

PART 6: Planning Applications for Decision

Item 6.1

1 DETAILS OF THE DEVELOPMENT

Ref: 19/04516/FUL  
 Location: Land to the South East of Croydon College, College Road, Croydon, CR9 1DX  
 Ward: Fairfield  
 Description: Erection of five buildings ranging in height from 7 to 29 storeys to provide 421 residential flats (Use Class C3), flexible commercial space at ground floor of Building A (Use Class A1/A2/A3) and Buildings C and E (A1/A2/A3 and/or B1/D1 or D2) together with associated cycle parking, public realm and landscaping, basement car parking, refuse storage, servicing and access arrangements  
 Drawing Nos: See Appendix 1  
 Applicant: Brick by Brick  
 Agent: Carter Jonas  
 Case Officer: Katy Marks

	Studio	1 bed	2 bed	3 bed	4 bed	Total
<b>Market housing</b>	26	165	148	12	1	352
<b>Intermediate</b>	0	6	50	13	0	69
<b>Total</b>	26	171	198 (of which 94 would be 2b4p)	25	1	421

Commercial floorspace	Size	Use
<b>Block A</b>	174sqm	A1/A2/A3
<b>Block C</b>	1,000sqm	A1/A2/A3 and/or B1/D1 or D2 with priority to NHS for Health Centre
<b>Block E</b>	297sqm	A1/A2/A3 and/or B1/D1 or D2
<b>Total</b>	1,471sqm	

Number of car parking spaces	Number of cycle parking spaces
13 (All blue badge disabled spaces)	745 long stay spaces and 38 short stay spaces

1.1 This application is being reported to Planning Committee in accordance with the Committee consideration criteria as the scheme proposes more than 200 new residential dwellings.

## 2 BACKGROUND:

2.1 An earlier iteration of these proposals was presented to the Planning Committee at pre-application stage on 28<sup>th</sup> February 2019. The main comments raised were as follows:

- A number of Members commented that the scheme was well developed, yet challenging and very important, as it created a future for this part Croydon Town Centre and the opportunity to deliver the Fair Field Masterplan. The development of 400 new homes in the centre of Croydon was welcomed along with the extent to which it was suitably flexible, to allow for the potential of other sites to come forward in the future.
- Members welcomed the 3-bedroom units that were proposed in the scheme along with a large number of 2 bedroom, 4 person units (proposing family-sized accommodation).
- There was recognition that the scheme represented enabling development, with cross subsidisation to assist in the delivery of an exemplar cultural venue for the Fairfield Halls. Members requested that there be detailed information submitted as part of the application to explain clearly the reasonable distribution of costs and revenues between the residential development and the Fairfield Halls refurbishment scheme, thereby evidencing that the level of affordable housing (and associated tenures) was the maximum reasonable.
- Members ideally would have wanted to see more than 20% of affordable housing within the development but again, appreciated the challenges of the scheme and the linkages between the residential component and the cross subsidy towards the Fairfield Halls.
- Members placed significant weight on the delivery of step free access (as part of the proposals but also in the medium to longer term, when considering developments schemes proposed on neighbouring sites). They stressed the need to ensure that an interim state (with steps down to the lower ramp) should be the best quality possible (in terms of design rationale and safety/security). Routes need to be welcoming and of suitable width. Continued joint working with owners of adjacent sites was welcomed and encouraged, particularly developers of adjacent sites such as College Annex, to facilitate the Masterplan priorities and a future/permanent level access, linking Fairfield Halls and associated developments with East Croydon Station.
- Some of the Members commented on the height and massing of the buildings - where the tower reflected the surrounding tall buildings. There was general comment that the location and height of the tower was appropriate, subject to daylight, sunlight and heritage testing. Members were generally comfortable with the height of Block E (in the context of the Fairfield Halls – locally listed) and were broadly comfortable with the associated heritage effects (suitably aligned with the views of the Place Review Panel).
- There was some concern about the relationships between residential blocks (daylight, sunlight and privacy) although it was recognised that these issues were still being tested.

- Some Members raised some concern about the loss of open space, whereas others welcomed the boulevard feel to the space, further tree planting, an increase in tables and chairs and the delivery of further opportunities to make much greater use of the spaces within the site as well as in the immediate vicinity.
- Members welcomed the idea of the NHS Clinical Commissioning Group being included as part of the development, alongside other possible community related uses.
- It was agreed that once the application had been submitted, a site visit should be arranged for Members to inspect the site and to further understand associated complexities and the relationships with adjacent land holdings.

2.2 Since the Committee presentation, the proposal has been further developed in consultation with officers and the above comments have been taken into account (where possible) when amending and further developing the proposals. A Member site inspection was also carried on 23<sup>rd</sup> October 2019 (shortly after the receipt of this planning application).

2.3 The scheme was also presented to Place Review Panel (PRP) during the pre-application process on two separate occasions. Initially, the Panel suggested that further work was required to understand the scheme as a whole and how the design responded to the current and emerging context and principles of the Fair Field Masterplan (rather than being presented as an amendment to the previous hybrid planning permission). At a subsequent meeting, the Panel were supportive of the improvements to the legibility of the site and design direction which resulted in a more cohesive development.

2.4 The Panel's main comments were as follows:

- Landscape/public realm narrative shows a thoughtful approach; distinction between public and private spaces and routes more defined;
- Further consideration of transition between public and private spaces required; the interface with College Green is very important;
- Vertical circulation access (for pedestrians) from College Road ramp and Hazeldean Bridge. The north-eastern corner of the site could be designed with more conviction to ensure that the public realm is more than just a temporary solution;
- Relationship with College Annexe is important as what happens on this site will have an impact upon the quality of the amenity space and flats within the scheme as it lies to the south of the site (and courtyard);
- Given the consented heights and surrounding context of tall buildings, the proposed heights did not raise any heritage or townscape concerns;
- Some questions were raised about the privacy and light to flats within Block B and D given their increased height (and their proximity to each-other);
- The proposed tower height and how the volume breaks down was supported, but more work was required in respect of elevational details - to understand the elevation treatment and material choices;
- Discussion around the proposed materials and whether the approach was sufficient (questions raised over use of brick for Block A). Suggestion that the development should have a common language – but with Block E having a contrasting material colour to Fairfield Halls, to ensure it does not coalesce with this heritage asset.

2.5 Since the Committee presentation and PRPs, the proposal has been further developed in consultation with officers and the above comments have been taken into account (where possible) when amending and further developing the proposals.

### 3 RECOMMENDATION

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

A. Any direction by the London Mayor pursuant to the Mayor of London Order

B. The prior completion of a legal agreement to secure the following planning obligations:

Developