- SP8.4 Pattern of development and accessibility
- SP8.6 Sustainable travel choice
- SP8.7 Sustainable travel choice
- SP8.8 Sustainable travel choice
- SP8.11 Sustainable travel choice
- SP8.12- Motor vehicle transportation
- SP8.13- Motor vehicle transportation
- SP8.14- Motor vehicle transportation
- SP8.15- Parking
- SP8.16- Parking
- SP8.18- Efficient clean movement

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

- UD2 Layout and siting of new development
- UD3 Scale and Design of new buildings
- UD6 Safety and Security and New Development
- UD7 New Development and Access for All
- UD8 Protecting residential amenity
- UD11 Views and Landmarks
- UD12 New Street Design and Layout
- UD13 Parking Design and Layout
- UD14 Landscaping
- UD15 Refuse and Recycling Storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- H3 Housing Sites
- H4 Dwelling mix on large sites

#### 8.8 Emerging Policies CLP1.1

- SP2.2- Quantities and locations
- SP2.3-2.6- Affordable Homes

- SP2.7 – Mix of Homes by sizes
- SP2.8- Quality and standards
- SP3.13- Office floor space in the Croydon Metropolitan Centre
- SP3.14- Employment and training
- SP4.13- Character, conservation and heritage
- SP6.3- Sustainable design and construction
- SP6.4- Flooding, urban blue corridors and water management
- SP8.9- Sustainable travel choice

## 8.9 Emerging Policies CLP2

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

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

8.11 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have now been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted and the Inspector would not ask for consultation on Main Modifications if he was going to find the whole Plan unsound. However, none of the policies that can be afforded significant weight would have a bearing on the proposal to the extent they would lead to a different recommendation. The other policies that are subject to further consultation thought the Main Modifications do not outweigh the adopted policies listed here and therefore, do not lead to a different recommendation.

8.12 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- Homes for Londoners: Affordable Housing and Viability SPG, August 2017
- National Technical Housing Standards, 2015
- National Planning Practice Guidance, 2014
- London Best Practice Guidance (BPG) on Health Issues in Planning
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Sustainable Design and Construction SPG
- Draft Culture and Night Time Economy SPG
- Croydon Public Realm Design Guide, 2012
- Croydon Opportunity Area Planning Framework (adopted by the Mayor and Croydon), 2013
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2015)
- Tall Buildings: Historic England Advice Note 4 (2015)
- Croydon Public Realm Design Guide (2012)
- Instructure Delivery Plan (2016)
- Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy-- Review 2017 (June 2017)

8.13 Draft London Plan Policies

- D2 Delivering good design
- D3 Inclusive design
- D4 Housing Quality and standards
- D5 Accessible housing
- D6 Optimising housing density
- D7 Public realm
- D8 Tall buildings
- H5 Delivering Affordable Housing
- H6 Threshold approach to applications
- H12 Housing size mix
- H13 Build to Rent

## **9 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of development and density
2. Affordable housing
3. Housing unit mix
4. Design including heritage, townscape and visual impact
5. Quality of living environment provided for future occupiers
6. Impact on surrounding development including existing Phase 1
7. Transportation, access and parking
8. Sustainability
9. Environmental Statement and other environmental impacts
10. Other planning Matters
11. Positive and Proactive engagement from the LPA

### **1. Principle of development and density**

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

9.3 The principle of residential use on this site is fully supported by policy at the national, regional and local level and is in accordance with the objectives of the London Plan, Croydon Local Plan: Strategic Policies, Croydon OAPF and UDP.

9.4 LB Croydon policies and the guidance of the OAPF encourage high quality, high density developments that are tailored to and help to protect or establish local identity. In such cases there is policy support that residential densities be optimised in appropriate locations.

9.5 Strategically the application site (Phase 1 and Phase 2) has potential for a high quality, high density residential scheme which would make a significant contribution towards Croydon Local Plan Strategic Policies (CLP1) including Policy SP1.3, Policy SP1.2, the Croydon Opportunity Area Planning Framework (OAPF), NPPF support for significantly boosting the supply of new housing and London Plan Policy 3.3.

9.6 The scheme proposes 296 new residential units within a site area of 0.385 hectares. Officers highlight that the 0.385ha site area (red line of the application) includes the existing Phase 1 block (96 units, which includes a known deduction of 2 units over the GPDO approval) so in calculating density it would be appropriate to either calculate density using the total dwellings (existing and proposed) on the site or calculate the 296 dwellings using a proportion of the site rather than the total 0.385ha. Officers have calculated the density based on the overall site area and total number of units (Phase 1 and Phase 2) as 1,018 dwellings per hectare and a density of 2,324 habitable rooms per hectare. The proposals significantly exceed the density ranges of London Plan's Sustainable residential quality (SRQ) density matrix (650–1100hr/ha for sites such as

this in 'central' locations). Officers note that the standards are not applied mechanistically but rather that assessment against the test of exemplary design including consideration of the NPPF, the Mayor's Housing SPG and local plan policies.

- 9.7 The GLA has commented that although the principle of high-density residential use on this site is supported, a complete review of the approach to the positioning of the building, the retention of Canterbury House, and the residential accommodation and design quality must be undertaken. GLA Officers have commented that notwithstanding the in principle support for a high density proposal on this town centre site in an Opportunity Area that the current design and residential quality of the proposals fail to meet the requirements of London Plan Policies 3.4 and 3.5, and the high density of the proposals cannot therefore be supported.
- 9.8 LB Croydon policies and the guidance of the OAPF encourage high quality, high density developments that are tailored to and help to protect or establish local identity. In such cases there is policy support that residential densities be optimised in appropriate locations.
- 9.9 Where the density thresholds of the London Plan are exceeded, Paragraph 1.3.51 of the Housing SPG (Page 54) is applicable. This guidance notes that while it may be acceptable to exceed the ranges in the density matrix, that this must be high quality design adequately addressing qualitative concerns. Paragraph 1.3.51 sets out a detailed list of considerations which include consideration of London Plan Policy 3.4, the design principles set out in Chapter 7 of the London Plan including liveability/residential amenity, local context and character, public realm, contribution towards local 'placemaking' and impacts on transport.
- 9.10 Where these considerations are satisfactorily addressed, the adopted London Plan provides sufficient flexibility for such higher density schemes to be supported.
- 9.11 The scheme as is highlighted in the assessment below significantly undermines key liveability and design quality, housing mix and choice policies and standards and the NPPFs requirements that development be sustainable. The proposal would undermine the high quality high density aspirations of CLP1 strategic policy SP4.4 Croydon Opportunity Area. In respect of Affordable Housing the offer is undermined by non-compliance against the design requirements set for Build to Rent typology.
- 9.12 Cumulatively this results in a scheme which would not positively support the growth aspirations of the Opportunity Area contrary to Policy 2.13 of the adopted London Plan which identifies the centre of Croydon and its immediate surroundings as an Opportunity Area capable of accommodating large scale development including significant amounts of new housing.
- 9.13 For the reasons assessed below Officers consider that the development does not represent sustainable development which meets social and environmental needs and would therefore significantly undermine and be contrary to the adopted and emerging development plan policies encouraging high quality high density residential development to support the significant regeneration and housing growth envisaged for the OAPF.

## **2. Affordable Housing**

- 9.14 **The Applicant has offered:** '50% Discounted Market Rent Homes let at London Living Rent Levels' within a 'Build to Rent' scheme.

- 9.15 The Applicant has stated that ‘this would meet the Council’s target 50% Affordable Housing provision, significantly exceeding the minimum policy requirements of 30% and will provide housing for an established demand in central area of Croydon’.
- 9.16 This offer, for a high-density scheme on a vacant site within an Opportunity Area, is supported; however, for the reasons set out below Officers cannot currently conclude that it satisfactorily accords with the objectives of the London Plan, draft London Plan, Housing SPG, Mayor’s Affordable Housing SPG, CLP1, CLP1.1, Croydon OAPF, UDP Saved Policies 2013 and NPPF guidance.
- 9.17 CLP1.1 draft Policy SP2.1 states that in order to provide a choice of housing for people in socially-balanced and inclusive communities the Council will apply a presumption in favour of development of new homes provided applications for residential development meet the requirements of Policy SP2, SP3.14 and other applicable policies of the development plan. CLP1 SP2 has a similar presumption in favour of development.
- 9.18 Officers are not satisfied that the proposals meet the requirements of CLP1 Policy SP2 (Homes) and CLP1.1 draft Policy SP2 (Homes) for the reasons set out below.
- 9.19 **Approach to mix in line with CLP1 adopted Policy SP 2.4(a) and CLP1.1 draft Policy 2.4(b)** - CLP1 adopted Policy SP 2.4(a) seeks up to 50% Affordable Housing on the basis set out at Table 4.1. The table seeks a mix of affordable housing tenures within the OAPF of 60% affordable or social rent and 40% intermediate low cost home ownership. This can be varied if there is agreement between Croydon Council and a Registered Provider that a different tenure split is justified.
- 9.20 Emerging CLP1.1 draft Policy 2.4(b) states that Council will negotiate up to 50% Affordable Housing, subject to viability and seek a ratio of 60% affordable rented and 40% intermediate (including starter) homes. Again if there is agreement between the Council and a RP that a different tenure split is justified.
- 9.21 In respect of Private Rented Schemes (PRS) emerging CLP1.1 draft Policy 2.4(b) sets out that this form of tenure will be considered if it can be demonstrated that the scheme cannot viability deliver the 60:40 ratio and the units would be covenanted as PRS.
- 9.22 In respect of the requirements of emerging CLP1.1 draft Policy 2.4(b) the scheme a Financial Viability Assessment has been submitted in support of the application and been independently assessed by the Council’s Viability Consultants.
- 9.23 The submitted Financial Viability Assessment is based on the offer of 50% Discounted Market Rent (LLR) and does not provide any other affordable housing permutations reflecting alternative tenure mixes including a 60/40 split. The Financial Viability Assessment does not provide any explanation of this or why they have not been considered
- 9.24 Without consideration of an alternative 60/40 split within the Financial Viability Assessment Officers consider that they cannot satisfy themselves that the requirements of CLP1.1 draft Policy 2.4(b) and CLP1.1 SP Policy 2.4(a) have been appropriately considered. In the absence of this information, the Local Planning Authority is unable to fully assess viability in line with adopted and emerging affordable housing policies and as such the proposal is not currently in accordance with CLP1.1 draft Policy 2.4(b) and CLP1.1 SP Policy 2.4(a).
- 9.25 Officers consider that the approach to establishing the mix of Affordable Housing tenures has not been demonstrated in line with the requirements of CLP1 adopted Policy SP 2.4(a) and CLP1.1 draft Policy 2.4(b) or accepted by the Council in this case. Officers acknowledge that policies relating to mix should be proportionally applied in respect of Build to Rent /PRS however for the reasons below Officers consider that the

proposed Build to Rent offer has not sufficiently demonstrated the good and high quality expectations set in adopted guidance.

- 9.26 **Build to Rent** – Notwithstanding that the Applicant has not demonstrated that a 60:40 ratio is not viable as set out above, Officers consider that the offer of 50% Affordable Housing is undermined because it does not accord with the criteria for ‘Build to Rent’ products upon which the acceptance of Discounted Market Rent as the sole tenure offer is based. Specifically the Applicant has disregarded one of the 5 key criteria (Design).
- 9.27 Government and the Mayor support provision of more private rented homes (Policy 3.8B a1) and the London Plan recognises that the planning system should take a positive approach in enabling this sector to contribute to the delivery of new homes. Build to Rent developments can make a positive contribution to increasing housing supply and are beneficial in a number of ways and Officers have given due regard to the benefit that new housing products can make to meeting housing need. The Mayor’s Housing SPG and Affordable Housing and Viability SPG identify Build to Rent housing as addressing a distinct need, and a means to accelerate housing delivery. The SPG provides a framework for delivering the maximum reasonable amount of affordable housing in the context of London Plan Policies (3.8, 3.9, 3.10, 3.11, and 3.12).
- 9.28 Discounted Market Rent at Living London Rent levels are capable of meeting the need for intermediate level affordable homes. This is reflected in emerging Croydon draft Policy CLP1.1 which widens the definition of intermediate affordable housing to include these products. Members will be aware of a number of recent decisions supporting Discounted Market Rent units, including a proportion at LLR rates, within schemes assessed as good and high quality and notably in compliance with the minimum space standards.
- 9.29 **‘Discounted Market Rent’ (DMR), ‘London Living Rent’ (LLR) and ‘Build to Rent’** DMR and LLR and Build to Rent are referred to in the Mayor of London’s Homes for Londoners: Affordable Housing and Viability SPG (August 2017) and the draft London Plan (2017). The Applicant has made an offer on this basis, offering only this single tenure as the scheme’s Affordable Housing offer. The Applicant has not offered any alternatives and the submitted Financial Viability Appraisal does not consider alternatives.
- 9.30 The Build to Rent section of the Affordable Housing and Viability SPG deals with ‘purpose built self-contained homes for private rent that meet the criteria set out...as ‘Build to Rent (Paragraph 4.3)’. The SPG states (paragraph 4.7) that ‘Build to Rent schemes should be assessed under a Build to Rent ‘pathway’ through the planning system. The pathway is based on five criteria, 1) Definition, 2) Affordable housing tenure, 3) Design, 4) Viability and 5) management standards.
- 9.31 Criteria 3 (Design) of the Build to Rent pathway is unit mix and design. It states that ‘All (Build to Rent) schemes are expected to meet the minimum space standards’. The guidance at Criteria (Design) explains that flexibility in respect of some standards (not the minimum space standards) may be acceptable.
- 9.32 The Applicant has disregarded that ‘Build to Rent’ units are expected to meet the space standards but still sought the flexibilities in respect of other standards and unit sizes within the same criteria. Officers do not agree this approach.
- 9.33 Where a developer is proposing a ‘Build to Rent’ development which meets the definitions, the affordable housing offer can be Discounted Market Rent (Paragraph 4.20).

- 9.34 Officers consider that the proposals do not accord with the criteria expectations which would apply for Build the Rent, through which Discount Market Rent may be weighted and assessed as an appropriate tenure type. Officers have concluded that the offer of 50% Affordable Housing is undermined by virtue of the fact that the units do not adhere to the expectations of the SPG in respect of the specific requirements for Build to Rent that 'All schemes are expected to meet the minimum space standards' (Paragraph 4.33) and meet the policy requirements relating to residential and design quality.
- 9.35 Further, the nature of the units, particularly the reliance on amenity areas outside each unit, together with the Applicant's supporting information suggests that the units may not comply with the definitions of Build to Rent.
- 9.36 Eligible 'Build to Rent' product would be subject to a 'Build to Rent' viability approach that recognises the distinct economics of the tenure.
- 9.37 The GLA have stated that the scheme is required to follow the 'Viability Tested Route' rather than the 'Fast Track Route' for schemes that exceed 35% Affordable Housing provision. The GLA have commented that 'This offer, for a high-density scheme on a vacant site within an Opportunity Area, is supported; however, this is predicated on major improvements to unacceptable residential and design quality, as discussed below. As it currently stands, the application falls significantly short of policy requirements relating to residential and design quality and does not therefore meet the requirements for the Fast Track Route. The application must therefore follow the Viability Tested Route as set out in the Affordable Housing and Viability SPG, which also requires early and late stage viability reviews'.
- 9.38 Officers have considered other matters set out in respect of appropriate assessment for 'new housing products' and consider that subject to appropriate conditions and s106 obligations that they would be capable of meeting the requirements of: effective management arrangement and is located in an area of high public transport accessibility. For the reasons below it is not possible at this time to conclude whether the proposals contribute to the requirements of Policy 3.12.
- 9.39 Specifically in respect of the Build to Rent proposals Officers consider that the proposals are not in accordance with the requirements of adopted London Plan Policy 3.8 (B a1) (Housing choice) which requires (at supporting text paragraph 3.54B) that the planning system should...support growth in private renting where this will result in 'well managed, good quality accommodation, mixed and balanced communities and sustainable neighbourhoods'. For the reasons assessed below the proposals would not be considered to result good quality accommodation, mixed and balanced communities and sustainable neighbourhoods contrary to London Plan Policy 3.8.
- 9.40 **Viability** – The Council's viability consultant have not been able to confirm the validity of the applicant's financial viability assessment due to a number of queries which were issued to the Applicant on the 1<sup>st</sup> December 2017. The Council's Viability Consultants 'initial report' was also passed through to the Applicant on the 1<sup>st</sup> December 2017.
- 9.41 The Council's Viability Consultants have not agreed the Applicant's Benchmark Land Values and further highlight that their own initial figure is subject to a number of unconfirmed assumptions and may be altered on receipt of additional relevant information. In addition to the Benchmark Land Value the Council's Viability Consultants have not agreed a number of the Applicant's assumptions including LLR yield, assumed LLR levels, rent levels for the top floor, income deductions.
- 9.42 In the absence of this information, the Local Planning Authority is unable to fully assess viability and it is highlighted that the GLA and Officers do not accept that the scheme is eligible for the 'fast track route'. It is considered that the proposal (with regards to

affordable housing) does not currently accord with the objectives of the London Plan, CLP1 adopted Policy SP 2.4(a) or emerging CLP1.1 draft Policy 2.4(b), consideration of the alternative tenure type of Discount Market Rent offered is undermined by virtue that the Build to Rent housing product does satisfy all of the 5 criteria set out in the Affordable Housing and Viability SPG.

### **3. Housing Mix, Choice, Mixed and Balanced Communities**

- 9.43 London Plan Policy 3.8 (Housing Choice) strategically requires that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments'. London Plan Policy 3.8 requires that: c) ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'; and d) ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 9.44 London Plan Policy 3.9 (Mixed and balanced communities) states that communities mixed and balanced by tenure and household income should be promoted across London developments to foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods. They must be supported by effective and attractive design, adequate infrastructure and an enhanced environment. CLP1 Policy SP2.5 seeks to secure the provision of family housing and states the Council's aspiration for 20% of all new homes within the Croydon Opportunity Area having three or more bedrooms and 35% of all two bedroom 4 person flats.
- 9.45 CLP2 Draft Policy DM1 (Housing choice sustainable communities) identifies that within this central location a requirement for 10% 3-bed units within the 'New Town' and East Croydon as defined by the Croydon Opportunity Area Planning Framework.
- 9.46 Officers acknowledge that Mayor's Affordable Housing and Viability SPG recognises that in respect of Build to Rent that local policies requiring a range of unit sizes should be applied flexibly to Build to Rent schemes to reflect demand for new rental stock, which is much greater for 1-2 bed units than in owner-occupied or social/affordable rent tenures. Further, the supporting text of draft Policy DM1 notes that there will be more opportunities for studio, one and two bedroom units on the higher density sites in the Croydon Metropolitan Centre.
- 9.47 However, as assessed above Officers consider that acceptance of the proposals as 'Build to Rent' is undermined by their incompatibility with Paragraph 4.3 of the Mayor's Affordable Housing and Viability SPG and that they do not represent 'good quality accommodation' as expected at London Plan Policy 3.8.
- 9.48 CLP2 Draft Policy DM1, setting a 10% 3-bed threshold (or 2-bed/4/person in the first three years of the plan), has evolved with the aim of supporting significant housing growth and intensification within Croydon and more specifically the OAPF area.
- 9.49 The proposals do not propose any family units and a disproportionate number of one-bed units. Officers consider that the proposed mix is not in accordance within CLP2 Draft Policy DM1.
- 9.50 The Applicant has submitted a Micro Unit report, considered in further detail below, which provides the Applicant's justification for the scheme's proposed mix and compromised unit sizes. As above Officers do not dispute the principle that there is a need for 1-2 bed units in central locations. The concept that one and two bed units can

free up family housing, as explained in the submitted Micro Unit report, is already set out at a strategic London level within Draft London Plan Policies (2017) and within the emerging Local Plan policies and Officers acknowledge that draft London Plan Policy H12 (Housing size mix) sets out these considerations.

- 9.51 However, by proposing a very significant proportion of small 1-bed units Officers have assessed that the proposal fails to provide a range of housing choices, in terms of the mix of housing sizes and types (232 x 1-bedroom (78.38%) and 64 x 2-bedroom (21.62%)). The proposed overprovision of very small one-bedroom units would not take account of the housing requirements of different groups.
- 9.52 Officers do not support the Micro Unit report's conclusions that a need for 1 and 2 bed units equates to a need for such a disproportionate supply of one-bed units so significantly below space standards.
- 9.53 The provision of only two typologies (for one-bed units) to address the housing needs of 78.38% of the scheme's occupants is fundamentally contrary to the diversity of choice required by adopted London Plan Policy 3.8 and requirement to foster social diversity of London Plan Policy 3.9 (Mixed and balanced communities). This lack of choice, adaptability and flexibility is particularly emphasised as one-bed units are the least flexible unit type and therefore inherently restrict choice.
- 9.54 This lack of choice is particularly marked in respect of inclusivity and specifically the lack of provision of adapted or adaptable (wheelchair) units. Officers consider that the disproportionate number of small one-bed units fails to take into account the housing requirements of different groups, most specifically in respect of disabled occupants, as required by London Plan Policies 3.1, 3.5, 3.8 and 7.2.
- 9.55 GLA Officers have stated that the scheme raises concerns that the proposals would not deliver an appropriate choice of housing.
- 9.56 Officers consider that the scheme would not accord with adopted policies by failing to meet need across the Borough as assessed against CLP1 Policy SP2.5, OAPF in respect of the lack of any three-bedroom units.
- 9.57 Officers consider that the proposals would not be in accordance with Policy 3.8 (Housing Choice) of the London Plan in respect of the disproportionate number of very small one-bed unit, which are further restrictive of housing choice by virtue of their compromised and deficient size, and lack of consideration in respect of wheelchair units.
- 9.58 The proposed mix would result in a form of unsustainable development contrary to the NPPF requirements to support social sustainability through the supply of housing required to meet identified needs and foster social diversity.

#### **4. Design including heritage, townscape and visual impact**

- 9.59 NPPF Paragraph 62 requires that 'Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design...In assessing applications, local planning authorities should have regard to the recommendations from the design review panel'.
- 9.60 NPPF Paragraph 64 requires that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions' and Paragraph 61 of the NPPF states that planning decisions should address the connections between people and places and the integration of new development into the natural, build and historic environment.

- 9.61 **Layout:** The scheme proposes a tall vertical tower directly to the south of an existing residential building with 9m set back (separation) between the north elevation of Phase 2 and south elevation of Phase 1. Officers note that this was recognised over a year ago by the scheme's own Architects as creating a fundamentally problematic relationship between the proposed tower and existing building. The scheme Architects have specifically critiqued this option noting it created a 'difficult relationship between the facing facades, and a potentially unpleasant space at Ground Floor'.
- 9.62 Officers provided early advice almost a year ago in February 2017 that this interrelationship was a fundamental concern, together with the detrimental amenity and environmental impacts that would result. The Applicant has not amended the scheme to address Officer's initial advice and this problematic relationship has remained, with an 11 storey screen proposed to specifically seek mitigation of privacy impacts between the two buildings.
- 9.63 Croydon Council's Place Review Panel (PRP) Members have stated that the 'current relationship with Canterbury House is unacceptable and unresolved' and further that it is far from exemplar.
- 9.64 It is disappointing that advice on basic principles provided by Council Officers during early engagement (such as advice on form, amenity and adjacencies) have not been taken on-board by the Applicant in developing the scheme and that there are now very substantial matters that Officers cannot support.
- 9.65 A number of these fundamental matters have now been reiterated formally by the Mayor of London in the GLA's Stage 1 response and by Croydon Council's Place Review Panel.
- 9.66 **Screen:** The privacy screen between the existing and proposed buildings is considered to represent poor design when assessed against the principles of good design supported by NPPF and adopted planning policy. The screen is a substantial structure. In addition to its impact on amenity as experienced from within dwellings in Phases 1 and 2, considered in further detail below, the screen would have a detrimental impact on urban design in respect of the quality of the space at ground and between the two buildings. Officers consider that it would create a 'canyon'/shaft like spaces either side of the screen which detrimentally impact on the character and quality of the area contrary to Paragraph 64 of the NPPF, London Plan Policies 7.4 (Local Character) and 7.7 (Tall Buildings). Although limited details have been provided the submitted drawings indicate that the lowest horizontal member of the screen would only be 3m above ground which would further impact the quality of the proposed public space between the buildings.
- 9.67 For a structure of such substantial scale there is notable lack of detail of the screen's appearance, its materiality, how it would be maintained, construction impacts and adequate assessment within the Environmental Statement. This profoundly undermines the credibility of its design.
- 9.68 The detrimental visual and urban design impact of the screen is further exacerbated by the significant amount of inactive frontage at Ground Level (Phase 1 and Phase 2) directly below the screen and to the east of the proposed Phase 2 tower which, together with the bin storage areas, creates a hostile public realm.
- 9.69 **Ground Floor / Public Route and Spaces** – The consented scheme to the south at 1-5 Lansdowne road has incorporated a clearly defined route and in order to complete this route a legible and beneficial route through the Application site would support the principle of the OAPF.

- 9.70 A new pedestrian public route is proposed, to link the adjacent 1-5 Lansdowne Road scheme to Sydenham Road. The route is proposed to run to the west of the Phase 1 and Phase 2 buildings and due to the proposed layout of scheme, retaining Phase 1 without modification, would run through part of the vehicular access running to the west of the Phase 1 building. The principle of incorporating a route is supported as it accords with principles in the adopted OAPF which state that proposals should support the creation of connections through deep blocks. The principle of the provision of the proposed route included is assessed as a positive benefit of the scheme.
- 9.71 In assessing the quality of the route Officers consider that the route and associated public space is compromised, being compressed between the boundary of the site and proposed building as well as the conflict with the ground level habitable room windows along the western elevation of the existing Phase 1 block. As such the proposal would create amenity issues and erode the legibility and importance of this route. The conflict that results from the proposed public route running through the Phase 1 vehicular entry / car park, via a constrained vehicular route reduces the legibility and quality of the route and is therefore considered to undermine the overall benefit of this route.
- 9.72 2 x existing units are arranged within the western elevation of the existing Phase 1 block at Ground Level which would be impacted in terms of amenity by the proposed route, further there are another 2 x existing units within the existing Phase 1 block at Ground Level at the eastern elevation that would be significantly compromised in respect of amenity.
- 9.73 The proposed vehicular and pedestrian layout in combination with the increase in movement generated by the 296 dwellings proposed within the Phase 2 tower together and other practical requirements to support the proposed Phase 2 tower would cumulatively result in significant detrimental privacy and other amenity impacts for these 2 x existing units.
- 9.74 The amenity of the lowest level unit in the south-east corner of Phase 1 will be particularly compromised, being surrounding by the new proposed refuse stores and loading bay. The two units on the western side of the existing Phase 1 block will be significantly impacted by heavily increased pedestrian and vehicular movement directly outside habitable room windows compared with the current situation. The privacy impacts are further considered below.
- 9.75 Officers acknowledge that the vehicular access would be used by a relatively limited number of vehicles however given the policy tests for dense residential proposals and tall buildings and exemplary design required in this case, Officers consider that the compromised legibility and quality of the route undermine the degree to which it would support the requirements of London Plan Policy 7.7G (Tall Buildings - contribute to improving the permeability) and to balance the other considerable detrimental impacts of the scheme.
- 9.76 **Active frontages including Phase 1 Ground Level** – Due to the intensity of use, density and increased servicing requirements tall buildings in particular require careful consideration of the ground plane, including vehicle access and servicing to ensure that they minimise impact on the public realm. Policy 7.7(c) requires that tall buildings should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street (ground) level.
- 9.77 Active uses within the proposed Phase 2 tower at ground floor are mainly oriented towards the west side, with some to the north and south, which relates well to the proposed public pedestrian route. The main entry of the Phase 2 tower is proposed to

the west and Officers consider this positively responds and relates to the proposed landscaping and one of two children's playspaces to the east of the Phase 2 tower.

- 9.78 In respect of the other three frontages, Officers have assessed that 50% of the Phase 2 ground floor frontage (or approximately 46m of overall ground level frontage) and 50% of the Phase 1 south facing ground level frontage will be inactive. A significant proportion of the ground floor frontage of Phase 1 (part-south elevation) and frontages of Phase 2 (part-north, east and part-south elevation) are proposed as servicing, loading bays, tank rooms, bin storage, cycle storage and other services.
- 9.79 In respect of Phase 1, approximately 20m of frontage is comprised of substation/switchroom, tank room and lift shaft wall. In respect of Phase 2, the ground floor frontage includes approximately 13m of the northern elevation dedicated to a transformer room and gas meter room, the full extent of the 22.6m eastern elevation comprising transformer room, vent shafts, loading bay, and approximately 10m of the southern elevation comprising fire egress and vent shafts.
- 9.80 The location and footprint of the ground level bin storage area is significant, extending approximately 32m (24.5m of which is bin storage) along the eastern frontage of the site.
- 9.81 Officers highlight that the second of the two proposed children's playspace areas is located in relative proximity (8.5m) to the large ground level refuse store, comprising approximately 48 x bins.
- 9.82 GLA Officers have stated that the location of the bin store is considered to result in a poor quality relationship with the site to the east, and limits a positive relationship with that site. Officers have assessed that this would have a prejudicial impact on the aims of the OAPF to promote comprehensive redevelopment within the Opportunity Area, local character and placemaking in addition to compromising the amenity of one of two dedicated children playspaces. The east side of the ground floor, as well as parts of the north and south, are inactive, with the route on the east side comprising a delivery bay and refuse storage area. This results in a poor quality relationship with the site to the east, and limits a more positive relationship with that site.
- 9.83 The PRP have commented that they do not consider the proposed public realm to be exemplary. The PRP and GLA both agree that the activation of the eastern frontage of the proposed Phase 1 tower positively enhances the eastern landscape space and also acknowledge that it would be unreasonable for all sides of the site to become active but consider that the relationship between the bin and cycle stores and the public realm is poorly designed.
- 9.84 The PRP also considered that the current level of detail and consideration of these matters was unacceptable for a full planning application of this scale, particularly in terms of considering whether the scheme could be considered exemplar.
- 9.85 Officers consider that the incomprehensive design approach together with the layout of the existing and proposed building forms has resulted in a series of self-imposed constraints which would have a detrimental impact on place making and local character as required by adopted Planning Policy. The amenity of the southern child play space is compromised by its proximity to the bin storage area.
- 9.86 The layout, siting, landscaping, relationship with the existing Canterbury House Phase 1 block (including interface with existing ground level residential units), proposed 11-storey screen, servicing, refuse design, loading bay, relationship to adjoining sites and vehicular access would not accord with London Plan Policies 7.4, 7.7 and 7.6, CLP1

Policies SP1.2, SP4.1 and SP4.2 CRUDP Policies UD2, UD3, and UD14 and CLP2 Policy DM11.

- 9.87 **Massing and Height** – The application site is located within Croydon Opportunity Area and specifically within the ‘New Town and East Croydon area which is defined as a Mixed-use area - commercial (office / hotel) and residential’ within the Croydon OAPF. There are already approximately 48 tall buildings in the COA and the OAPF and adopted policies acknowledge and support that tall buildings and large buildings will continue to have an important role to play in the development of the COA.
- 9.88 Croydon Local Plan Strategic Policy SP4.5 encourages the provision of taller buildings within COA and the OAPF encourages the tallest of buildings to locate in the “New Town” area of the Opportunity Area (within which the application site falls).
- 9.89 There is clear policy support for the principle of a tall building, subject to meeting the policy tests, at this location. Officers and the PRP have accepted that a building of some height is acceptable at this location in principle given that the building is located within a ‘tall building’ zone as designed with the OAPF.
- 9.90 However, Officers and the PRP have significant concerns in respect of the absence of visual assessment in respect of the area between Phase 1 and Phase 2, including the proposed 11 storey screen. There are limited views in proximity of the building submitted in support of the application and there are no near views which show both the full height of Phase 1 and Phase 2 and 1-5 Lansdowne Road to demonstrate that potential coalescence has been considered.
- 9.91 Officers and PRP have raised questions in respect of the absence and deficiencies in respect of the consideration of the 1-5 Lansdowne Road scheme and at the time of writing there has been no response providing additional visual information to allow officers to adequately assess the visual impact of the scheme within its immediate context.
- 9.92 For the reasons assessed above and below in respect of harm, negative impact on the amenity of surrounding uses Officers consider that the scheme does not meet the policy requirements of London Plan Policy 7.7 which requires that tall buildings should not unacceptably harm an area. The proposed Phase 2 tower is considered to be contrary to the requirement set out at the supporting text of London Plan Policy 7.7 which states that tall and large buildings should not have a negative impact on the amenity of surrounding uses.
- 9.93 The undermined Affordable Housing offer, substantially compromised amenity of the proposed housing and ground level public spaces areas are assessed by Officers as resulting in a scheme which does not accord with London Plan Policy 7.7(i) which requires that tall buildings make a significant contribution to local regeneration.
- 9.94 **Heritage** – Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory obligation on Local Planning Authorities, as decision maker, to have special regard, equivalent to considerable importance and weight, to the desirability of preserving a listed building and its setting, or any features of special architectural or historic interest which it possesses. Preservation in this context means causing no harm to the interest in the building. Section 72 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.95 Paragraph 134 of the NPPF states that where a proposed development would lead to less than substantial harm to the significance of a designated heritage, this harm should be weighed against public benefits of the proposal.

- 9.96 The Applicant has submitted an Environmental Statement which includes a thorough Townscape, Visual & Built Heritage Assessment.
- 9.97 The surrounding areas includes the Grade II listed Electric House located approximately 315m to the south of the site, the Grade I listed Parish Church of St Michael and All Angels approximately 240m to the north-west of the site and Grade I listed Hospital of the Holy Trinity (Whitgift Hospital Almshouses) located approximately 440m to the south-west of the site within the Central Croydon Conservation Area. The site does not lie within a conservation area, however the Wellesley Road North Conservation Area is located approximately 350m to the north of the site, with the Central Croydon Conservation Area situated within 300m to the west of the site.
- 9.98 Historic England have stated that the height of the scheme means the proposals will be visible within the setting of designated heritage assets and to some extent from within the boundary of the Central Croydon Conservation Area. They have stated that the supporting TVBHIA identified a small section of the proposed tower that would be perceived between the central gable and northern chimney stack of the Almshouses when viewed from the junction of the High Street and Church Street (view 5). It also identified that the proposed development would be visible in views of St Michael and All Angels church from the west Croydon bus station (view 6), albeit set away from the church behind Lunar House.
- 9.99 In respect of the impact of the proposed Phase 2 tower on the Whitgift Hospital Almshouses the submitted TVBHIA assesses that there will be a minor, adverse impact as a result of the proposed development. Subject to confirmation in respect of the accuracy of the TVBHIA views, a small section of the proposed Phase 2 tower would be visible in views of the grade I listed Almshouses, with a small section of the proposed tower perceived between the central gable and northern chimney stack. Officers note however that this is prior to taking into account the cumulative scenario, depending on the accuracy of the submitted views and as the silhouette of this building is significant, it would be most appropriate to avoid further erosion of this skyline.
- 9.100 Officers consider that the impact on St Michael and All Angels Church (grade I) requires further investigation in order to demonstrate the acceptability of a tall building in this location. In particular, a core public benefit of the consented scheme for St Michael's Square enabled the creation of a new square and new views towards the church. Views from this proposed square should be modelled to ensure that the development do not harm the newly created views.
- 9.101 Given the statutory importance of the tests set by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 on Local Planning Authorities, as decision maker, the sensitivity of the views (in respect of the Almshouses in particular) and the inadequacy of the information submitted Officers consider that at this time they can only come to a conclusion that in the absence of the required information that the Local Planning Authority is unable to fully assess the impact of the development and as such the proposal would be contrary to Paragraph 134 of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act.
- 9.102 The proposal rises above the roofline of Corinthian House, eroding its presence in the streetscene. It is acknowledged that new development beside Caithness Walk will reduce views of the building. Near views of Corinthian House indicating the level of visibility of the proposed development are required in order to fully determine the impact.
- 9.103 In respect of the balanced consideration required of Paragraph 134 of the NPPF, specifically in respect of the scale of benefits arising from the proposal Officers

consider that for the reasons assessed in this report that the scale of benefits that arise from the scheme may not be sufficient in this instance to outweigh the less than substantial harm to the significance of designated heritage assets. In the absence of the requested views officers are not able to conclude their assessment in respect of overall townscape and heritage impact and confirm the degree of harm in order to balance this in respect of overall public benefits. Notwithstanding this, Officers consider that the degree of harm that would arise from the proposed development would not outweigh the potential less than substantial harm identified within the assessment made by Historic England and Officers.

9.104 **Appearance including façade design** – The architectural concept of horizontal fenestration with curved corner details and curved spandrel panels is considered a positive elevation treatment where it comprises details and materials complimentary of the modern local architectural character typical of central Croydon in accordance with part of London Plan Policy 7.6(c) (Architecture). The credibility of the design however is undermined by a lack of detail on materials including the proposed glazed ‘curtain’ panels. Officers acknowledge and consider that these matters could be conditioned.

## **5. Quality of Living Environment Provided for Future Residents**

9.105 **Micro-flat concept / Housing Product:** The Applicant has submitted a report titled ‘Micro Units: part of the solution to the housing crisis which has been prepared by Icen Projects Limited on behalf of Croydon Investments Ltd and dated September 2017’. The report is submitted in support of the ‘Micro Living’ concept which is proposed by the Applicant, including what it suggests are ‘precedents’ for this form of living. The report includes a desktop of analysis of demographic trends that the authors of the report state support the typology and location for the proposed micro-units.

9.106 The report includes demographic analysis which indicated that there is likely to be a growing demand for one and two bedroom dwellings in LB Croydon in the medium to longer term and concludes that LB Croydon is a highly sustainable and suitable location for the delivery of micro-flats and present this as a long term policy solution for those hoping to get on the housing ladder.

9.107 As set out above Officers do not dispute that there is growing demand for one and two-bedroom units within urban locations and highlight that in respect of Build to Rent that local policies, draft London Plan policies and the Mayor of London’s SPG on Housing Viability already acknowledges this. However, it is important to note that the SPG specifically requires that Build to Rent housing product meet the Mayors space standards.

9.108 The acceptance of one and two-bed units for Build to Rent in respect of mix does not therefore mean acceptance of spatially constrained design of those units, the majority of which are significantly below the space standards.

9.109 There appears to be a difference in approach within the submitted Micro Living report against other supporting documentation including the submitted Design and Access Statement and particularly the Planning Statement. The Micro Living report suggests that the housing product proposed within the Application scheme presents a non-traditional form of housing for a ‘compact not compressed’ way of living which allows an improved lifestyle compared with that of people living in traditional housing (paragraph 1.3). The submitted Planning Statement however suggests the proposals address the specific domestic functions of traditional living and should be treated as traditional housing (paragraph 7.70).

- 9.110 The Micro Living report contends that the spatial and functional needs of occupiers of Build to Rent schemes are substantially different so as to justify significantly smaller flats, including a lesser need for storage space. This is due to a number of two main factors according to the report, that 'Millennials typically value convenience and experience over material goods – 'stuff' is out' and that the prospective occupiers, primarily younger occupiers will 'spend their disposable income on experiences, entertainment and eating out more than ever before' and therefore spending more time out of their homes. The Applicant proposes communal space provision, assessed below, as amenity area within the scheme, but outside the home to address the amenity needs of the residents.
- 9.111 The report concludes that Micro Flats will 'encourage people to live a more minimalist lifestyle'.
- 9.112 The Micro Units report cites a report from the USA which states that residents are now willing to accept much smaller apartment footprints as a result of an extensive offering of amenity within the wider block (paragraph 4.14). However, the report does not give consideration in respect of whether a change in habits may be a result of already constrained living arrangements which may create a need for people to spend less times in their homes.
- 9.113 Officers consider that by suggesting that homes designed for people to spend time away from them does not address the requirements of London Plan Policy 3.5 (Quality and design of housing developments) which requires that the design of all new dwellings should also take account of factors relating to the 'home as a place of retreat'.
- 9.114 While innovation is encouraged and Croydon Council has demonstrated its willingness to support innovative high quality alternative housing models, including a recently considered Pocket Housing scheme, Officers consider that the Applicant has not demonstrated an overriding need, justification or genuine innovation of approach for the provision of such a large proportion of very small units which are assessed as experiencing compromised amenity.
- 9.115 Officers are also concerned that in considering housing needs to justify the proposal that the Micro Units report has not included any consideration of inclusive access needs and the spatial requirements of disabled people as required by London Plan Policy 3.5.B. As explained in this report the submitted plans do not currently include any adaptable or adapted units which Officers and the GLA in their Stage 1 response have highlighted as unacceptable.
- 9.116 **Residential Space Standards** – The pertinence of the space standard in the assessment of the proposed dwellings are considered by Officers to apply in three main ways.
- 9.117 Firstly the DCLG's Technical Housing Standards – Nationally Described Space Standard (NDSS), providing minimum floor area specifications for all new dwellings, is referenced in the supporting text of London Plan at Policy 3.5 which states that all new residential units should provide the highest quality internal environments for their future residents and should have minimum floor areas in accordance with the Government's technical housing standards set out in Table 3.3. Policy 3.5C states that 'The Mayor will, and boroughs should, seek to ensure that new developments reflect (the minimum space) standards'. Notably, London Plan 3.5 policy allows at part D that 'development proposals which compromise the delivery of elements of this policy may be permitted if they are demonstrably of exemplary design and contribute to achievement of other objectives of this Plan'. The Mayor's London Housing SPG provides guidance on the application of London Plan policies including Policy 3.5.

9.118 Secondly, adopted CLP 1 SP2.6 and emerging local plan policy CLP 1.1 SP2.8 requires that all new homes achieve the minimum standards set out in the Mayor of London's Housing SPG and National Technical Standards (2015) or equivalent.

9.119 As explained above the Mayor's Homes for Londoners – Affordable Housing and Viability SPG is clear that in respect of Build to Rent units that 'All schemes are expected to meet the minimum space standards' (Paragraph 4.3). The Applicant has stated that this is 'inconsistent with London Plan Policy 3.5D' and therefore consider that Policy 3.5D outweighs the requirements of the SPG. Officers do not agree with this interpretation as the guidance is very recent and is specifically clear that in the case of Build to Rent units there is a need to comply with the space standards. As the SPG provides guidance on the application of London Plan policy it is appropriate to give this relevant weight in the consideration of the application.

9.120 In any case the proposed dwellings are assessed as being far from demonstrating exemplary design.

9.121 The proposed areas of each unit type within the scheme is set out below.

<b>One-Bedroom Units</b>						
<b>Unit Type</b>	<b>No. of each type</b>	<b>Size</b>	<b>% below NDSS</b> 1-bed/ 1- person threshold <b>39sqm</b>	<b>% below NDSS</b> 1-bed/ 2-person threshold <b>50sqm</b>	<b>% of Type within scheme</b>	<b>Location</b>
<b>AT1</b>  1bed	116	<b>34.7sqm</b>	<b>11% below</b>	<b>30% below</b>	39.18%	Corner 4 per floor at Levels 2-30
<b>AT2</b>  1 bed	116	<b>31.4sqm</b>	<b>20% below</b>	<b>37% below</b>	39.18%	East and West 4 per floor at Levels 2-30

<b>Two-Bedroom Units</b>						
<b>Unit Type</b>	<b>No. of each type</b>	<b>Size</b>	<b>% below</b> 2-bed / 3-person threshold <b>61sqm</b>	<b>% below</b> 2-bed / 4-person threshold <b>70sqm</b>	<b>% of Type within scheme</b>	<b>Location</b>

<b>AT3</b> 2 bed	60	<b>60sqm</b>	<b>2% below minimum</b>	<b>14% below</b>	20.27%	North and South 2 per floor at Levels 2-31
<b>AT4</b> 2 bed	2	<b>68sqm</b>	<b>Complies</b>	<b>3% below</b>	0.675%	West 2 per floor at Level 31
<b>AT5</b> 2 bed	2	<b>69sqm</b>	<b>Complies</b>	<b>1% below</b>	0.675%	East 2 per floor at Level 31

- 9.122 One-bed units: In respect of one-bed units the NDSS and London Plan standards set the minimum space standard at between 37/39sqm for a 1bed/1person unit and 50sqm for a 1bed/2person unit. The NDSS explains that where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm. Unit Types AT1 (39% of proposed units) and AT2 (39% of proposed units) are proposed as one-bed units.
- 9.123 None of the one-bed units (78% of proposed units) achieves the minimum space standard and the degree of deficiency is substantial, particularly when considered in the context of other deficiencies, including lack of private amenity space, constrained layout, very poor outlook for north-facing Canterbury House units and compromised environmental quality of a number of units, contrary to London Plan Policy 3.5.
- 9.124 Two-bed units: In respect of two-bed units the NDSS and London Plan standards set the minimum space standard at 61sqm for a 2bed/3person unit and 70sqm for a 2bed/4person unit. Unit Types AT3 (20.2% of proposed units), and AT4 and AT5 are proposed as two-bed units.
- 9.125 In total: 78% of the proposed units (232 no. units) are very substantially below London Plan space standards, even if assessed against the lowest possible threshold of 39sqm for a one person unit.
- 9.126 The GLA have responded that the 'total disregard for London Plan space standards, particularly at this scale, is unacceptable' and clarified their consideration that the minimum space standards apply to all tenures.
- 9.127 The GLA and PRP have raised significant concerns in respect of residential quality, with the GLA highlighting that the small size of the one-bed units is especially concerning, particularly the corner units, which suffer from inefficient corridor space that reduces usable living space.
- 9.128 The Council's PRP has recommended that the Applicant should 'Further interrogate the size of the units and explore all opportunities to increase these as the current sizes are below space standards. The design of the units themselves and the scheme as a whole fail to demonstrate exemplar qualities that could be considered to offset the failure to meet space standards'.

- 9.129 The panel remained firmly unconvinced about the size of the units being acceptable and note there was no demonstration of any mitigating factors within the proposal that could be considered to offset this failure. The panel advised that the sizes of the units needs to be revisited.
- 9.130 When considered in the context of other deficiencies including lack of private amenity space, northerly single-aspect for half of the two-bed unit types and compromised outlook and environmental quality for lower level north-facing two-bed units in particular Officers have assessed that the space deficiency would cumulatively result in significantly detrimental amenity which is not justified, does not represent exemplary design and which would be contrary to London Plan Policy 3.5, CLP 1 SP2.6, CLP 1.1 SP2.8 and the Mayor's Homes for Londoners – Affordable Housing and Viability SPG specifically in respect of Build to Rent units.
- 9.131 **Design Principles / Addressing Domestic Functions/ Improving Health** – In its review of the scheme the PRP commented that there were a number of key aspects where the layout could not be considered exemplary and that this was particularly highlighted in respect of compromised kitchens, living rooms and questions in respect of adequate storage.
- 9.132 Officers acknowledge that aside from minimum bedroom sizes/dimensions of the NDSS that there is no prescription in respect of the layout of dwellings, this is also acknowledged at London Plan policy and guidance level. However, an examination of how units respond to the requirement that homes address basic domestic functions in order to become a 'comfortable place of retreat' is considered reasonable and in accordance with London Plan Policy 3.5 (Quality and design of housing) and draft Policy D4 (Housing quality and standards).
- 9.133 The PRP stated that there was a need to show an understanding of specific domestic not adequately demonstrated.
- 9.134 The Panel considered that living rooms were ungenerous and advised that more space should be given over to living rooms, that there was insufficient demonstration that storage needs of occupiers had been adequately addressed and particularly highlighted that the proposed kitchens are cramped and the Applicant has not been able to demonstrate how the space would function to allow residents to prepare a meal.
- 9.135 Kitchen locations within AT2 units in particular are located at the main entry into the unit and designed in a way that presents a challenge entering the unit while another occupant is preparing a meal at the kitchen worktop. This is both a function of the compromised small kitchen area and location.
- 9.136 Based on the constrained space Officers consider that there is only potential space for worktop widths (including hob and sink) of only between 1.8-1.9m with only approximately 0.5m of clear worktop space available to occupants within these two unit types. It is also unclear how these kitchens would accommodate the appliances reasonably expected, including a fridge which is not shown on the submitted layouts. In respect of kitchens the PRP stated that it 'had concerns that units fail to provide kitchens big enough, or sufficiently well designed, to cook a healthy meal in or living rooms to relax in'.
- 9.137 The PRP considered the Applicant's justification that people will 'live in the city' and therefore eat out and find places elsewhere to socialise and spend time was not adequate justification for designing inadequately sized spaces. It was noted that the affordability of the units would be eroded if savings on rent were offset by a need to eat out and use facilities elsewhere. Further, this was considered to rely on infrastructure elsewhere, which is neither resilient nor sustainable.

- 9.138 The supporting text of London Plan Policy 3.2 highlights that housing has a major impact on the health of residents, and the policies in the London Plan are intended to enable Londoners to live in well designed, high quality homes, appropriately sized and energy efficient, warm and dry, safe, providing good access to high quality social infrastructure, green spaces, and limiting disturbance from noise, or exposure to poor air quality.
- 9.139 The design principles that underpin the residential designs, including the concept that less space is required as people will eat out, are considered to be contrary to policies protecting residential amenity, including the requirements of London Plan Policy 3.2(d) (Improving Health and Addressing Health Inequalities) and London Best Practice Guidance (BPG) on Health Issues in Planning which requires that new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.
- 9.140 Dwellings designed with an assumption that occupants will/should spend time outside eating out are not considered to accord with requirement of adopted London Plan Policy 3.2(d) (Improving Health and Addressing Health Inequalities) which requires that new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.
- 9.141 The units and the design principle underpinning the compromised sizes would undermine the requirements of London Plan Policy 3.2 and further do not exhibit exemplary design which in combination with other amenity issues identified, are not considered to represent good or sustainable design contrary to London Plan Policy 3.2, 3.4 and 3.5 and draft Policy D4 (Housing quality and standards).
- 9.142 **Aspect and Outlook** – The London Housing SPG provides details in relation to housing standards, including in relation to the provision of dual aspect units. BRE guidance, further considered below, also provides a relevant consideration in respect of assessing the outlook of northerly facing units, specifically as they would not have access to sunlight.
- 9.143 The Mayor’s Housing SPG standards state that developments should avoid single aspect units which are north facing. The supporting text of Draft London Plan Policy D4 reiterates the same standards that single aspect dwellings that are north facing should be avoided. The SPG and draft London Plan Policy D4 supporting text (Paragraph 3.4.5) notes that where dwellings are proposed as single aspect it should be demonstrated that all habitable rooms and the kitchen are provided with adequate passive ventilation, privacy and daylight and that the orientation enhances amenity, including views.
- 9.144 Officers acknowledge that some single aspect and potentially even north facing units may occur in high density urban contexts, however a high proportion of single aspect units, some of which are north-facing with a very poor outlook, supports a view that units exhibit less than exemplary design quality and in the case of lower level north/Phase1-facing units do not meet NPPF requirements for good design.
- 9.145 Despite proposing a relatively compact and square footprint the proportion of single aspect units is high. This is in part a function of the significant proportion of very small units proposed.
- 9.146 As highlighted above the worst amenity conditions are experienced by those at lower levels which the submitted documents indicate are offered at DMR (LLR).
- 9.147 From Levels 2-10, of the 90 x units proposed, 81 x units (89%) are single aspect. These floors differ from those above, with a higher proportion of single aspect units,

due to the frosted glass panels proposed at the north-east and north-west corners of the building which are proposed to avoid inter-visibility/privacy issues between the proposed tower and Phase 1 building.

- 9.148 A further 200 x units are proposed from Levels 11-30 with identical floorplates of 10 x units per floor comprising 120 (or 60%) of the units proposed as single aspect, including all of the proposed 2-bed units. The top residential floor, Level 31, proposes 6 x units of which 4 are dual aspect.
- 9.149 Overall 203 x units or 68.6% are single aspect and 93.9% of all of the proposed two bed units are single aspect, with half of these proposed as north-facing which limits light penetration and cross-ventilation.
- 9.150 Daylight and sunlight matters are considered in further detail below and while these north-facing units would clearly not benefit from any sunlight, the reduced amenity that results from north-facing units is exacerbated at lower levels (Levels 2 – 7) where north-facing 2-bed units receive negligible levels of daylight (with living rooms achieving daylight levels substantially below ADF targets) which would result in detrimental impact on amenity for future occupiers.
- 9.151 Officers consider that proposed single aspect units, particularly lower level north facing Type AT1 one-bed units which are characterised by kitchens without windows and proposed north facing lower level 2-bed units exhibit particularly compromised amenity which does not accord with the SPG standards, adopted London Plan policy or draft London Plan Policy. This assessment is supported by the views of the PRP who repeatedly commented on the inadequate design and size of proposed kitchens, specifically in respect of their need to meet functional requirements.
- 9.152 **Amenity of Affordable Housing:** London Plan Policy 3.5 requires that housing development should not differentiate between housing tenures. The proposed Discount Market Rates (DMR) at London Living Rent units are proposed in the lower half of the building, specifically the one-bedroom units from half of floor 16 down to floor 2 and all two-bedroom units from floor 18 down to floor 2.
- 9.153 The lower half of the building which comprises the DMR units experience disproportionately high amenity impacts by virtue of a combination of factors including disproportionate single aspect units at levels 2-10 with 81 out of 90 units (89%) proposed as single aspect.
- 9.154 The proposed privacy screen does not impact the outlook of units proposed for market rent, only those units offered at DMR. These units include all those proposed Phase 2 units with an outlook towards the proposed frosted screen 4.5m away from habitable room windows (living rooms and bedrooms) and 9m to the south of the existing Phase 1, lower level units that do not receive any sunlight (including north-facing single aspect), and all the north-facing lower level units that receive negligible levels of daylight.
- 9.155 **Private Amenity Space** – The Mayor’s Housing SPG standard 4.10.1 states that 5sqm of private amenity space should be provided for each one bedroom unit, with a further 1sqm provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m. Draft London Plan Policy D4 reiterates the same standards. Draft Policy DM11 of Croydon’s Local Plan: Detailed Policies and Proposals (Main Modifications) confirms support for new development which includes private amenity space that is of high quality design that enhances and respects the local character of the surrounding area.

- 9.156 Officers acknowledge that there may be occasions, such as in the case of very tall buildings, where alternative design solutions, such as winter gardens or increased internal floor area, may be considered to provide amenity benefits that can be balanced against a reduction in private external amenity space.
- 9.157 As proposed units are already substantially below minimum space standards, compromising amenity, the absence of any private amenity space, would further exacerbate the reduced amenity which would be experienced by occupiers of the proposed development due to the reasons set out above and below.
- 9.158 On this basis Officers do not accept the degree of non-compliance proposed against Mayor's Housing SPG standard 4.10.1 and consider that this aspect of the proposals would not accord with adopted London Plan Policies 3.4 and 3.5 and Croydon Local plan draft Policy DM11.
- 9.159 **Inclusivity** – Policy 3.8 ( of the London Plan requires that 90% of new housing meet building regulation requirement M4(2) 'Accessible and Adaptable Dwellings' and that 10% should meet building regulation requirement M4(3) 'wheelchair user dwellings' i.e. designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 9.160 As set out above the application is supported by a Micro Unit Report and Planning Statement. The Micro Unit Report provides extensive demographic analysis but does not include consideration of the needs of disabled occupants, specifically it does not make any substantive reference in respect of inclusive access considerations including the needs of wheelchair users. The Planning Statement includes reference to inclusive access policies but does not provide consideration of how inclusivity will be ensured.
- 9.161 The submitted Design and Access Statement indicates how two-bed units could indicatively be adapted to meet building regulation requirement M4(2) 'Accessible and Adaptable Dwellings' and building regulation requirement M4(3) 'wheelchair user dwellings'.
- 9.162 GLA Officers have commented in respect of the indicative plans that the proposals do not meet the requirement to be 'easily adaptable' to meet M4(3) and this also suggest that M4(2) requirements would not be met. They have noted that this is symptomatic of the small size of the units.
- 9.163 Officers have assessed that due to the minimal spaces within the units the Design and Access Statement shows that one-bed wheelchair units (M4(3)) can only be achieved by converting two-bed units into one-bed units. This would further increase the proportion of one-bed units to the further detriment of policies in respect of housing need and mixed and balanced communities.
- 9.164 The applicant has not demonstrated how two-bed units could be adapted to remain as two-bed units and comply with building regulation requirement M4(3) 'wheelchair user dwellings'.
- 9.165 The Design and Access Statement shows that one-bedroom units can only be made accessible by creating a bedroom that would not have access to direct daylight.
- 9.166 Officers consider that the proposal fails to meet inclusive design principles by being irresponsive and inflexible and does not accord with adopted policy and Housing SPG requirements in respect of inclusive design and access.
- 9.167 **The Mayor's Housing SPG** – A summary assessment of the proposal against key Housing SPG standards is set out below:
- **Standard 12** – (8 units on each floor) – **Does not meet** the standard

- **Standard 15** – (dwellings entered at the 7th floor and above should be served by at least 2 lifts) – **meets** the standard
- **Standard 24** – *All new dwellings should meet the nationally described space standard (DCLG Technical Housing Standards)* – **Does not meet** the standard
- **Standard 26** – A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant – **Does not meet** the standard
- **Standard 27** – The minimum depth and width for all balconies and other private external spaces should be 1500mm. – **Does not meet** the standard
- **Standard 28** – Design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces. – Phase 2 meets the standard, Phase 1 **Does not meet** the standard
- **Standard 29** – Developments should minimise the number of single aspect dwellings. The design of single aspect flats will need to demonstrate that all habitable rooms and the kitchen are provided with adequate ventilation privacy and daylight and the orientation enhances amenity, including views – **Does not meet** the standard, particularly in respect of units with outlooks to the frosted glass screen.
- **Standard 31** – A minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is encouraged – Phase 2 **meets** the standard
- **Standard 32** - All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight – **Does not meet** the standard

9.168 **Child Play Space Provision and Quality** – Playspace is proposed in the form of two dedicated areas; a grass hill playspace of 160sqm to the west of the proposed Phase 1 tower and 65sqm to the south of the proposed Phase 1 tower.

9.169 Based on the current unit breakdown, the child yield is expected to be 9 children. Officers highlight that the low child yield is a function of the very high proportion of one-bed units which are assessed above as not addressing local or strategic housing needs by virtue of their mix, size and poor design.

9.170 The Housing SPG supports Policy 3.6 in stating that for developments with an estimated occupancy of ten children or more, development proposals should make appropriate play provision, in accordance with the Providing for Children and Young People’s Informal Recreation SPG

9.171 As the child yield is below 10, for the reasons set out above, the scheme as submitted does not have a requirement to provide child play space. The areas proposed are therefore in excess of the numerical requirement and the provision of playspace areas in principle is a positive benefit of the scheme.

9.172 In respect of the quality of the provision as assessed above the smaller of the two playspaces is located in relative proximity to the large ground level refuse store, comprising approximately 48 x bins, and which is proposed to be located 8.5m away from the playspace compromising the amenity of this play space provision.

9.173 The submitted Environmental Statement indicates that the proposed amenity areas including the playspace “*will not be well sunlit*” when judged against the BRE

overshadowing criteria. When taking into account the cumulative impacts of surrounding consented development the play spaces and seating areas to the southwest and south of the site will receive '*virtually no direct sunlight on the 31<sup>st</sup> March*'. Combined with the risk of some, albeit occasional, windy conditions in these amenity areas, the provision is considered to be of a lower quality therefore diminishing its benefit.

- 9.174 Officers acknowledge that the expectations in respect of sunlight within public spaces, including play spaces, requires a proportional approach balancing the benefit of delivering housing growth. However, as the proposed playspaces receive very low levels of sunlight and one is compromised due to its proximity to a very large bin storage area this reduces their amenity benefit and therefore reduces the degree to which they can be considered to provide a benefit that would outweigh the detrimental impacts of the scheme as assessed above and below in this report.
- 9.175 Communal Amenity Space – The development includes 3 main areas of communal amenity spaces reserved for residents. The spaces proposed comprise at: Ground floor a lobby and hangout room (approximately 65sqm); at 1<sup>st</sup> Floor a Cinema /Games room (approximately 62sqm); Open plan Multifunction space including workshop space and residents lounge (approximately 175sqm); and Private dining / function space (approximately 100sqm). The floor includes toilets to support the use of the space for communal amenity; and at 32<sup>nd</sup> Floor - two external terraces totalling 264sqm of amenity space and internal amenity space of 245sqm including residents day room.
- 9.176 The principle of communal amenity space is supported by policy and particularly guidance in respect of private rented schemes. Officers consider that although communal space provides communal benefit, policy and Housing SPG standards are clear that private amenity space provides amenity benefits for individual units and occupants which enhance and support the requirements that homes as a 'place of retreat' (Policy 3.5).
- 9.177 In receiving the scheme, the PRP commented that the provision of communal amenity space the panel notes that the communal spaces (area and locations) was unconvincing. The panel highlighted concerns that the failure to provide well-designed and generous shared spaces risk cramped conditions contributing to potential health problems amongst the occupants.
- 9.178 Officers do not consider that the full-scale absence of any private amenity provision within a scheme of this scale and density can be compensated by the provision of communal space. Although some omissions could be balanced against other benefits, in this case given the significant liveability concerns in respect of the scheme the provision of communal amenity space is not so beneficial as to outweigh the harm to amenity, liveability and deficiency against the tests of exemplary design that are caused by the wholesale absence of any private amenity spaces throughout the scheme.
- 9.179 The lack of generosity in respect of the communal amenity space is considered to further erode the benefit of this space.

#### Privacy and Outlook for future residents

- 9.180 The frosted screen is proposed as mitigation to prevent privacy impacts between habitable room windows in the southern elevation of the existing Phase 1 block and northern habitable room windows in the proposed Phase 2.
- 9.181 Officers assess that the frosted glass screen together with the frosted glazing proposed to northern corner units would prevent privacy impacts within units in Phase

2. This however it at the expense of outlook on Phase 2 units (towards the screen and due to the diminished clear windows proposed to corner living rooms) and profound outlook impact on Phase 1 units.

9.182 The Applicant describes this as only directly affecting 8 x units in the proposed development out of 296 (Phase 2) and 10 in the existing building out of 96 (Phase 1).

9.183 The impact on outlook from Phase 2 units is assessed below but Officers highlight that they assess the impact on outlook to be greater than indicated by the Applicant.

9.184 In respect of Phase 2 Officers highlight that an additional form of mitigation is also shown but not clearly described within the documents in respect of extensive frosted glazing proposed to living room windows for all north facing corner units from floors 2-10. This affects 16 x units (corner) making them single rather than dual aspect.

9.185 Due to the curved window configuration of these living rooms this would require that a substantial proportion of the total area of each living room window were frosted to prevent intervisibility issues and this is suggested within the documentation (Design and Access Statement, page 58). This would potentially result in the combined deep plan of the living/dining/kitchen of all northern corner units from floors 2-10 benefiting from either a single window approximately 0.8m or potentially a 1.6m wide window for a very deep room type. There is no evidence that this additional frosted glass has been assessed within the submitted 'Internal Daylight & Sunlight Report'.

9.186 Officers have assessed that from Levels 2-10 the outlook for the north facing single aspect units would be profoundly constrained with a minimum distance of 4.5m to the frosted glass screen which would significantly compromise liveability and not constitute exemplary or good design.

#### Daylight and sunlight conditions for future residents

9.187 The OAPF acknowledges that 'in heavily built-up areas such as the COA, new development will inevitably result in some level of overshadowing and overlooking of neighbouring properties and amenity spaces'. The OAPF notes that the existing pattern of development in the central part of the COA is not conducive to the application of normal planning guidelines for sunlight and daylight and further sets out that as part of new development proposals, there will need to be a flexible approach to the protection of natural light for existing properties.

9.188 The OAPF also highlights that for major developments the pre-application process should include a thorough analysis of existing sunlight and daylight conditions undertaken early in the pre-planning application process to inform proposals.

9.189 Officers consider that the Applicant has not demonstrated thorough analysis of existing sunlight and daylight conditions in line with the guidance in order to achieve a proposed scheme which minimises the impacts identified below.

#### **9.190 Internal Daylight**

9.191 Officers have queries in respect of the submitted Daylight and Sunlight assessment of the scheme which include the extent to which the 1-5 Lansdowne scheme has been considered in the assessment. Further queries are raised in respect of the extent to which kitchens have been assessed as part of the overall room performance, frosted glazing and the frosted glass privacy screen.

9.192 Notwithstanding the queries above, if the conclusions of the report were accepted then the report shows that the overall proportion of rooms tested within the Phase 2 tower achieve high daylight levels as a proportion of the 296 units, particularly when considered in the context of the application site.

- 9.193 As with the privacy impacts, the reduced impacts within Phase 2 have however been achieved at the expense of the detrimental impacts on daylight and sunlight performance in Phase 1.
- 9.194 Notwithstanding that Officers cannot agree the conclusions of the report at this time, the report indicates that in respect of daylight of the 290 living rooms tested 98% pass the ADF target and of the 348 bedrooms tested that 95% pass the ADF target.
- 9.195 Officers consider that this would represent very good performance in respect of daylight which would be beneficial in respect of amenity. The degree of benefit however is offset by the lesser performance in respect of sunlight levels assessed below and is not considered sufficient to outweigh the detrimental impacts identified above.
- 9.196 As above Officers have assessed that those units impacted by very poor outlook by virtue of the screen also exhibit the worst daylight performance. These units are all indicated as being offered as Discounted Market Rent (at LLR) level and fail at a significantly greater proportion than those retained at Market Rent levels.

### **Internal Sunlight**

- 9.197 The BRE guide contains specific guidance for sunlight to blocks of flats, because it is accepted that some units will unavoidably have a northerly facing prospect. The guidance states that the aim should be for each unit to have a main room which receives a 'reasonable amount' of sunlight.
- 9.198 In total less than half (47%) of the combined living/dining rooms tested (174 out of 296) fully pass the relevant BRE sunlight targets.
- 9.199 The results suggest that overall only approximately 27% of combined living and dining rooms would receive sunlight levels that meet or exceed the relevant targets, acknowledging that north-facing rooms would clearly not receive sunlight.
- 9.200 BRE guidance notes that where north facing rooms have a pleasant outlook then this can be weighed against the lack of sunlight to these rooms. The outlook to the screen is not considered to represent a mitigating beneficial outlook.
- 9.201 The Applicant has explained that the decreased compliance in respect of sunlight performance is a result of the Whitgift Centre scheme and that 'whilst the scheme indicates deviations from the suggested targets, given the effects of the wider site constraints, the results should be considered acceptable and in line with overall intentions of the BRE criteria'.
- 9.202 Although Officers acknowledge the need to be proportionate within the high density context and policy ambitions of the application site the Applicant has suggested that the high environmental performance indicates high quality exemplary design.
- 9.203 Officers consider that on balance the environmental performance is not sufficient to outweigh the other impacts assessed or demonstrate exemplary design.

### **Summary**

- 9.204 Officers have assessed that the cumulative impact of the proposed Phase 2 design including its relationship to adjoining development and screen, unit size, aspect, environmental performance, lack of private amenity space and outlook and consider that it would not result in a high or good quality living environment and does not represent exemplary design. The application is considered to be contrary to part 7 'Requiring good design' of the NPPF; London Plan Policies 3.2, 3.4, 3.5; the Mayor of London's Housing SPG and SPG on Providing for Children and Young People's Informal Recreation and Affordable Housing and Viability SPG, Croydon Opportunity Area Planning Framework, adopted CLP1 Policy SP2.6 and emerging Policies CLP1.1

## **6. Impact on surrounding development including existing Phase 1**

- 9.205 The site currently accommodates a 12 storey former office building (existing Canterbury House) with a footprint of approximately 626sqm which has recently been converted to residential use, containing 98 flats (55 one-bed units and 43 two-bed units). Generally, units are arranged as 9 units per floor, with each floor comprising 5 x 1-bed units and 4 x 2-bed units. 4x units per floor are generally orientated towards Phase. The Application proposes the removal of two south-facing ground level units resulting in a total of 96 units within Phase 1.
- 9.206 Officers consider that the main amenity impacts in respect of the Phase 2 building on Phase 1 relate to outlook, environmental impacts including daylight and sunlight, privacy and construction related impacts including those specifically related to the screen.

### Phase 1 - Privacy and Outlook for existing residents

- 9.207 As explained above the Applicant describes the outlook impact as only directly affecting 10 units in the existing building out of 96 (Phase 1).
- 9.208 Officers consider that firstly the impact on outlook on Phase 1 dwellings is greater as this does not take into account the outlook impact of oblique views from additional affected Phase 1 windows in adjoining units which would have a view of the frosted glass, but also the horizontal structural steel elements required to support the structure and which are proposed to be attached directly to the wall surrounding these windows.
- 9.209 The screen can therefore be reasonably considered to directly impact 20 units out of 96 which is a substantial proportion of dwellings.
- 9.210 Officers have assessed that 10 x 2-bed units (all habitable room windows) would have a direct and deficient outlook towards the frosted glass screen 4.5m to the south. The amenity of these rooms is further eroded by the very substantial daylight and sunlight reductions assessed below. It is considered that the experience of living in these rooms would be very substantially compromised with no outlook together with very substantial daylight and sunlight reductions.
- 9.211 Officers consider that the image shown within the DAS at page 58 (shown as a highly lit room) would not be a reasonable representation of the conditions given the lack of daylight, sunlight or outlook.
- 9.212 As described above a further 10x 1-bed units (all bedroom windows) would have oblique views of the frosted glass screen approximately 5m away and a direct outlook onto the frosted glass windows of the north facing units in Phase 2 approximately 9m away. Officers also highlight that the structure required to attach the screen to the building will have its own impacts on outlook.

### Phase 1 - Privacy

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

9.214 In respect of the Phase 1 building Officers have assessed that will be detrimental privacy impacts on 4 x existing units at Ground Level in particular. The amenity of the lowest level unit in the south-east corner of Phase 1 will be particular compromised, being surrounding by refuse stores, loading bay and very significantly increased pedestrian and vehicular movement directly outside habitable room windows compared with the current situation. These incidences of reduced privacy would potentially allow pedestrians to walk directly up to the window of habitable rooms and see inside each room. This situation is exacerbated by the fact that glazing for these units is ground to floor which allows direct views into habitable rooms. This is assessed as being contrary to the Housing SPG standards.

#### Phase 1 - Environmental Impacts

9.215 The LPA's Environmental Consultants together with Council Officers have assessed the environmental information in respect of the impact on Phase 1 as a result of the proposed Phase 2 scheme.

9.216 The submitted Environmental Statement identifies a 'major adverse' effect on Phase 1 (Canterbury House) for daylight and sunlight, whereby 100% of windows (132 windows / 94 rooms in 42 dwellings) on the southern facade of the building are predicted to experience a significant worsening of natural light with all dropping below the BRE guidance values for daylight. The LPA's Environmental Consultant has noted that some flats, mostly those on the lower floors, will have zero direct daylight.

9.217 Officers acknowledge that the most recent approval, as well as the previous, 1-5 Lansdowne Road planning permission contribute to cumulative impacts however Officers have queried this with the Council's Environmental Consultants who have confirmed that it is important to note that it is not the Lansdowne scheme that has an impact on Phase 1 (Canterbury House) but rather the cumulative impact of the Proposed Development and Lansdowne.

9.218 The daylight results showing the impact of Proposed Development alone when compared with those showing the impact of Proposed Development and Lansdowne are broadly similar. This means that the effects are largely attributable to the proposed Phase 2 tower, not the Lansdowne Scheme.

9.219 The submitted Environmental Statement confirms this stating that 'when considering the impacts on the existing residential building (Phase 1) the assessment shows that whilst the cumulative effects of both development is greater than the impact of the Proposed development in isolation, the majority of the impact to windows at the existing residential building is due to the impact of the Proposed Development and not due to the development at 1-5 Lansdowne Road. This is particularly true at the windows in the centre of the southern façade of Canterbury House, from where 1-5 Lansdowne Road is not visible'.

9.220 The LPA's Environmental Consultants have concluded that this is likely to significantly affect the internal amenity for occupiers of these properties.

9.221 In assessing the submitted Environmental Statement the LPA's Environmental Consultants have also highlighted that the proposed Privacy Screen between the existing Canterbury House and the proposed building is a key and unusual feature of the design. However, its related impacts including effects on views, daylight, sunlight, wind, construction noise and other environmental impacts do are not appear to have been assessed at all within the Environmental Statement.

9.222 This is considered by the LPA's Environmental Consultants to be a material omission of the Environmental Statement and by Officers to be a significant deficiency given the scale and impact of the proposed scheme.

9.223 Officers consider that the degree of impact, only brief consideration of sunlight and daylight impacts on the Phase 1 building as a result of the Phase 2 scheme within the Design and Access Statement and lack of detailed information to accurately assess the impacts does not support a conclusion of exemplary design overall or represent sustainable development.

9.224 Officers acknowledge that in an urban environment with the housing growth policy aspirations of the Croydon Opportunity Area a proportionate approach to daylight, sunlight and overshadowing is required and acknowledge that there would be a consented impact on the south-facing units as a result of the 1-5 Lansdowne Road scheme. Notwithstanding this, the impact of the proximity of the proposed Phase 2 tower on the Phase 1 building and detrimental impact on liveability is considered to result in a poor quality living environment which would be contrary to London Plan Policies 3.4, 3.5.

#### Construction Impacts on Phase 1

9.225 It is understood that the Canterbury House is fully occupied and will remain so throughout the construction works, except for the two flats in the ground floor that will permanently be displaced by the energy centre.

9.226 However, the noise and vibration chapter within the Environmental Statement suggests that other residential floors may need to be vacated due to magnitude of impacts during the construction works creating unacceptable living conditions for existing residents.

9.227 The proposal fails to demonstrate that the development would not create either an acceptable environment during construction of the proposed screen or alternatively explain how residents will be relocated if they are vacated during construction.

#### Emerald House

9.228 The submitted Environmental Statement indicates that there is a lesser impact in respect of sunlight and daylight on Emerald House in comparison to the impact on Phase 1 (Canterbury House). 6 properties experiencing a moderate and 2 a major adverse effect. However, these impacts appear to be significantly worsened once the committed 1-5 Lansdowne Road scheme is taken into account, with the cumulative impact being 'large' due to all windows assessed receiving <27% VSC and <0.8 times the existing level of daylight (a reduction of between 50% and 75%). Officers have queried this impact, including how the Applicant has designed the scheme to minimise impact. At the time of writing no response has been received. Based on the severity of impact on the existing Phase 1 (Canterbury House) together with impact on the other nearest sensitive receptor Officers consider that the degree of cumulative impact on surrounding properties is sufficiently significant to be assessed as resulting in a sufficiently detrimental impact on amenity contrary to adopted policies and guidance.

#### Overshadowing

9.229 Notwithstanding the child play space assessment above, in respect of overshadowing impact on surrounding open spaces the submitted Environmental Statement sets out that has determined that there are no specific receptors of concern relating to overshadowing. The area is mainly characterised by large buildings with either car parks or public highways between. Officers consider that the development would not

result in an unacceptable impact in respect of overshadowing on amenity spaces within the wider area.

## **7. Transportation, Access and Parking**

- 9.230 The site is in an area with a Public Transport Accessibility (PTAL) rating of 6b (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have an excellent level of accessibility to public transport links. The proposal is predominantly car-free with the exception of 10 dedicated disabled bays proposed to the north of the existing Phase 1 block. These spaces form the total extent of parking provision for both Phases 1 and 2. In principle therefore the location is suitable for a high density residential development. Contingent on acceptable blue badge, servicing, car club and cycle provision the principle of a predominantly car-free scheme is acceptable at this highly accessible location.
- 9.231 The applicant has submitted a Transport Assessment, a Framework Delivery and Servicing Plan and a Framework Travel Plan.
- 9.232 Council's Transport team have reviewed the application and concluded that they cannot support the proposal in its current form until the issues identified below in respect of: blue badge parking, site access and servicing and car club provision are addressed.
- 9.233 Access and Servicing: The scheme proposes two site accesses with vehicles entering from the eastern most point and exiting the western one. This arrangement will continue for the new development to the rear. Pedestrians would use the same access.
- 9.234 From a highways perspective this is considered acceptable notwithstanding the assessment above in respect of urban design which considers that the shared servicing/vehicular access arrangements compromise the quality and legibility of the proposed north-south pedestrian route from Lansdowne Road to Sydenham Road.
- 9.235 Trip Generation – The Transport Assessment includes information on expected trip generation for the residential units. Two comparable sites have been chosen for the analysis. The data for these sites shows a 15% car mode share. Council's Transport team consider that it would be reasonable to assume that most vehicle trips generated by the development would be taxi and delivery and servicing vehicles. Council's Transport team has concluded that the proposed development is acceptable in terms of its impact trip generation.
- 9.236 GLA/TfL have advised that the trip generation should be revised using Census data and this request was passed through to the Applicant. At the time of writing no response had been received.
- 9.237 Car and Cycle Parking – The Transport Assessment states there would be 10 disabled parking bays provided at the front of the site.
- 9.238 However, these bays are already used by the occupiers of the existing residential units in the existing Phase 1 (Canterbury House) tower. The current layout provides 4 disabled parking bays plus 3 other parking bays. The layout on drawing 17-034-113 Rev E shows the 10 bays as proposed.
- 9.239 The Design and Access Statement states 4 of the proposed 10 disabled bays are for the existing Phase 1 (Canterbury House) residents meaning that only 6 disabled parking spaces are available for the 296 residential units of the proposed Phase 2 tower.

- 9.240 This represents 2% provision for the Phase 2 tower in isolation and also represent approximately 2% provision when considering all dwellings cumulatively. Officers consider it appropriate to assess the blue badge of the existing Phase 1 block as well as those of the Phase 2 tower by virtue that Phase 1 is: included within the red-line, currently includes blue badge space provision which is in use and it is reasonable to consider the needs, amenity and inclusive needs of existing residential development.
- 9.241 Council's Transport Section and Officers consider that the provision is inadequate. The GLA has offered a differing assessment but Council Officers note that as a strategic body the GLA's response is unlikely to have appreciated the site specific details that the Applicant seeks to replace existing provision for the Phase 1 building.
- 9.242 Officers assess that the provision of blue badge spaces is deficient, based on an assessment assuming compliant wheelchair provision, and would be contrary to London Plan policy 6.13 which requires appropriate provision for parking for disabled people, recognising the requirement for 10% wheelchair accommodation and the Mayors Housing Supplementary Planning Guidance. This further exacerbates the very poor consideration of inclusive access needs within the scheme as assessed above.
- 9.243 Cycle Parking – There are inconsistencies in respect of cycle parking provision numbers in the submitted material. With spaces ranging between 452 and 434 cycle parking spaces. This has been queried with the Applicant and no response had been received at the time of writing.
- 9.244 Policy 6.9 of the London Plan states that secure, integrated and accessible cycle parking should be provided by new development in line with minimum standards. These are 1 space for each 1 bedroom unit and 2 spaces for 2 bedroom + units. Phase 1 comprises (232 x 1-bedroom; 64 x 2-bedroom) and Phase 2 comprises (54 one-bed units and 42 two-bed units).
- 9.245 Up to 452 cycle parking spaces are proposed: with approximately 300 in the basement, 100 in the compound in the south east of the site and 52 on cycle stands around the site. Under London Plan standards, 360 long term cycle parking spaces and 7 short term spaces should be provided. As commented above the existing bike store for Canterbury House would be demolished.
- 9.246 The GLA/TfL has noted that there is a shortfall against the London Plan standards (draft plan) for residential use and requested that this be remedied. Council's Transport Section has requested that the proposed compound should be secure and be made available to the residents of the existing Canterbury House. The cycle stands for the basement are in the form of semi-vertical cycle racks which Council's Transport Section considers acceptable. Notwithstanding the need for clarification on cycle parking and the assessment in respect of the detrimental impact on public realm as a result of the proposed location of the cycle parking along the eastern boundary as set out above Officers consider that cycle parking is capable of complying with adopted policies.
- 9.247 Travel plan – A framework Travel Plan has been provided. This refers to the role of car club vehicles in meeting access needs but there is no commitment to providing these. The Transport Assessment identifies 5 existing car club spaces within 800m of the site with the nearest one being in Ruskin Square 150m from the site.
- 9.248 Council's Transport Section have assessed that for a development of the scale 4 on-site car club bays would be expected though it is unclear where these might be accommodated. They have also made a recommendation in respect of a Travel Plan Co-ordinator. Council's Transport Section have concluded that the Travel Plan is acceptable in principle subject to addressing the car club provision issue.

- 9.249 Refuse – The Applicant proposes a service bay adjoining the new development on the eastern side of the proposed Phase 2 tower. This is proposed to be used by refuse and other servicing vehicles. Under the refuse arrangements refuse will be stored in the basement and ground floor of the proposed Phase 2 tower. The refuse from the existing Phase 1 (Canterbury House) block will be stored in the same area as the current bike and refuse store for the residential units and the existing bike and refuse store of the Phase 1 block will be demolished as part of this application.
- 9.250 Swept path analyses have been provided for refuse vehicles and 8m and 10m rigid vehicles. Council's Transport team have indicated that the arrangement is not acceptable as the swept path analysis shows a refuse vehicle unable to access the site with the current parking layout at the front. The same situation is shown in the swept path analysis for 8m and 10m rigid vehicles.
- 9.251 The proposals do not currently acceptably demonstrate how refuse arrangements can be accommodated on the site and is deficient in this respect. The Applicant had not responded on this point at the time of writing.
- 9.252 Officers consider that the scope and conclusions of the framework Delivery and Servicing Plan are acceptable and in the instance that the Application were to be approved would recommend conditions requiring the submission of a detailed Travel Plan, Construction Logistics Plan and Delivery and Servicing plan.
- 9.253 Conclusion - Given the scale of the development, it is considered that the deficiencies in respect of blue badge parking and credibility of the refuse arrangements together with the remaining insufficient information are particularly problematic and undermine the credibility of the design of the scheme as submitted. Specifically, the proposals are contrary to the disabled parking requirements of Policy 6.13 of the London Plan and the accompanying Housing SPG.

## **8. Sustainability**

- 9.254 New development should make the fullest contribution to minimising carbon dioxide emissions and should incorporate on site renewable energy generation. Zero carbon is sought for the 2016-2031 period.
- 9.255 The Applicant has submitted a detailed Energy Statement and Sustainability Statement which set out how the proposals have been designed in accordance with the London Plan hierarchy – 'Be Lean, Be Clean, Be Green' to maximise the reduction of carbon dioxide emissions of the development.
- 9.256 The building (envelope and building) results in a 11.4% improvement in the Building Regulations Part L (2013) Target Emission Rate at the Energy Efficiency Stage (Be Lean) of the Energy Hierarchy, based on building design alone.
- 9.257 The applicant proposes a single main energy centre (combined heat and power (CHP) units) as the main heat source supplemented by gas-fired boilers proposed to provide for all the residential units.
- 9.258 The proposed community heating scheme will result in a 32.7% reduction in the Building Regulations Part L1A (2013) Target Emission Rate for the residential dwellings which reduces to 29.2% when the non-dwelling uses of the amenity floor are included.
- 9.259 The GLA has stated in their Stage 1 response that further information is required on overheating, worksheet calculations, the site heat network, and combined heat and

power before the proposals can be considered acceptable and the carbon dioxide savings verified and confirmed that full details have been provided to the Applicant.

9.260 At the time of writing no response had been received by Council Officers.

9.261 Notwithstanding the above the Applicant acknowledges that the scheme is unable to meet the GLA's London Plan 'zero carbon' requirement for residential developments or 35% reduction in regulated emissions for non-domestic properties. Deficiency against the 35% target is disappointing for a scheme of this scale and prominence in a central Croydon location.

9.262 Officers consider that a contribution could be secured through s106 to offset the remaining carbon emissions to meet the zero-carbon target and any remaining regulated CO2 emission reductions would be offset by contribution to the Council's offset fund which has potential to allow the scheme to accord with London Plan Policy 5.2E. However, given the insufficient details at this time as set out above Officers cannot confirm that the proposals are acceptable in respect of adopted London Plan and CLP energy policies.

### **9. Environmental Statement and other Environmental Impacts**

9.263 The application is submitted with an Environmental Statement. The submitted statement includes the following:

- ES Non-Technical Summary

- ES Volume I – Main Chapters 1-16

- ES Volume II – Townscape, Visual and Built Heritage Impact Assessment

- ES Volume III – Technical Appendices, including Flood Risk Assessment and Drainage Strategy

9.264 The Council has appointed external Environmental Consultants to review the submitted Environmental Statement. Comments were issued to the Applicant as 'initial comments' on the 6<sup>th</sup> of December 2017 for consideration. The comments were intended to form the basis of discussion with the Applicant. Officers proposed a meeting to discuss the substantial number of matters raised.

9.265 Officers wrote to the Applicant on the 14<sup>th</sup> December 2017 reminding them of their correspondence of the 7<sup>th</sup> December 2017 and highlighting the very substantial matters raised by its Environmental Consultants and noted that no reply had been received to Officers suggestion that a meeting be held to discuss the draft comments shared with the Applicant team.

9.266 Officers spoke with the Applicant team on the 5<sup>th</sup> January 2018 requesting an update on environmental matters and the Applicant advised that they were being considered.

9.267 At the time of writing this report the Applicant has not formally responded to the matters raised on the 6<sup>th</sup> December 2017.

9.268 The Council's Environmental Consultants issued an 'initial report' on the 6<sup>th</sup> December 2017 in the spirit of cooperation seeking to table matters that might be resolved in a positive and proactive way.

9.269 In light of the very substantial matters raised, the Applicant's delay in providing a substantial response despite repeated requests Officers consider it now appropriate to

conclude their recommendation on these matters although regrettably this is without any further formal response from the Applicant.

9.270 Officers have instructed that the conclusions of the review of the Environmental Statement be finalised and issued.

9.271 Officers consider that the time provided to respond has been proportionate and reasonable, particularly in light of the matters of principle including environmental concerns, consistently highlighted to the Applicant since the Council issued its pre-application advice in February 2017.

#### 9.272 **Key Substantive Issues**

- The proposed Privacy Screen between the existing Canterbury House and the proposed building is described by the Applicant as a key 'mitigation feature' of the design. However, its related impacts (e.g. effects on views, daylight, sunlight, wind etc.) have not been assessed within the ES. This is a material omission of the ES.
- Where significant residual effects ('moderate' to 'major adverse') have been identified which do not appear capable of adequate mitigation (e.g. construction noise and vibration), more details are necessary in order to determine whether such effects can be reduced to levels which might be deemed acceptable.
- There are some contradictory statements in the ES over whether or not the existing residents of Canterbury House will remain in place throughout construction works or whether these tenancies will be temporarily vacated. This should be clarified.
- There is no clarify or justification in respect of the basis upon which the 9m separation distance between the new building and Canterbury House been justified, including environmental considerations.
- The authors of the noise chapter should confirm that the assessment of construction noise and vibration has been based on the construction details (including assumed plant) described in Chapter 5 and that this assessment has identified effects which would constitute a 'worst case'.
- A "major adverse" effect on Canterbury House for daylight and sunlight is noted, which is likely to significantly affect the internal amenity for tenants of these properties, especially given the small apartment sizes. Therefore, the Applicant must explain why such major adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?
- Whilst the impact of the proposed development on Emerald House is slightly less than for Canterbury House, these impacts appear to be significantly worsened once the committed 1-5 Lansdowne Road scheme is taken into account. Again, the Applicant should explain why such adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?;
- The number of cycle parking spaces is not clear and differs throughout the ES, NTS and Planning Statement; and
- The 'minor adverse' impacts on GP spaces needs further justification, including cumulative effects.
- The Townscape, Visual and Built Heritage Impact Assessment (TVBHIA), forming Volume 2 of the ES, should be supplemented by an additional view and analysis of the impacts on the Grade 1 St Michael and All Angels Church,

accounting for the cumulative effects with the proposed St Michael's Square development (as requested by Historic England). Moreover, further assessment is required of the impacts of Privacy Screen on townscape, including updating all relevant views in which it would be visible.

- The internal daylight and sunlight report (submitted separately to the ES) appears inadequate for the reasons set out in this report.
- Further, a number of less critical observations/ points of clarification have also been identified and responses to these are requested.

9.273 In summary, the Council's Environmental Consultants have advised that there are a number of matters raised which render the submitted Environmental Statement deficient and which contravene the requirements of the EIA Regulations and/ or related case law. A number of omissions and weaknesses in the ES have been identified by Council's Environmental Consultants which necessitate the provision of further information or clarification from the Applicant. The most substantive of these issues, are set out within the attached table and summarised below.

9.274 It is considered that this adds weight to Officers assessment of the scheme's detrimental environmental impacts.

9.275 The Council's Environmental Consultants have advised that the Council should consider formally requesting 'further information' on these matters in accordance with Regulation 22 of the EIA Regulations.

9.276 For the reasons set out below Officers, although acknowledging that a Regulation 22 request would 'stop the clock', consider that the extent of matters that remain unresolved and the limited timeframe left to determine the application means that the assessment should now be concluded and a recommendation reports to Members at the earliest opportunity.

## **10. Other Matters**

9.277 **Inconsistencies in respect of redline boundary:** The redline is shown including public highway on some drawings.

9.278 **Inconsistencies in respect of site area and density:** These matters are not so substantial as to alter Officers assessment but it is noted that there are inconsistencies in respect of site area across the submitted documents, with 0.355ha, 0.385ha and 0.39ha all suggested. The Applicant has also at times appeared to exclude the area taken up by the Phase 1 building. Officers note that the Planning Statement provides a figure of 769 dwellings per hectare and 1,706 habitable rooms per hectare however highlight that this distorts the figure by using Phase 2 proposed dwelling numbers against total site area for Phase 1 plus Phase 2. Council Officers calculations as set out above broadly accord with those of the GLA Officers so it is considered reasonable to proceed based on Officers calculations.

## **11. Positive and Proactive engagement from the LPA**

9.279 Council Officers have worked with the applicant positively and proactively throughout the pre-application and post-submission process.

9.280 Officers have acknowledged the positive elements of the scheme, including the principle of a significant amount of affordable housing (notwithstanding the Council's

position that the offer is undermined for the reasons set out in this report), a tall building element of some height, a public route from Sydenham Road to Lansdowne Road and the architectural features of the Phase 2 tower façade design.

- 9.281 Council Officers have provided consistent advice to the Applicant highlighting their concerns in respect of the scheme's unsatisfactory relationship between Phase 1 and Phase 2, amenity and design. Officers highlighted in particular concerns in respect of detrimental impact on amenity, including outlook, daylight and sunlight, at a very early stage in February 2017.
- 9.282 No formal pre-application discussions were held with the GLA despite the scheme's strategic significance.
- 9.283 The current scheme now significantly exacerbates the amenity issues identified by Council Officers through the inclusion of the 11-storey frosted glass screen.
- 9.284 Officers positively suggested in November 2017 that the Applicant consider a number of possible scenarios, including requesting that they consider a partial amendment to the scheme, specifically in respect of the proposed 11 storey-screen. At the time of writing there has been no formal response from the Applicant team to the Council's positive and proactive suggestion.
- 9.285 On the 20<sup>th</sup> December 2017 the Applicant agreed to formally extend the time Council has to determine the Application up to 22<sup>nd</sup> March 2018. Council Officers requested that the Applicant provide a proposed programme as soon as practicable and explanation of how their suggested extension date of 22<sup>nd</sup> March was arrived at, including their suggested response times on the queries raised on environmental matters. At the time of writing this report no response has been received.
- 9.286 The Applicant explained on the 5<sup>th</sup> January 2018 that where they could agree alterations to the application that resolve issues identified they hoped to be able to document these through an additional submission to allow Council to determine the proposals in a timely manner.
- 9.287 At the time of writing this report this submission had not been received and Officers now consider that in order to achieve the 22<sup>nd</sup> March 2018 that it is now required to conclude its assessment, taking into account the need to allow time for the GLA to respond to any draft Decision Notice.
- 9.288 In light of the very substantial matters raised, the approaching deadline of 22<sup>nd</sup> March 2018 and the lack of a formal response despite repeated requests Officers consider it reasonable to conclude their assessment on these matters as they currently stand and make a recommendation to Members. Officers acknowledged that it is regrettable that this has been without any further formal response from the Applicant.
- 9.289 Officers consider that the time provided to respond has been proportionate and reasonable, particularly in light of the matters of principle including environmental and amenity concerns, consistently highlighted to the Applicant since the Council issued its pre-application advice in February 2017.
- 9.290 A summary of the most recent requests for responses and amendments is set out below.
- **Environmental matters including amenity** – The Council's Environmental Consultants issued an 'initial report' on the 6<sup>th</sup> December 2017 in the spirit of cooperation seeking to table matters that might be resolved in a positive and proactive way.

- **Croydon Council's Viability Consultant's review** of the submitted Viability Assessment dated 30<sup>th</sup> November 2017 issued to Savills on the 1<sup>st</sup> December.
- **Consultation responses** issued to Savills on the 1<sup>st</sup> December.
- Matters raised within the **GLA letter** dated 12<sup>th</sup> December 2017 provided under Article 4(2) and attached Stage 1 report forwarded Savills on the 13<sup>th</sup> December.
- Matters raised within the **PRP Report** of the Place Review dated 23<sup>rd</sup> November 2017 issued to Savills on the 12<sup>th</sup> December.

9.291 **Conclusion** – Regrettably Officers are unable to support this application and recommend that planning permission be refused for the reasons set out above.

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RPS

# Environmental Statement Review

In respect of

Canterbury House

On behalf of

Croydon Borough Council

RPS Ref: JCG23180

15<sup>th</sup> January 2018

*Secure & Stable*  
ADDING VALUE

## QUALITY MANAGEMENT

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Prepared by:	Chris Ellis and David Thomson
Authorised by:	David Thomson (Senior Director)
Date:	15 <sup>th</sup> January 2018
Project Number/Document Reference:	JCG23180 – Version 3 (FINAL)

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# 1 INTRODUCTION

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- 1.1 RPS has been appointed by the London Borough of Croydon (LBC) to undertake a review of the Environmental Statement (ES) produced by AECOM Infrastructure and Environment Ltd (AECOM) on behalf the Applicant (Croydon Investments Ltd) for a proposed residential development at land bounded by Sydenham Road to the north, Mott McDonald House and Cygnet House to the east, Emerald House and Marco Polo House at 1 Lansdowne Road to the south, and Apollo House to the west.
- 1.2 The proposed development comprises a 34 storey (113m) building plus 2 basement levels, to provide residential accommodation (Class C3) comprising 296 flats (1 and 2 bed units), communal amenity space, cycle parking, landscaping and associated plant (hereafter referred to as 'the scheme').
- 1.3 The site contains a 12 storey former office building (Canterbury House) which has recently been converted to residential use, containing 96 flats (55 one-bed units and 43 two-bed units). This building will be retained and, apparently, remain fully occupied during the construction works. The development will however involve the demolition and relocation of the adjoining single storey energy centre building which will be relocated to the ground floor of Canterbury House (with the loss of 2 flats), together with the removal of the surface car park which occupies the remainder of the site.
- 1.4 The scheme has been determined to be 'EIA Development' and RPS has advised the LBC as to the appropriate approach and scope of the ES, which was reflected in the Council's Scoping Opinion of 14<sup>th</sup> June 2017. AECOM has since compiled the ES in conjunction with a team of technical consultants, and the Applicant has submitted this with a full planning application (17/04836/ FUL).
- 1.5 This document sets out the outcome of RPS' review of the ES for the scheme, in terms of its adequacy in meeting the requirements of the EIA Regulations 2011 (as amended), potential areas where Regulation 22 ('further information') may apply, and general comments regarding any variance with established EIA best practice (including IEMA guidance) plus other observations and matters of clarification.
- 1.6 As the request for a Scoping Opinion was submitted to LBC prior to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 being transposed, the ES needs only to comply with the 2011 EIA Regulations, in line with the transitional arrangements set down by Government. The ES has therefore been reviewed on the basis of these older Regulations.
- 1.7 Based on the outcome of the ES Review, RPS is currently minded to recommend to the Local Planning Authority that they make a request for 'further information' in accordance with Regulation 22 of the EIA Regulations. This further information would address the various omissions and apparent inconsistencies within ES, as set out in this report, and could take the form of an Addendum to the ES and/or replacement chapters. In agreement with LBC, the Applicant/ AECOM were given the opportunity to respond to these comments before this ES review report was finalised. However, at the time of writing (12.01.17) no response has been received.

- 1.8 LBC should also have regard to for comments of the statutory consultation bodies and other stakeholders on the ES and related documentation.
- 1.9 Any questions relating to the contents of this report should be directed to David Thomson ([thomsond@rpsgroup.com](mailto:thomsond@rpsgroup.com)) or Chris Ellis ([chris.ellis@rpsgroup.com](mailto:chris.ellis@rpsgroup.com)) – 020 7280 3250.

## 2 REVIEW OF THE ENVIRONMENTAL STATEMENT

2.1 This section gives an overview of the ES review process and provides comments on the Non-technical Summary (NTS) and each subsequent chapter of the ES. Where more general comments or apparent ‘errors’ have been identified, which are applicable to the whole ES, these are outlined within the first table below.

### Methodology

2.2 The ES Review focuses on whether the ES provides the commensurate level information and confidence over the ‘likely significant environmental effects’ of the proposed development, as judged against: Schedule 4 of the EIA Regulations, which sets out the statutory minimum information to be included within an ES; the Institute of Environmental Management & Assessment (IEMA) ES Review Criteria; and RPS’ knowledge and professional experience of managing, writing, reviewing and defending ESs at Public Inquiry.

2.3 The ES Review Report applies a colour coding Red-Amber-Green (‘R-A-G’) system to denote the significance of particular effects, omissions or errors in each ES Chapter. This system has been adopted to indicate the importance of the issue or query raised in respect of compliance with the EIA Regulations and established best practice.

2.4 Table 2.1 provides a key to explain what issues each colour denotes.

**Figure 2.1: Key to assessment**

<p>Items that are flagged <b>green</b> are points for the Council (and Applicant) to note. These include matters of consistency, minor errors and departures from EIA best practice, in respect of which no specific action is required; unless the Applicant wishes to clarify/ rectify these issues, or, the LPA consider that in aggregate these errors render a particular Chapter or section of the ES to be deficient and not fit for purpose.</p>	
<p>Items that are flagged <b>orange</b> are major issues but not ones that necessarily warrant a Regulation 22 request for further environmental information at the current time. However, written clarification should be sought from the Applicant on these matters. Depending on the response, these may then need to form part of a subsequent formal Regulation 22 submission.</p>	
<p>Items that are flagged <b>red</b> are considered to be the most significant issues which render the ES deficient and which contravene the requirements of the EIA Regulations and/ or related case law. The Council should therefore consider formally requesting ‘further information’ on these matters in accordance with Regulation 22 of the EIA Regulations. Such submissions can take the form of an addendum or supplement to the ES, or, by the replacement of individual Chapters. An updated version of Non-technical Summary (NTS) would also normally be provided at this time in order to highlight any corresponding changes to the ES and the individual impact assessments.</p>	

2.5 The following table provides an overview of RPS' observations and comments which are applicable to the whole ES. Specific details on what further information is required is also included for those issues deemed of enough importance that they could result in a request for further information (Regulation 22 Request):

## ES Volume 1

### General Comments and Errors

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Cover pages	Some chapters have cover pages and others do not. Although only cosmetic issue, this inconsistency is somewhat distracting.	Whole ES			
Scheme Details	As this is a full application rather than an outline planning application, it is surprising that some key design matters (e.g. the location of plant) appear to have been held over until the “detailed design stage”. This means that some of the impact assessment work relies on assumptions about how the scheme will be built out.	Whole ES		Written clarification required	
Non-mitigated adverse effects	Justification should be added where significant residual effects (‘moderate’ to ‘major adverse’) have been identified which do not appear capable of adequate mitigation (e.g. construction noise and vibration), or more details should be provided as to how such effects can be rendered acceptable through the imposition of planning conditions and/or other controls.	Whole ES		<ul style="list-style-type: none"> <li>Further information is required on how the Applicant proposes to mitigate these effects to non-significant levels?</li> </ul>	
Privacy Screen	The proposed Privacy Screen between the existing Canterbury House and the proposed building (as denoted on Figure 4-1) is a key and unusual feature of the design. However,	Whole ES		<ul style="list-style-type: none"> <li>If it is to form part of the scheme, the potential effects of the privacy screen must</li> </ul>	

	its related impacts (e.g. effects on views, daylight, sunlight, wind etc.) do not appear to have been assessed at all within the ES. This is a material omission of the ES.			be provided throughout the ES. <ul style="list-style-type: none"> <li>Please see relevant points on specific chapters for what further information is required.</li> </ul>	
Cycle parking	Inconsistent parking numbers are given between Chapter 4, the DAS, NTS (452 spaces), and Chapter 7 (Transport) and the Planning Statement (434 spaces). The actual number of spaces (basement and surface) should be clarified.	Chapter 4, Chapter 7, DAS, NTS		Written clarification required	
Current site usage/ vacancy	The NTS says the site is currently “unoccupied” and elsewhere the ES describes it as “vacant”. However, the existing Canterbury house, energy centre and car park all come within the planning application boundary (as shown on Figure 1.1). This is relevant to the consideration of the ‘no development’ alternative presented in the NTS and ES. Ideally, this should be rectified.	NTS and throughout the ES		Written clarification required	
Details of construction HGVs/ vehicle movements.	Chapter 7 states that it is anticipated that an average of 35 HGV movements per day will take place, whereas Chapter 9 states between 30-40 HGVs per day and Chapter 5, specifies 30-40 ‘vehicle movements’ which might imply <u>all</u> construction vehicles including HGVs and LDVs. These figures and the associated description should be consistent throughout the ES	Chapters 5, 7 and 9			

Appendices	It is unclear why the Transport Assessment has not been included as an Appendix to the ES, if it is being relied upon within the ES. Its inclusion with the ES would reduce the 'paper chase' and make the data more readily accessible to the reader.	Chapter 7			
Repetition	The introduction to each chapter of the ES is a bit formulaic and repetitive (e.g. explaining that the scheme will be referred to as the 'Proposed Development' and describing the 'Environmental Statement (ES)' each time).	Whole ES			
Summary/ Recommendation	More details should be provided on the Privacy Screen (e.g. its dimensions, materials and appearance) and its consequential environmental effects. Further mitigation measures should be identified and described to address all 'significant environmental effects'. Otherwise, LBC and the statutory bodies might expect to conclude that such effects are unacceptable.				

### Chapter 1: Introduction

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Status of planning application	<i>"It is the intention of the Applicant to submit a detailed planning application..."</i> – whereas the application has already been submitted?	Para 1.12			

Repetition	Has the Affordable Housing Statement been included with the Planning Statement or as a separate document?	Para 1.32 Bullet points			
Acronyms	A number of technical acronyms are used in this introductory chapter without citing these in full (e.g. CGIs).	Para 1.32 Bullet points			

## Chapter 2: EIA Methodology

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Transitional arrangements	It would have been helpful to the reader to explain the differences between the 'new' and 'old' EIA Regulations in more detail, albeit that the ES has (correctly) been prepared in accordance with the 2011 Regulations.	Paras 2.12-2.14			
Relocation of existing Canterbury House residents	It is understood that the Canterbury House is fully occupied and will remain so throughout the construction works, except for the two flats in the ground floor that will permanently be displaced by the energy centre. However, the noise and vibration chapter suggests that other residential floors may need to be vacated due to magnitude of impacts during the construction works creating unacceptable living conditions for existing residents. The applicant should therefore be asked to clarify this situation and explain what is meant by	Table 2.1		Written clarification required	

	<i>"The tenancies of the residents will be managed in house".</i>				
Clarity of language	Several paragraphs in this chapter are poorly worded and it is difficult to understand their meaning. Moreover, several acronyms are used without explanation (e.g. the meaning of 'DC&E?').	Para 2.35-2.36			
Neighbouring/ local residential properties	These should also be considered as sensitive receptors to demolition and construction effects (Chapter 5), wind (10) and daylight/ sunlight/ overshadowing (11) – i.e. not just the noise and air quality.	Table 2-2			
Public amenity space	It is considered that the 'public amenity space' should be specifically cited as a sensitive receptor to overshadowing.	Table 2-2			
Microclimatic impacts on sensitive receptors	Daylight/sunlight/overshadowing and wind are not mentioned in this table – which is presumed to be an oversight?	Table 2-2			
Construction Duration	This chapter says that construction effects have been assessed based upon a "24 month (approximately 2 years) programme of works" whereas elsewhere in the ES it states that this is 26 months. Such inconsistencies suggest a degree of uncertainty over the actual/ likely duration.	Para 2.45			
Occupation of the existing Canterbury House	Paragraph 2.48 states <i>"Whilst it is expected that the existing building will be unoccupied during the aforementioned demolition works, it is assumed that the existing residential building will be occupied whilst the main</i>	Para 2.48		<ul style="list-style-type: none"> <li>▪ The Applicant must confirm whether or not any of the existing residents of Canterbury House are proposed to be moved</li> </ul>	

	<p><i>construction works for the Proposed Development are underway</i>". This appears to be contradictory to other statements in the ES, as well as the Planning Statement. Can this please be clarified? Also, where would the residents be decanted to?</p>			<p>during the demolition phase?</p> <ul style="list-style-type: none"> <li>▪ If not, how will the amenity of the residents be protected (during each phase)?</li> <li>▪ If residents are to be moved, where will they be moved to?</li> <li>▪ Further information is required on these matters.</li> </ul>	
Long term (temporary) effects	<p>Can 'long term' effects also be considered 'temporary'? Consider revising.</p>	Para 2.57			
Relevance of example of difference between effect and impact/ incomplete sentence	<p>The end of paragraph appears to be incomplete: "<i>For example (not relevant to the planning application)</i>"</p> <p>Moreover, the quoted example below this sentence relates to a road bypass scheme and, indeed, this doesn't appear very relevant to the proposed residential development.</p> <p>It is assumed the above is simply an oversight and should have been corrected/ updated before the ES was finalised?</p>	Para 2.60			
1-5 Lansdowne Road	<p>It is understood that the planning application for the revised 1-5 Lansdowne Road scheme (17/03457/FUL) was approved before the ES was submitted. There appears to be some</p>	Para 2.91		Written clarification required	

	inconsistency/ confusion in the ES about which version of this development has been assessed as the most appropriate 'cumulative' scheme. Therefore, please can this be clarified for each respective topic?				
Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum).				

### Chapter 3: Alternatives and Design Evolution

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Location of site description text	The majority of information in this chapter, up to the heading 'Alternatives Analysis', constitutes a description of the site and its surroundings and therefore doesn't match the chapter heading. This information would be better placed in either the Chapter 1, or, the title changed to 'Site Description, Alternatives and Design Evolution'.	Up to 'alternatives analysis' heading			
Site description	The site is described as "under-utilised" in this section but later on (para 3.34) the term "vacant" is used. (also see comment above).	Para 3.4 'site intensification'			
Public access	Description stating that there is " <i>no public access into, through or around the site</i> ". Surely	Para 3.7			

	this is incorrect in light of the existing Canterbury House and open car park?				
Demolition and construction impacts	As identified later in the ES, significant impacts would also take place from vibration, in addition to noise and air quality.	Para 3.22			
Incomplete sentence	"... <i>leaving a vacant</i> " sentence is incomplete. Also, the site is not vacant.	Para 3.34			
Alternatives	No description is given of the 100% discount market rent (DMR) alternative that was envisaged previously and described in the scoping report. It should be explained why this 'alternative' has now been dismissed.	Alternatives section		Written clarification required	
Height of the proposed development	There is some confusion over the terminology "proposed height" and "current height". The building of 34 storeys proposed by the planning application, should be the "proposed height"?	Figure 3-3			
Preferred Option	The section titled Option 4 (Preferred Option) talks first about a 52 floor building and doesn't adequately explain how this progressed to the 34 storey planning scheme i.e. what influenced/ dictated this change, including environmental factors? Additionally, it is not clear what happened to the 36 storey option considered within the Scoping Report?	Para 3.50 to 3.52		Written clarification required	
Proximity to Emerald House	Why has the façade been designed to be 19m from Emerald House rather than the " <i>proposed minimum distance of 20m</i> "? Further reasoning for this is required. Additionally, the existing Canterbury House is only 9m away, yet this is not mentioned in the	Para 3.41		<ul style="list-style-type: none"> <li>▪ Further information is required to justify the building separations between the proposed development and Emerald House (19m) and with</li> </ul>	

	text – on what basis has this narrow separation between the buildings been justified, including its environmental effects?			Canterbury House (9m) and what are the effects on resident amenity, privacy and other environmental factors?.	
Error	“3.41 shows...” – should this say “Figure 3-4 shows...”?	Para 3.42			
Wind Microclimate Screen	Was the development tested with the privacy screen in the wind tunnel tests?	Para 3.61		This should matter should be confirmed.	
Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum).				

#### Chapter 4: The Proposed Development

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Repetition of text from previous section	Text is repeated from Chapter 3; see previous comment regarding site description text. Delete or move text.	Para 4.4-4.7			
Energy centre	This paragraph states that the energy centre “ <i>is located on the ground floor of the existing building</i> ”. As this appears to be referring to the existing energy centre, this is somewhat confusing.	Para 4.10			

Privacy Screen	<p>More information is required regarding the privacy screen due to its likely prominence within the scheme. The details included in the DAS with regards to transparency and design should also be included in the ES.</p> <p>What impact will it have on views, wind, and D/S/O? Also, will it be installed during the construction or operational phase, and what impact, if any, will it have on noise levels and visual amenity of the existing residents? Please also see comments within the relevant chapters.</p>	Para 4.10/ Figure 4-1 Also, throughout the ES.		<ul style="list-style-type: none"> <li>Further information is required on the design, materials, function, timing and discrete environmental effects of the privacy screen.</li> </ul>	
Energy centre	<p>How will the existing building be powered once it is disconnected from to the energy centre? Also, it is not clear what is meant by <i>"The energy centre will power only the Proposed Development and not the existing building"</i>?</p>	Para 4.16		Written clarification required	
Bike racks	<p>How many bike racks will be provided externally? There seems to be some inconsistencies in the numbers given for the basement and externally.</p>	Para 4.24		Written clarification required	
Flue stack	<p>Where is the flue stack located in relation to the brown roof and any accessible areas at roof level?</p>	Figure 4-12			
Energy centre	<p>Please provide details of the energy centre (or signpost to where this can be found), including stack height/location and emissions data.</p>	Para 4.50		Written clarification required	
Ventilation	<p>Is mechanical ventilation being provided as a result of poor air quality, noise, or both?</p>	Para 4.57			

Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum). In particular, further information is needed with regards to the privacy screen and the energy centre.				
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### Chapter 5: Demolition and Construction

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required? (Reg. 22 Only)	Applicant/ AECOM response
Incorrect paragraph numbering	The first two paragraphs are incorrectly numbered.	Paragraphs 1.1 and 1.2 (should be 5.1. and 5.2).			
Construction duration	Previous chapters have stated that construction will take 24 months, yet Table 5-1 (and other ES references) state 26 months (see previous comment).	Table 5-1			
Energy centre	Please confirm if the new energy centre will be in place before the existing is demolished. Also, how will safe access and service utility supplies to Canterbury House be maintained during the construction works?	Para 5.11 (and throughout the ES)		Written clarification required	
Transportation of pre-fabricated materials	This has not been assessed within the transport Chapter (7) of the ES. Has the reduction in HGV movements associated with off-site pre-fabrication been considered?	Para 5.29			

	Also, has any consideration been given for using an off-site consolidation centre for loads?				
Concrete Crusher	This table lists a 'concrete crusher' as one likely items of plant. Have noise and dust emissions from this plant been assessed in the ES, particularly with regards to the amenity of residents of Canterbury House?	Table 5-5		Written clarification required	
Waste management and use of materials from construction/ demolition	What will happen to materials that are removed from site? Details should be provided regarding the options for reuse or recycling offsite as specified in the NTS (e.g. through commitment to a Site Waste Management Plan/BRE Smart Waste or similar). Is quantity of waste meant to be in tonnes or m <sup>3</sup> ?	Para 5.33, 5.36 and Table 5.4			
Noise and Vibration	No specific details on mitigation measures to avoid adverse levels of vibration are provided within this section (i.e. it is all about noise).	Para 5.80-5.84			
Protection of water resources	Nothing specific is included about avoiding/ reducing the impact on groundwater. This is an omission in view of the potential for the proposed double basement to affect groundwater flows, and accounting for the groundwater source protection zone beneath the site.	Para 5.92-5.99		Written clarification required	
LBC Code of Construction Practice	No reference has been made to this LBC specific CoCP in this the chapter (although it is mentioned in other chapters).	Whole chapter			

Summary/ Recommendation	Although there are no material omissions in this chapter (i.e. potential Regulation 22 matters) it would have been better if the mitigation measures set out were entirely consistent with those in the technical chapters of the ES.				
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### Chapter 6: Socio-economics

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Labour Market	As the proposed development is solely residential, it is not clear what is meant by <i>“the labour market also incorporates the population that may reasonably be expected to travel to and benefit from the Proposed Development”</i> ? Who are these people and how would they benefit from the development?	6.31		Written clarification required	
Impact on residents from noise	What will be the socio-economic impact on people having to move out of the flats in Canterbury House, either temporarily or permanently, as a result of the development?	Para 8.109		Written clarification required	
Use of acronyms	Acronyms should be set out in full at first use (e.g. – Discount Market Rent, DMR).	Throughout the Chapter			
Assessment Criteria	Please explain why different criteria have been used from those specified in Chapter 2.	Para 6.38-6.40			

	Also, it is not clear what is meant by “ <i>and adverse effect on an effect area</i> ”.				
DMR as the worst case	Although it is stated that the Applicant has an “aspiration” to deliver the proposed development as a 100% DMR scheme, as this is not what has been applied for at this stage it would have been more appropriate for this chapter to have focussed on the socio-economic effects from 50% DMR and 50% private mix.	Para 6.45		Written clarification required	
Repetition	This section repeats, unnecessarily, the description of the site.	Para 6.48-6.50			
Incomplete assessment	An assessment of community and leisure facilities within the local area does not appear to have been undertaken (beyond the consideration of impacts on open spaces). As facilities such as local sports centres, playing fields, nurseries, religious and community centres etc. would be used by residents, a brief assessment of the capacity and proximity of these facilities to the site should be provided, accounting for the cumulative effects of the development in combination with other planned developments.  (Note: leisure facilities are detailed as sensitive receptors in Table 2-2 and so should be assessed.)	Baseline and assessment		Written clarification required	

Consistency of construction period	This section states the construction period is 24 months rather than 26 months as in Chapter 5.	Para 6.84			
Net construction employment	In these paragraphs it states a number of different figures for construction employment; however, none of these equate to the “207 net additional jobs” stated elsewhere, including in the Planning Statement.  This section says there will be an average of 145 construction workers per annum, 109 direct construction jobs and 185 net jobs (including indirect and induced employment).  Can a definitive figure please be confirmed?	Para 6.85-6.92 Planning statement, para 6.92, 6.125, Table 6-12,		Written clarification required	
Population yields	The population density of the proposed development seems slightly low, especially for the 2-bedroom units. More details of the methodology used to predict these numbers would have been helpful.	Table 6-14			
Displacement rate	Is it not likely that many more than 25% of future residents would already live in Greater London?	Para 6.97			
Local Spending	Do these estimations of local expenditure apply typical income levels for residents who would qualify for DMR housing (based on 100% DMR)?	Para 6.98-6.99, Table 6-15		Written clarification required	
Impacts of the DMR units	‘Moderate beneficial’ socio-economic effects seem slightly overstated for only 148 DMR	Para 6.107			

	units, when considered in an LBC and London wide context.				
Child yields and facilities	<p>The predicted child yield of 8 children (3 of school age) seems to be very low, even accounting for fact that the 2 bed flats will be smaller than typical and aimed at middle income families. Further justification of how these figures have been determined is required.</p> <p>There appears to be no assessment of the effects of pre-school age children on local nursery provision.</p> <p>Also, it seems odd that there are predicted to be more secondary pupils (2) than primary (1), given the small size of the apartments?</p>	Tables 6-17 and 6-18		Written clarification required	
GPs	<p>In light of the fact that the ratio of patients to local GPs is already above the recommended level at the 7 local GP practices identified within 1km of the site, the demand from the c.430 new residents on these health services might be expected to be more than 'minor adverse', especially without any specific commitment to CIL/s106 contributions.</p> <p>It is also unclear how the additional 19 patients per GP has been calculated and this should be clarified.</p>	Para 6.112		Written clarification required	

Cumulative effects	<p>It appears contradictory to argue on one hand there will be an enhanced ('major beneficial') cumulative effect on affordable housing provision, but no worsening of the 'minor adverse' effect on GP surgeries due to the demand from the cumulative schemes. Such a conclusion requires further justification.</p> <p>Similarly, the 'negligible' cumulative effect on local schools from the cumulative increase of approximately 4,500 new homes in the study area appears questionable, notwithstanding existing available capacity at these schools.</p>	Paras 6.138 and 6.139		Written clarification required	
Summary/ Recommendation	<p>More details are required on the potential for cumulative effects in the operational phase due to the increased demand to education and health care facilities.</p> <p>Further explanation on the forecast number of residents and the very low child yield is also required.</p>				

**Chapter 7 Traffic and Transport**

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Loss of car parking spaces	The chapter should quantify the loss of existing car parking spaces and the consequences of this. For example, are any	Whole Chapter			

	existing parking spaces allocated to the residents of Canterbury House or adjoining properties? Will these spaces be relocated elsewhere?	Para 1.6 (Ch 1)			
Consistency of construction details	Construction details in this section are not entirely consistent with Chapter 5. Has the transport assessment been based on the same construction programme and assumptions?	Para 7.31			
TfL Consultation	It is unusual that consultation has not taken place with TfL before the submission of the ES. Can clarification be provided as to why such consultation has not taken place?	Table 7-4		Written clarification required	
Missing description?	Although listed as one of the routes which will be impacted by the development (para 7.51), no description of Lansdowne Road is given in the text below. Is this omission accidental?	'Highway Network' section			
Cycle spaces	Chapter 4 states that 452 cycle spaces will be provided with 52 in the public realm, whereas para 7.85 states 434 with 34 spaces located within the public realm. Which figure is correct and does this comply with LBC and TfL/GLA policy?	Chapter 4, Chapter 7			
HGV Movements	This chapter anticipates an average of 35 HGV movements per day, whereas Chapter 5 suggests 30-40 'vehicle movements' rather than just HGV movements. This figure should be consistent throughout the ES and the maximum/ peak number of all	Chapter 5, Chapter 7, Para 7.94, 7.96		Written clarification required	

	construction vehicles (including LDVs) should be confirmed.				
Pedestrian Delay	It is noted that the 121% increase in traffic on Sydenham Road gives rise to a 'Moderate adverse effect'. This appears to be a reasonable conclusion but it is not clear how this effect can be mitigated.	Para 7.98			
Vehicle Trips	In the TA (para 7.1.6) it states that 'vehicles' include car, taxi and other goods vehicles (OGVs) trips. However, there are still additional figures for taxis and OGVs that are not carried across to the ES Chapter.	Table 7.9			
1-5 Lansdowne Road	Would this development not feed any construction traffic along Sydenham Road, which could create a more significant cumulative impact?	Para 7.133			
Summary/ Recommendation	This chapter appears generally adequate. However, it would be helpful if the authors could clarify the above queries.				

### Chapter 8: Noise and Vibration

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Lack of certainty	Generally, this chapter reveals a high degree of uncertainty e.g. " <i>It is likely that there will be some variation between the predicted and actual construction noise levels</i> " and that the	Para 8.73 and elsewhere		<ul style="list-style-type: none"> <li>Further information is required on the potential noise levels and the magnitude of impact.</li> </ul>	

	<p>chapter only provides an <i>“indication of the magnitude of impact”</i>.</p> <p>As noise and vibration impacts are reported to be <i>“moderate to major adverse”</i> any worsening of these impacts could be deemed highly significant and unacceptable. There is also a lack of appreciation of the scheme design and construction programme (as described in chapters 4 and 5).</p> <p>The authors should confirm that the assessment of construction noise and vibration has been based on the construction details (including assumed plant) described in Chapter 5.</p>			<ul style="list-style-type: none"> <li>Confirmation required that the assessment of construction noise and vibration has been based on construction details described in Chapter 5 and uses ‘worst case’ assumptions.</li> </ul>	
Privacy Screen	As no mention is made of the Privacy Screen, it is assumed that no assessment has been undertaken of its influence on both construction and operational noise levels to the residents of Canterbury House. This is a material omission in the ES and should be rectified.	n/a		<ul style="list-style-type: none"> <li>As above, further information is required on the Privacy Screen and its effects on construction and operational noise levels.</li> </ul>	
Plant location	Details of where plant will be located should be available for a detailed scheme, as well as what acoustic rating will be achieved with respect to BS8233.	Para 8.63		Written clarification required	
Relationship between magnitude,	The descriptions of the effects in Table 8-12 are confusing. For example, why does a <i>“moderate adverse magnitude”</i> lead to a <i>“just noticeable improvement”</i> ?	Table 8-12		Written clarification required	

perception and significance					
Proximity of existing Canterbury House	<p>The assessment should also consider the maximum noise and vibration levels at the closest distance to the facade of Canterbury House (i.e. 9m rather than 20m used in the assessment).</p> <p>It is unclear why have the maximum noise levels not been considered?</p>	Para 8.74-75		Written clarification required	
Commitment to mitigation	<p>The section titled Environmental Design and Management provides a number of mitigation measures which are said to have been "<i>Incorporated into the Proposed Development</i>" (Para 8.90). However, the list of mitigation measures at Para 8.93 are merely recommended measures that the Contractor "<i>should</i>" adopt, "<i>where practicable</i>".</p> <p>The Applicant should confirm that these are committed mitigation measures; especially if the following impact assessments rely upon them.</p>	Para 8.93		Written clarification required	
Construction noise generated by the proposed development	<p>The noise and vibration effects of moving the UKPN substation into the ground floor of Canterbury House should be more carefully considered. In addition, the statement ending "<i>...if required the affected properties will remain vacant during these works</i>" needs to be clarified.</p>	Para 8.109		Written clarification required	

Construction vibration	The statement " <i>...it is not anticipated that vibration is a concern and therefore does not require any more consideration in this environmental statement</i> " appears erroneous, because vibration is considered later in the chapter.	Para 8.88		Written clarification required	
Construction and design	These paragraphs show a lack of appreciation/ consideration of the details regarding construction and design contained in Chapter 5.	Para 8.114, 8.121			
Vibration impacts on surrounding properties.	<p>Use of piling equipment 9m away from the existing Canterbury House needs greater consideration and further details on how "<i>major adverse, short duration</i>" impacts from vibration will be mitigated in order to conclude that such impacts can be avoided or reduced to an acceptable level. The conclusion to this section is left somewhat up in the air i.e. "<i>Unmitigated, the moderate to major adverse effect would be significant at Canterbury House, the YMCA and Emerald House due to the sensitivity of the existing residents.</i>"</p> <p>The Applicant must explain what, if any, mitigation measures are available to reduce these vibration impacts to an acceptable/ insignificant level. Very little detail is provided in the Additional Mitigation section (para 8.131) beyond saying that an alternative form of piling (i.e. augered piling techniques)</p>	Para 8.115		<ul style="list-style-type: none"> <li>▪ Further information is required on the means by which construction vibration will be mitigated, considering the close proximity of Canterbury House</li> <li>▪ Justification required on why maximum noise levels have not been considered.</li> <li>▪ Clarification on what form of piling has been assessed.</li> </ul>	

	could be implemented. However, as this is already proposed in Chapter 5, it is unclear what form of piling has been used in the vibration calculations.				
Significant adverse effects on Canterbury House in the construction phase	Both noise and vibration could still result in significant adverse effects even after mitigation. In this regard, the Residual Effects and Conclusions (para 8.133) section appears misleading; how can it be concluded that <i>“it is not considered that there would be residual effects associated with the Proposed Development”</i> ? when there are still “moderate” and “major” effects after mitigation? This is also contradicted by what is said at para 8.134.  Further mitigation measures are clearly required to reduce both noise and vibration effects on Canterbury House.	Paras 8.130, 8.133 and 8.134		<ul style="list-style-type: none"> <li>▪ As above, further information is required on how these moderate to major construction noise effects can be further mitigated/ avoided.</li> </ul>	
Cumulative effects	It is noted that the “moderate” construction noise and vibration impacts on Emerald House could be worsened to “major adverse” if the development of 1-5 Lansdowne occurs concurrently. It is therefore vital that the “careful planning” and liaison with the contractors for these adjoining construction works is enforced (by joint Section 61 or similar agreements).	Para 8.140	Note to LBC		
Noise impact on ground level units	The potential noise impacts from the servicing, loading bay and bin storage	Operational effects			

	designs should be considered on the ground level units.				
Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum). In particular, further information is needed with regards to mitigation of all significant construction noise and vibration effects identified.				

### Chapter 9: Air Quality

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Sensitivity of receptors (hotels) – inconsistency	Previously in the chapter (para 9.52) it is stated that hotels are not considered to be sensitive receptors, yet in paragraph 9.78 and Table 9-6 “hotels” are listed as sensitive receptors. Can this discrepancy be clarified?	Para 9.78 Table 9-6			
Typo?	“ <i>Current concentration of NO<sub>2</sub> is predicted to be 4.14µg/m<sup>3</sup></i> ”. This figure appears to be incorrect as it is not included within either of the tables. Should it be 34.14µg/m <sup>3</sup> ?	Para 9.81			
IAQM guidance/ Details of the CEMP	In contrast to the list of noise mitigation measures in Chapter 8, it is noted that all 50 mitigation measures (recommended by IAQM for ‘medium risk’ sites) “ <i>will be implemented</i> ”. Whilst this level of commitment is welcome, it is not really	Para 9.88			

	<p>necessary to list all of these measures verbatim. Instead, some screening should have been applied to identify the most relevant and to vary any measures that would not be necessary or appropriate to this particular site and development. For example, would the need to excavate the whole basement really allow for “<i>Only remove the cover in small areas during the works and not all at once</i>”?</p> <p>It is agreed that these measures will need to be implemented as part of a CEMP (Note: referred to as an “EMP” in Chapter 5) which should be subject of a planning condition.</p>				
Error	<p>‘%’ symbols are not correct in the ‘with development’ column as these are concentrations in <i>ug/m<sup>3</sup></i>.</p>	Table 9-10			
Stack height – potential impact to human health	<p>With the stack height set at 1m above the proposed roof height, will this impact on the proposed, taller 1-5 Lansdowne Road tower (i.e. if residents have balconies, operable windows or fresh air vents)?</p> <p>The Applicant should confirm why such effects have been scoped out of any assessment.</p>	Para 9.121		Written clarification required	
CHP	<p>The emissions from the CHP appear to have been calculated based on an assumed Kwh power output and specification for this plant (as described in para 9.20). However, these</p>	Para 9.121			

	details do not appear to have been described elsewhere in the ES or planning application?				
Collaborated approach with Lansdowne	This needs to take place in order to reduce construction impacts.	Para 9.139			
Odour	Odour impacts from the servicing, loading bay and bin storage designs should be considered on ground level units.	General			
Summary/ Recommendation	This chapter appears generally adequate. However, it would be helpful if the authors could clarify the above queries.				

#### Chapter 10: Wind

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Privacy Screen	Has an assessment been completed on the impact of the screen that is proposed alongside the existing building? This may have the potential to create wind funnel effects.	No references to the privacy screen		<ul style="list-style-type: none"> <li>Further information is required on the influence of the Privacy Screen on wind patterns and flows.</li> </ul>	
Cumulative effects with 1-5 Lansdowne Road	It is noted that the cumulative wind implications of 1-5 Lansdowne Road scheme was based on modelling the (taller) 2016 scheme which was subsequently withdrawn, rather than the approved 2017 scheme. Whilst it can be taken at 'face value' that the differences in wind effects between these two schemes would be " <i>imperceptible</i> ", the	Para 10.58		Written clarification required	

	Applicant should be asked to further explain why the approved scheme was not used in the wind tunnel test (e.g. due to lack of time?)				
Play Area	Paragraph 10.97 concludes that the wind conditions in the southern play area will only be suitable for standing in the summer season. As this play area includes seating, the effect is concluded to be “ <i>minor adverse</i> ” which is obvious less than ideal. Later in the ES (para 10.109) it says that seating will be restricted to the northern part of the play area where conditions will be suitable for sitting. However, for such a relatively small area, it seems surprising that wind conditions will be acceptable at one side but not at the other?	Paras 10.97 and 10.109			
Reference to Appendix is incorrect	Paragraph 10.108 should refer to ‘Appendix Appendix C’ rather than D. In this Appendix a clearer landscaping plan is required as the labels are illegible. Additionally, within either the ES or Appendix it does provide full details of proposed landscaping (e.g. tree species and dimensions) and/or how exactly this will reduce strong winds. More information is required on this landscaping; either now or part of an appropriate planning condition.	Para 10.108			
Summary/ Recommendation	This ES chapter and the associated assessment behind it, appear to generally acceptable. However, the impact of the privacy screen needs to be assessed because such a structure could lead to				

	localised wind funnelling. Also, the landscape design measures to ameliorate stronger wind speeds could be better explained.				
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**Chapter 11: Daylight, Sunlight and Overshadowing**

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Error	Paragraph 11.5 refer to <i>“the potential for combined air quality effects”</i> . This is assumed to be an error, and should say daylight, sunlight and overshadowing effects?	Para 11.5			
Privacy Screen	Has an assessment been completed on the impact of the privacy screen on the existing Canterbury House building? This screen might be expected to further worsen the daylight and sunlight conditions for the existing residents.	No references to the privacy screen		<ul style="list-style-type: none"> <li>Further information is required on the effects of the Privacy Screen on daylight, sunlight and overshadowing?</li> </ul>	
Frosted Glass	It is noted that the DAS submitted with the planning applications shows that some windows of the proposed building will contain “frosted glass” (presumably for the purposes of privacy?). However, so reference to this is made in the ES or the Internal Daylight and Sunlight Report (see also separate comments on this report below).	Included in DAS		<ul style="list-style-type: none"> <li>Why is this design feature (frosted glass) not mentioned in the ES or in the Internal Daylight and Sunlight Report.</li> <li>Clarification should be provided as to whether this form of glazing has been assessed and/or whether it</li> </ul>	

	<p>Has the potential impact of frosted glass on sunlight and daylight been determined? Although this glass should not significantly inhibit light transmittance, AECOM (or the authors DB7) should confirm that this glazing has been assessed.</p>			would adversely affect daylight or sunlight penetration to habitable rooms?	
Methodology	<p>It is explained that the internal daylight conditions of the Proposed Development are not presented in the ES Chapter – rather they are contained in a separate “Internal Daylight Report” submitted with the planning application. The reasons for this are not clear as ES’s usually include the results of this ‘self test’ analysis and the effects (of any poor natural light conditions) on future residents is a legitimate concern of the EIA process. This exclusion should be further justified and, at least, a summary of the results contained in the ES.</p> <p>It is also noted that the internal daylight and sunlight analysis was completed by a different company (DB7) to the authors of the ES chapter (Hawkins Environmental). It is unclear why separate companies were used for these, closely inter-related assessments, as this could lead to disparate methodologies being applied to the modelling.</p>	11.35		<ul style="list-style-type: none"> <li>▪ Reasoning is required to justify why the results of the internal daylight assessment are not presented within the ES.</li> <li>▪ Any revision to this chapter should at least include a summary of these results.</li> <li>▪ Why were separate consultants used for the analyses?</li> </ul>	
Major adverse effect on existing	A “major adverse” effect on Canterbury House for daylight and sunlight is noted;	Paras 11.95 to 11.57 and		<ul style="list-style-type: none"> <li>▪ Further information is required to justify why such</li> </ul>	

<p>Canterbury House</p>	<p>whereby 100% of windows (132 windows/ 94 rooms in 42 dwellings) on the southern facade of the building are predicted to experience a significant worsening of natural light – all will drop below the BRE guidance values for daylight and some flats, mostly those on the lower floors, will have zero direct daylight. In addition, 30 of the 42 flats would experience a reduction of more than 0.8 of existing sunlight levels and &lt;25% of APSH and &lt;5% during the winter months. This is likely to significantly affect the internal amenity for tenants of these properties, especially given the small apartment sizes.</p> <p>The Applicant must explain why such major adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?</p>	<p>Table 11-7</p>		<p>a significant reduction in natural light at Canterbury House is deemed acceptable (with reference to other case precedents, if appropriate), and whether or not all possible mitigation measures/ design iterations have been considered.</p>	
<p>Moderate to Major adverse effect on existing Emerald House</p>	<p>The impact of the proposed development on Emerald House is slightly less than for Canterbury House – 6 properties experiencing a moderate and 2 a major adverse effect. However, these impacts appear to be significantly worsened once the committed 1-5 Lansdowne Road scheme is taken into account, with the cumulative impact being “large” due to all windows assessed receiving &lt;27% VSC and &lt;0.8</p>	<p>Paras 11.90 to 11.94, and 11.116</p>		<ul style="list-style-type: none"> <li>Further information is required Clarification of why such a cumulative reduction in natural light has been deemed acceptable, and whether all possible mitigation measures/ design iterations have been considered.</li> </ul>	

	<p>times the existing level of daylight (a reduction of between 50% and 75%).</p> <p>Again, the Applicant must explain why such adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?</p>				
Cumulative impact on existing Canterbury House	<p>It is noted that the combined effects of the proposed development and Lansdowne Road scheme are worse than the (already major adverse) effect of the development in isolation. However, this additional impact is not quantified in the ES chapter. The reason for this should be explained.</p>	Para 11.119		Written clarification required	
Impact on proposed amenity space	<p>The authors conclude that the proposed amenity areas including the play space “<i>will not be well sunlit</i>” when judged against the BRE overshadowing criteria. Indeed, in combination with the overshadowing effect the 1-5 Lansdowne Road scheme, the play spaces and seating areas to the southwest and south of the site will receive “<i>virtually no direct sunlight on the 31<sup>st</sup> March</i>”.</p> <p>Combined with the risk of some (albeit occasional) windy conditions in these amenity areas, there must be a question about whether they are suitable for their intended use.</p>	Para 11.121		Written clarification required	

Winter Sunlight	Only a summary of winter sunlight results for the existing Canterbury House is provided in the ES. A detailed breakdown should be included in the appendices.	Para 11.76, 11.77, 11.99, 11.100 and appendices			
NSL	The detailed NSL results should also be provided within the appendices.				
Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum). In particular, further information is needed with regards to options to mitigate the significant Daylight and Sunlight effects of the proposed development on Canterbury House and, cumulatively, on Emerald House.				

The internal daylight assessment (completed by eb7) has subsequently been reviewed and comments are provided at the end of this section.

**Chapter 12: Ground Conditions**

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Piling risk assessment	Has a piling risk assessment been undertaken?	n/a		Written clarification required	
UXO	Why has an UXO desk study not yet been undertaken?	Table 12-12		Written clarification required	
Fuel Tank	It is noted that the archaeology chapter makes reference to a large underground fuel tank previously existing within the confines of energy centre (see para 14.102). As this would represent a potential source of hydrocarbon contamination, it should have been identified and assessed in this chapter as well.	No mention made of this former fuel tank		Written clarification required	
Further works	A Phase 2 site investigation should be completed prior to commencement of the development (subject to a planning condition). Should this encounter contamination, a further risk assessment and remediation strategy should be developed, particularly to ensure that the underlying aquifer is protected from pollution during the installation of the secant piled wall for the basement.	Table 12-12			
Remediation as a mitigation measure	Would the removal and remediation of contaminated land not be included as a mitigation method during construction?	Table 12-13			
Summary/ Recommendation	This chapter is considered to be broadly adequate. However, 3 clarifications are required, as set out above.				

**Chapter 13: Water Resources, Drainage and Flood Risk**

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Repetition of information	It is unnecessary to repeat all of this information again; it has already been provided a number of times within the ES and does not add further value.	Para 13.87-13.90			
Repetition with Chapter 12	Parts of this chapter appear to have been written in isolation from the preceding chapter. For example, why is it necessary to provide a separate assessment on the risk of disturbing contaminated land?	Par 13.176 – 13.180			
Repetition of paragraph	Is this paragraph meant to be here, as it is the same as para 13.196?	Para 13.208			
Mitigation measures	A planning condition should be imposed to secure the mitigation measures detailed in this section.	Para 13.242	LBC to Note		
Mitigation measures	Where additional mitigation is required, brief details of this should be included in the table, as with other chapters.	Table 13-11			
Summary/ Recommendation	This chapter appears generally adequate and no material omissions have been noted.				

Chapter 14: Archaeology

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Archaeological Baseline	Paragraph 14.72 appears to be a bit misleading in that it states: <i>“There are four non-designated archaeological assets within the site including three post-medieval houses ...as well as two small buildings etc.”</i> rather than making it clear that there is only the potential for buried remnants of these structures to survive.	Para 14.72			
Mitigation measures	The chapter recommends a number of potential mitigation options, as set out in Table 14-5, comprising a <i>“staged programme of archaeological investigation”</i> . However, it is unclear when such investigations would take place and/or whether this work could be accommodated within the 2 year (26 month) construction programme – which appears unlikely.				
Summary/ Recommendation	This chapter appears generally adequate and no material omissions have been noted.				

Chapter 15: Effect Interactions

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
General	This chapter provides an unduly complex and convoluted explanation of 'effect interactions' which could have been simplified for the reader.	Whole chapter		Written clarification required	
Clarity of sentence	The first and last sentences of this paragraph are unclear and/or incomplete.	Para 15.4			
Clarity of sentence	The second sentence within this paragraph does not make sense "... <i>determine the potential for effect interactions and so combined effects of individual effects</i> ".	Para 15.11			
Inconsistency	This chapter, in common with some other technical chapters of the ES, refers to the implementation of a CEMP. However, this contrasts with the terminology used in the introductory chapters of the ES which refer to an 'EMP'. Whilst not a material point, this illustrates a general inconsistency by the ES authors.	Whole ES			
Significant effects	The chapter identifies that the combination of construction noise and vibration would constitute a major adverse combined nuisance effect. It then goes on to say that such effects are " <i>not untypical for a project of this nature and scale</i> ".	Para 15.20 and 15.23		Written clarification required	

	This statement is somewhat misleading as major adverse effects of the scale predicted (especially to the residents of Canterbury House) are <u>not</u> typical of construction projects and would not normally be permitted by the LPA.				
Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum).				

#### Chapter 16: Residual Effects and Conclusions

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
General	In common with other aspects of the ES, this chapter is rather formulaic. For example, it refers several times to “demolition, construction and refurbishment works” although the proposed development, as described in Chapter 5, does not entail any “refurbishment” as such.	Para 16.1 and 16.6.			
Factors which influenced the design	Para 16.4 suggest that a number of measures have been implemented within the scheme design to “ <i>eliminate</i> ” adverse environmental and social effects including initial wind microclimate assessments and that a number of scheme variations have been considered	Para 16.4		Written clarification required	

	including “ <i>configurations of the basement</i> ”. If this was the case, a more complete account of these design iterations should have been included in Chapter 3: Alternatives and Design Evolution (which says nothing about the basement design?).				
Use of shading	The tables in this chapter use a green shading to signify any ‘significant environmental effect’, both beneficial and adverse. It might have been clearer if different colours had been used i.e. green for beneficial and red for adverse.	Para 16.6 and 16.7, and Table 16-1 and 16-2			
Inclusion of mitigation measures	It would have been helpful to the reader if the proposed mitigation measures were also detailed within these tables.	Tables 16-1 and 16-2			
Balance of topics	The chapter gives a fairly detailed account of the residual effects on Townscape, Views and Heritage but only briefly describes the other topics/ effects. Therefore, read in isolation, this chapter provides a rather skewed account of the residual environmental effects of the scheme.	Paras 16.9 to 16.18.			
Balance of effects?	The chapter suggests that the beneficial socio-economic effects of the scheme include inter alia “ <i>sport and leisure</i> ”. However, this is not a benefit identified in Chapter 6 and does not appear relevant. This should be clarified.  Also, the benefit of the play space provision might be considered to be ‘overplayed’ in light			Written clarification required	

	of the apparent poor microclimatic conditions in these spaces (see previous comments).				
Lansdowne Road scheme	<p>The 1-5 Lansdowne Road (17/03457/FUL) cumulative scheme was granted planning permission by the time the ES was submitted and therefore should have been assessed in the TVIA.</p> <p>Moreover, as this scheme must be assumed to be 'committed development' it should be accounted for in all assessments. For example, whereas paragraph 16.32 says that the daylight reduction to Emerald House will be "moderate adverse", this would actually be "major adverse" after accounting for the presence of this adjoining development once built out.</p>	<p>Para 16.16</p> <p>Para 16.32</p>		Written clarification required	
Conclusion	In consideration of the significant adverse effects of the proposed development (some of which appear incapable of mitigation) it is questionable to argue that there are " <i>overriding beneficial effects of delivering the Proposed Development</i> ".	Para 16.34		Written clarification required	
Privacy Screen	Again, the absence of any reference to the proposed Privacy Screen in this chapter must be considered a major omission and undermines the conclusions on the residual effects of the proposed development.	Whole chapter		<ul style="list-style-type: none"> <li>▪ As above, the potential effects of the Privacy Screen should be considered throughout the ES, and conclusions of any residual effects determined should be included within this chapter.</li> </ul>	

Summary/ Recommendation	The Applicant/ AECOM should be asked clarify the above issues and/or incorporate the necessary changes into a revised version of the ES (or ES Addendum).				
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## Volume II: Townscape, Visual and Built Heritage Impact Assessment

Having reviewed the TVBHIA, RPS considers that relevant views of the proposed development have been considered and the impacts on townscape, visual and built heritage have been assessed thoroughly, including for the cumulative developments that are expected to come forward within the surrounding area. However, the one obvious omission is that the visual effects of the Privacy Screen have not been assessed. Moreover, we are aware that Historic England has identified a further view (from the proposed St Michael's Square development) which they believe needs to be assessed.

A table summarising any issues noted is provided below.

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Summary of findings	It would have been helpful for the beneficial and adverse effects on the receptors to have been summarised in a table at the end of the document as part of the conclusion.	Conclusion section			
Comment from Historic England	In consideration of the representation by Historic England, a further view should be prepared to illustrate the cumulative effect of the proposed development with the recently consented St Michael's Square scheme, in order to assess the impact on the Grade 1 St Michael and All Angels church.	Viewpoint analysis		<ul style="list-style-type: none"> <li>Inclusion of additional viewpoint and impact assessment on St Michael and All Angels church, accounting for the cumulative effects with the proposed St Michael's Square development.</li> </ul>	

Privacy Screen	<p>Insufficient details have been provided (beyond a very brief reference at paragraph 6.7) on the impacts of the proposed Privacy Screen on townscape and views.</p> <p>Note: As this feature was not revealed by the Applicant at the scoping stage, understandably no comment was made about this in LBC’s Scoping Opinion.</p>	Throughout		<ul style="list-style-type: none"> <li>Further assessment required of the impacts of Privacy Screen on townscape, including updating all relevant views in which it would be visible.</li> </ul>	
Verified views	<p>The Council’s heritage advisor has raised concerns about the accuracy of the verified views included within the report, in particular with regard to the scale of the cumulative developments relative to the proposed development.</p>			<ul style="list-style-type: none"> <li>Accuracy of the verified views needs to be confirmed.</li> </ul>	

### Non-Technical Summary

A number of issues have been noted in the NTS. However, other than where details have been misrepresented or not given in enough detail, most of the issues will be rectified by the changes made to the ES that would subsequently need to be updated in the NTS.

Issue	Description	Relevant paragraph/ table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Error	“negligible and moderate” should read “negligible and minor”.	Para 14			
Incorrect information – states building is unoccupied	The NTS says the site is currently unoccupied and the ES says site is vacant. The existing Canterbury house is included in the site boundary and there is also an energy	Para 38		Written clarification required	

	centre on site. The NTS 'no development' section needs to be updated to reflect this.				
Privacy screen	Whilst the privacy screen is mentioned at paragraph 53, no assessment of its effects is provided (as for the ES).	Para 53		<ul style="list-style-type: none"> <li>An assessment of the effect of the privacy screen should be provided for all the relevant chapters raised previously. These findings should be included in the NTS.</li> </ul>	
Cycle parking	Different figures between Chapter 4, the DAS and NTS (including the transport section) (452 spaces), and Chapter 7 (transport) and the Planning Statement (434 spaces).	Table 2, para 57		Written clarification required	
Waste	How will waste be 're-used where possible'?	Para 70			
Job creation	Paragraph 73 states that 185 jobs will be created in the construction phase, whereas the Planning Statement says 207 jobs. Which figure is correct?	Para 73		Written clarification required	
School places	What about pre-school/ nursery provision?  Also, wouldn't the proposed development be more likely to have more primary school children than secondary school age?	Para 77		Written clarification required	
Privacy screen	What is the effect of the privacy screen on wind and D/S/O conditions?	Para 114-118; 122-128		<ul style="list-style-type: none"> <li>An assessment of the effect of the privacy screen should be provided in the D/S/O assessment (as well as noise, wind, TVBHIA and other chapters) and these</li> </ul>	

				findings should be summarised in the NTS.	
GP demand	As per the previous comment on Chapter 6, the cumulative impacts on GPs would be expected to be higher than minor adverse. Please explain how this was concluded.			Written clarification required	
Overshadowing of amenity space	It should also be acknowledged that less than 50% of the amenity space would get 2 hours of sunlight because of the Lansdowne Road scheme.	Para 190			
Summary/ Recommendation	The NTS will need to be revised to reflect any ES revision/ further information provided by the Applicant. At this juncture, it would be advisable to also address the above issues and for the NTS to provide a more complete account of the full findings of the ES (as the current version is too vague in places).				

### ES VOLUME III

#### Appendix A – Scoping Report and Scoping Opinion

No additional comments.

#### Appendix B – Noise and Vibration

No additional comments.

#### Appendix C – Air Quality

No additional comments.

#### **Appendix D – Wind Microclimate**

Appendix D: Appendix C – a clearer Landscaping Plan would have been beneficial as the labels are illegible. Additionally, neither the ES nor this Appendix fully explains what the proposed landscaping scheme comprises and how it has been informed by the wind microclimate modelling. More information is requested on this.

#### **Appendix E – Daylight, Sunlight and Overshadowing and Solar Glare**

No additional comments.

#### **Appendix F – Ground Conditions**

No additional comments.

#### **Appendix G – Water Resources, Drainage and Flood Risk**

No additional comments.

#### **Appendix H – Archaeological Desk Based Assessment**

No additional comments.

### **Planning Statement**

RPS has reviewed the Planning Statement but we provide no opinion on its validity because this is beyond the scope of our commission. Instead, the comments given below relate to lack of consistency with the ES and other apparent errors in this document.

<b>Issue</b>	<b>Description</b>	<b>Relevant paragraph/ table</b>	<b>RAG rating</b>	<b>What further information is required (Reg. 22 Only)</b>	<b>Applicant/ AECOM response</b>
Incorrect AOD	An erroneous figure is given for the mAOD	Para 4.4			

Construction Noise	The “moderate to major adverse effect” from construction noise is not acknowledged in the Planning Statement	Para 7.118-7.120		<ul style="list-style-type: none"> <li>This moderate to major adverse noise effect should have been acknowledged.</li> </ul>	
Underplayed impact on daylight, sunlight and overshadowing	The “major adverse” effect on the daylight and sunlight conditions at Canterbury House is understated in the Planning Statement.	Para 7.128-7.140		<ul style="list-style-type: none"> <li>The major adverse effect on D/S/O at the existing Canterbury House should have been be detailed in full in the Planning Statement, so that this matter is not misrepresented.</li> </ul>	

## Sustainability Statement

No comments.

## Eb7 Daylight and Sunlight Report

Issue	Description	Relevant paragraph/table	RAG rating	What further information is required (Reg. 22 Only)	Applicant/ AECOM response
Analysis of Kitchens	It is noted that the Average Daylight Factor (ADF) has not been calculated or reported for individual kitchens within the proposed development. Instead, were there are combined living/kitchen/dining rooms (with the kitchens located at the rear of the apartment), the living rooms have been assessed ‘ <i>in isolation</i> ’ and the kitchens have been excluded.	Para 2.4		<ul style="list-style-type: none"> <li>Clarification of whether kitchens have been assessed. If not, the Living/Kitchen/Dining rooms should be assessed as a single room against the most applicable BRE target values and not split into parts.</li> </ul>	

	This approach to the assessment may mask, potentially high levels of failure of the BRE 2% ADF target value for kitchens within the proposed development.				
Winter APSH results	Limited commentary is provided on the Winter APSH results. It is not explained why such results have not been more clearly set out?	Para 6.10		Written clarification required	
Cumulative Schemes	Only a very limited number of cumulative schemes have been considered in the analysis (i.e. the Whitgift Centre) whereas closer developments such as 1-5 Lansdowne Road are likely to have a much more pronounced effect on internal sunlight and daylight conditions (as evidenced by the DSO results reported in the ES). This appears to be a material omission in the assessment and it is inconsistent with the ES.	Para 6.12		<ul style="list-style-type: none"> <li>▪ Need to update internal daylight and sunlight assessment to account for all relevant cumulative schemes identified in the ES.</li> </ul>	
Detailed Results	Each window has been split into 'L' and 'U'. It is not clear why or what this relates to,	Appendix 2		Written clarification required	

### 3 SUMMARY AND CONCLUSIONS

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- 3.1 This document has reports on the outcome of a review undertaken by RPS on the ES produced by AECOM in support of the detailed planning application for redevelopment of the 'Canterbury House' site.
- 3.2 A number of omissions and weaknesses in the ES have been identified by RPS which necessitate the provision of further information or clarification from the Applicant or AECOM. The most substantive of these issues, identified as red within the above tables, are as follows:
- The proposed Privacy Screen between the existing Canterbury House and the proposed building is a key 'mitigation feature' of the design. However, its related impacts (e.g. effects on views, daylight, sunlight, wind etc.) have not been assessed within the ES. This is a material omission of the ES;
  - Where significant residual effects ('moderate' to 'major adverse') have been identified which do not appear capable of adequate mitigation (e.g. construction noise and vibration), more details are necessary in order to determine whether such effects can be reduced to levels which might be deemed acceptable;
  - There are some contradictory statements in the ES over whether or not the existing residents of Canterbury House will remain in place throughout construction works or whether these tenancies will be temporarily vacated. This should be clarified.
  - On what basis has the 9m separation distance between the new building and Canterbury House been justified, including environmental considerations?
  - The authors of the noise chapter should confirm that the assessment of construction noise and vibration has been based on the construction details (including assumed plant) described in Chapter 5 and that this assessment has identified effects which would constitute a 'worst case';
  - A "major adverse" effect on Canterbury House for daylight and sunlight is noted, which is likely to significantly affect the internal amenity for tenants of these properties, especially given the small apartment sizes. Therefore, the Applicant must explain why such major adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?
  - Whilst the impact of the proposed development on Emerald House is slightly less than for Canterbury House, these impacts appear to be significantly worsened once the committed 1-5 Lansdowne Road scheme is taken into account. Again, the Applicant should explain why such adverse effects are considered to be acceptable, and whether all reasonable mitigation methods/ design iterations been considered to reduce this effect?;
  - The number of cycle parking spaces is not clear and differs throughout the ES, NTS and Planning Statement; and
  - The 'minor adverse' impacts on GP spaces needs further justification, including cumulative effects.

- The Townscape, Visual and Built Heritage Impact Assessment (TVBHIA), forming Volume 2 of the ES, should be supplemented by an additional view and analysis of the impacts on the Grade 1 St Michael and All Angels Church, accounting for the cumulative effects with the proposed St Michael's Square development (as requested by Historic England). Moreover, further assessment is required of the impacts of Privacy Screen on townscape, including updating all relevant views in which it would be visible.
- The internal daylight and sunlight report (submitted separately to the ES) appears inadequate for the reasons set out in this report.

3.3 A number of less critical observations/ points of clarification have also been identified and responses to these are requested.

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# CROYDON PLACE REVIEW PANEL



PANEL REPORT

## CONFIDENTIAL

Scheme Address: 2-6 Sydenham Road, Croydon, CR0 9XE

### Project Description

The project is a 34 storey tower comprising 232 one bedroom and 64 two bedroom flats. There is associated ground floor amenity space, refuse and cycle stores, pedestrian and vehicular access. Within the site curtilage is the PD conversion of Canterbury House, an 11 storey building, which has been converted from office use to residential. Adjacent to the site is the approved but not yet built 68 storey tower at 1 Lansdowne Road.

### Place Review Date & time

Thursday 23rd November 2017, 10:15 – 12:15

### Review Location

BWH, Room 6.02, Fell Road, Croydon, CR0 1NX

### Attendees

#### Applicant Team

Client / Developer: Unable to attend due to illness  
Planning Consultant: Ian Buzza – Savills  
Julian Carter – Savills  
Architects: Billie Lee – Horden Cherry Lee Architects

### Place Review Panel

#### Chair

Angels Brady OBE (Brady Mallalieu Architects) Architect

#### Panelists

Jo McCafferty (Levitt Bernstein) Architect  
Richard Lavington (Maccreeanor Lavington Architects) Architect

## Croydon Council

Pete Smith	Head of Development Management
Matt Duigan	Team Leader, Development Management
Michael Cassidy	Planning Officer, Development Management
Guy Rochez	Project Officer, Placemaking

## Conflicts of Interest

None declared, however, the following working relationship should be noted:

Maccreeanor Lavington work on projects where Savills is the planning consultant, but not with the individuals who are working on this project.

Levitt Bernstein are working on a project with Croftus Communication. Jo McCafferty is not involved in this project.

## Panel Response

This report provides a summary of the proposals presented for the site. The panel in discussion with the agent resolved that the forum provided by the Place Review was not to judge whether failure to meet space standards was acceptable on point of principle, but to carry out an interrogation as to whether the scheme could be considered exemplar, highlight any failings and indicate how it may be improved.

### Summary

The panel thanks the applicant's team for presenting the scheme.

Following the material presented, the panel does not support the scheme and does not consider it to have demonstrated exemplar design in any respect. The panel recognises the potential of the site to accommodate new development of some height, however there are a range of concerns about the quality of the submitted scheme on fundamental levels and in all aspects, from the scale of the amenity space through to the size of the dwellings, the public realm, microclimate, material palette and elevational treatment. All of these elements are considered to fall well below an exemplar quality. The panel makes the following recommendations:

- The panel refers the applicant to the earlier schemes that incorporated Canterbury House into the proposal and advises that a more comprehensive approach to the site should be taken. The current relationship with Canterbury House is unacceptable and unresolved.
- Angled windows applied to the façade of the existing Canterbury House would provide a better opportunity to resolve the overlooking issue than the screen (as submitted) if the current scheme is pursued further. The panel notes that this solution would need significant design development to be acceptable.
- The number of single aspect units needs to be reduced, especially those that are north facing and overlooking Canterbury House. The panel notes the quantum currently proposed is unacceptable and is exacerbated by the small size of the units and lack of sufficient good quality shared amenity spaces to compensate.
- Further interrogate the size of the units and explore all opportunities to increase these as the current sizes are below space standards. The design of the units themselves and the scheme as a whole fail to demonstrate exemplar qualities that could be considered to offset the failure to meet space standards.
- The layouts of the units need to show an understanding of specific domestic functions to demonstrate how falling below the spaces standards may be acceptable. Currently there is little demonstration that the design of the units has been carefully thought through. The panel advises that the living rooms should be more generous at the expense of the bedrooms and

that further work is required to devise space efficient design solutions to make the plan work harder to provide the living, cooking and eating spaces needed.

- An increased area of shared amenity space is required to offset the lack of private amenity space and sub-standard size of the units. The panel refers the applicants to European models of microflat developments that have significant shared amenity and that the architects should consider devoting every 5<sup>th</sup> floor to shared amenity spaces.
- Further work is needed to demonstrate the quality of the public realm and play spaces, and how the findings from the microclimate technical reports have been incorporated into the design to ensure the spaces are usable. The panel remains unconvinced about the quality of the public realm and play spaces, and the microclimate in these areas.
- The servicing and refuse strategy need further resolution to be effective, with more generous internal basement refuse storage, as well as more direct access between the internal basement refuse and the external grade stores. The current provision is considered inadequate and access routes between the service spaces are convoluted.

## **Layout of Units**

The panel questioned whether the layouts of the various unit types were well planned. It is unclear whether they are strictly compliant, but nonetheless their internal layout could clearly be improved and therefore could not be considered exemplary.

The living room and bedroom are currently the same width at 2.7m wide. A living room of only 2.7m wide is considered ungenerous and it is advised that more space should be given over to the living room, at the expense of the bedroom. This will require considered and innovate design resolution in terms of access in to the bedroom and around the bed. Similarly the panel notes that it has not been adequately demonstrated whether there is sufficient storage for residents within the units or elsewhere within the building and that storage for sundry items (suitcases etc.) needs to be well considered and demonstrated through greater design analysis by the applicant team. The panel remains unconvinced by the current storage provision for residents.

The panel notes that the proposed kitchen is cramped and it has not been demonstrated how this space would function to allow residents to prepare a meal. The panel also notes that the hob is less than 1.8m from the route of escape and would therefore fail to meet building regulations. The panel recommends that greater consideration be given to the spatial arrangement of the kitchen, including effective storage solutions, to allow smaller sized kitchens to function properly.

It is recommended that the applicant review similar microflat proposals and Pocket Living schemes, which have invested significantly in creating well-planned internal layouts to maximise available space in smaller sized units.

## **Size of Units**

The applicant presented the panel with a floor plan comparison of the submitted scheme against a space standard compliant scheme, demonstrating the growth of the footprint of the building. This comparison was not included in the Design & Access Statement. The panel notes that if providing space standard compliant units meant that fewer units would be provided on the site then the viability argument may have some validity, however the panel notes that the scheme as submitted has a higher percentage area of core than a scheme with a larger footprint - designed to accommodate space standard compliant units - would have. The panel notes that such an arrangement is inefficient in construction cost terms and therefore advises the client team to investigate a larger space compliant footprint.

The panel has concerns that there may be psychological and physiological impacts on the future residents of such small units. The panel questions what it would actually feel like to live in these units, particularly those that are north facing and with limited views over Canterbury House. The panel also notes that such small units present servicing issues with regards to ventilation and lack of natural light and that the applicant team failed to demonstrate clearly how these issues had been resolved. The panel advises that a better design response to these issues would be required for the scheme to be acceptable, and that the design currently fails to be exemplar in this respect.

The panel notes that the scheme proposes units that are smaller than other micro-flat developments within Croydon and across London. The panel recognises that similar sized units already existing in Permitted Development (PD) schemes but respond that most PD schemes are far from exemplar, are generally considered by Croydon Council and others to be poor quality and that their failure to meet space standards and deliver quality accommodation risks creating the 'slums of the future'. The panel highlights that PD developments should not be used as a barometer for design quality and that minimum space standards have been set based on extremely efficiently planned units after extensive consultation and research by a range of professionals. Given this, the panel has concerns that units fail to provide kitchens big enough - or sufficiently well designed - to cook a healthy meal in or living rooms to relax in. The panel notes the applicant team's argument that people will 'live in the city' and therefore eat out and find places elsewhere to socialise and spend time. The panel finds this argument flawed and a weak excuse for designing inadequately sized spaces, as the affordability of the units disappears if the saving on rent becomes consumed by the expense of needing to eat out and use facilities elsewhere. In addition, these designs rely on infrastructure existing elsewhere for them to work as living environments, which is neither resilient nor sustainable.

The panel remained firmly unconvinced about the size of the units being acceptable and note there was no demonstration of any mitigating factors within the proposal that could be considered to offset this failure. The panel advises that the sizes of the units needs to be revisited and that this may require the floor plates of the building to increase.

## **Access**

The panel notes the proposal to include adaptable units, however they consider this to be a token gesture within a PRS scheme as they are unlikely ever to be adapted. The panel advises a better approach would be to provide a number of units already adapted to cater directly to a market that exists.

## **Shared Amenity Space**

The panel notes that the communal spaces on the ground, first and roof level could accommodate somewhere between 10 – 20% of the residents, but that their generosity and positioning within the building is unconvincing. The panel advises the applicant team to consider how the manner in which people use shared amenity space is different to how private amenity space is used, and that this is crucial regardless of whether the overall areas provided are similar. The panel highlights concerns that the failure to provide well-designed and generous shared spaces (including the corridors to the lifts on the ground floor) risk cramped conditions contributing to potential mental health problems amongst the occupants. The panel refers the applicant to European models where developments containing small sized housing units are provided with extremely generous shared amenity spaces and that it would be advisable to introduce communal floors on every 5<sup>th</sup> floor. The panel notes there is potential to explore how the proposal, and in turn the shared amenity spaces, are devised to accommodate particular demographics. Providing smaller private accommodation balanced by generous shared spaces, including kitchen facilities, and other communal activities could form a strong rationale to the scheme in catering to a Silver Singles market for elderly people. The panel also notes that shared amenity / service spaces could provide more storage spaces, given the lack of storage space within the units themselves.

## **Floor Plate & Orientation**

The panel has considerable concerns with 6 out of 10 units on each floor being single aspect. Further to this a significant number of these units are north facings, with those on the first 10 floors being only 9m from the existing Canterbury House and having a view of the proposed screen 4.5m away. The panel deems this to be unacceptable and notes that it should have been possible to plan the building to avoid this. The panel advises that there should be only two units along the northern elevation so that each unit could reach a corner, thus avoiding the single-aspect north facing units, particularly at lower level facing onto Canterbury House.

## **Townscape**

The panel accepts the height in principle, given the location of the scheme within the tall building zone defined in the adopted OAPF. The panel notes there is relatively limited visual assessment to demonstrate that potential coalescence with 1 Lansdowne Road had been adequately dealt with. The panel notes that the residential units are set nearly 50m from the tower of 1 Lansdowne Road and that the other neighbouring buildings are all currently occupied by commercial uses and that as such overlooking is not an issue on the South, East and West Elevations.

## **Relationship to Canterbury House**

The panel has considerable concern that the relationship with Canterbury House is not acceptable and is far from exemplar. The panel notes the applicant's proposal to deal with the 9m distance between the proposed tower and the existing building with a screen, but that this is a poorly conceived device to resolve an issue that has emerged out of a lack of thought about the relationship between the two buildings during earlier design stages.

The panel raises concerns that there is insufficient detail provided to give confidence regarding how the proposed screening device would be fixed. The panel notes that this is a full planning application and as such there should be more detail provided on this matter given that it will have a significant impact on the experience of future occupants, microclimate and the appearance of the building. The panel highlights that the site suffers a strong east-west wind that would be exacerbated by the proposal and risks having significant impact on the stability of the screen and associated noise disturbance caused by the screen moving and wind moving through the structure. This would be disruptive to residents. The panel notes the lack of studies to demonstrate how this would be managed. The panel also notes issues of glare and bird strike as a result of the screen. Further to this, the panel has concerns regarding the impact on the future residents of the proposed tower and the existing residents of Canterbury House. The lack of light and outlook could have significant impact on the mental health of the residents. Given the nature of these impacts further detail and investigation should have been included in the application to demonstrate how these impacts would be resolved. The panel does not consider this to be an exemplar piece of design and does not recommend pursuing this solution.

The alternative approach of introducing angled windows to the existing Canterbury House is considered by the panel to be a better solution. However, the panel notes that this would still not be an exemplary design as it is a retrofitting move being pursued to resolve a design issue that has emerged out of poor planning of the site by the applicant team. Further to this, the panel has concerns about how the retrofitted windows would affect the daylight and sunlight provided to the habitable rooms in Canterbury House. This situation is exacerbated given that these rooms currently enjoy an unobstructed southern aspect. The panel notes that lighting studies would need to be provided for a

full judgment to be made on whether this proposal is acceptable and reinforce that everyone has a right to quality light. The panel advises that the angle of any such windows may be varied depending on position on the façade.

The panel remains unconvinced by the positioning of the tower, being on axis with Canterbury House. The exact positioning chosen is considered to have maximum impacts on the proposed and existing building in terms of microclimate, lighting and overlooking and had the building been moved off axis and further south in to the site, these impacts would have been reduced. The applicant was unable to provide the panel with technical design rationale with regards to these issues to explain the positioning of the building. The panel advises the applicant to pursue a comprehensive approach to the site, including the existing building of Canterbury House, incorporating this into the building form. The panel refers back to the earlier schemes where the proposed tower adjoined the existing building, noting that the current approach of bringing the tower to the ground on its own presented a range of overlooking and microclimate issues that haven't been resolved. Further to this, the panel recommends that a more comprehensive approach would investigate positioning a prominent exemplar tower directly onto Sydenham Road, in place of the existing Canterbury House.

### **Microclimate**

The panel has concerns that there is a lack of detail as to how the building responds to microclimate issues. They note that the architects failed to demonstrate how the orientation of the building, internal layout or elevational treatment, were responsive or dealt with sunlight, daylight, overshadowing or overheating issues in an appropriate manner. Similarly the panel remain unconvinced that the entrance canopy, proposed trees on site and trees on neighbouring sites would be sufficient to mitigate down draught. The panel advises the architects to take a more active engagement with the microclimate studies that have been completed and demonstrate a design response to them. Until this is pursued the scheme cannot be considered to have dealt with the microclimatic conditions in an exemplary manner.

### **Public Realm**

The panel does not consider the proposed public realm to be exemplary. The panel remain unconvinced that the visualisation of the play and entrance spaces would be achievable in the microclimate conditions. The play spaces are considered to be extremely important in light of the unit sizes and the likelihood that there would be families occupying some of the 2 bed units. The panel notes there is currently little detail behind the design development of the play spaces and their positioning, capacity, proposed use, age ranges of equipment, microclimate and general usability as a play space. Further material detail to the play spaces and the public realm as a whole is needed to demonstrate durability and convince the panel of how the building would meet the ground.

The panel also raises concerns over whether there is sufficient space around the building that prioritises pedestrians, given the vehicular loop and space given over to servicing. The panel recognised that it would be unreasonable for all sides of the site to become active but that the relationship between the bin and cycle stores and the public realm was poorly designed.

The panel notes that the current level of detail and consideration of these matters was unacceptable for a full planning application of this scale, particularly in terms of considering whether the scheme could be considered exemplar.

### **Service Spaces**

The panel's view on the provision of servicing spaces and associated strategies is that they are confused, limited and convoluted. Access to and from the service areas and bin stores in the basement is considered by the panel to be unnecessarily complicated, as is the relationship between the bins at grade and the refuse stores provided in the basement. The panel has concerns about sufficient lift capacity to accommodate bicycles moving from basement to grade during rush hour. The panel raised further concerns that if the units are unfurnished and have a turnover of occupants, there is need to accommodate a significant amount of furniture coming and going, and associated packaging. As such, an over-provision of service access and bin stores is encouraged.

The panel advises that a clearer strategy on these issues is needed and should have been resolved more thoughtfully in the scheme submitted.

### **Public Consultation**

The panel has concerns that the communications undertaken in advertising the public consultation may have been poor considering only three members of the public attended. The panel notes that the residents in Canterbury House may have been reluctant to object given the scheme is being brought forward by their landlord. The panel notes that these residents would need to be consulted if angled windows are retrofitted to Canterbury House.

## Conclusion

The panel thanks the applicant team for presenting the submitted scheme. The site presents the opportunity to take a comprehensive approach to a central piece of urban fabric, which has unfortunately been missed. The proposal not only presents an unresolved and difficult relationship with Canterbury House but is exacerbated further by a number of issues that demonstrate the scheme as a whole and the proposed units are not exemplar. Issues include: limited design consideration regarding the design, layout and functioning of the units; quantum of single-aspect units (particularly those that are north facing and in close proximity to Canterbury House); lack of resolution of the public realm and shared amenity space. As such the failure to meet space standards is not offset by exemplary design quality of the units themselves, and in addition is also not offset by other mitigating factors within the design of the overall scheme. The panel strongly advises revision of the scheme to incorporate the existing Canterbury House to take a more holistic approach to the site. This redesign should resolve to remove the problematic units through reconfiguration and provide a more considered approach to shared amenity, the public realm, servicing and microclimate.

The panel urges the Architects to question the brief given to them and to advise the client to ensure that the brief enables them to propose a scheme of exemplar quality, which it currently fails to do. The panel notes that whilst there were some good design moves, the scheme is fundamentally compromised by the brief and that this has been played out most notably in the relationship with Canterbury House. The panel remains unconvinced about the applicant's commitment to design quality. The existing PD conversion of Canterbury House undertaken by the same developer is of low quality and sets a poor precedent. The panel also notes that the architects were unable to respond effectively to questions on some key issues and that a far more considered approach is needed for a building of this scale and ambition.

The panel concludes that the scheme is not of the quality and standard that Croydon needs and expects and that such a scheme would set a dangerous precedent. The panel remains unconvinced about a significant number of aspects of the scheme as submitted and presented, and do not consider it to be exemplar design in any aspect. The panel notes that even with the proposed revisions (such as the angled windows), that unless the scheme is revised to take a more comprehensive approach to the site, it is unlikely to be able to be considered exemplary.

*Panel members are to provide independent, non-statutory and impartial place critique and design advice for development proposals; such advice (verbal or written) to be provided on the basis that Applicants are strongly advised by the Place Review Panel that the panel feedback is not actioned until officially fed back into the application process by Council officers and that any advice which is actioned before this is fed back into the application process will be done at the Applicant's own risk.*



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## **PLANNING COMMITTEE AGENDA**

### **PART 8: Other Planning Matters**

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#### **1 INTRODUCTION**

- 1.1 In this part of the agenda are reports on planning matters, other than planning applications for determination by the Committee and development presentations.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

#### **2 FURTHER INFORMATION**

- 2.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

#### **3 PUBLIC SPEAKING**

- 3.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

#### **4 BACKGROUND DOCUMENTS**

- 4.1 For further information about the background papers used in the drafting of the reports in part 7 contact Mr P Mills (020 8760 5419).

#### **5 RECOMMENDATION**

- 5.1 The Committee to take any decisions recommended in the attached reports.

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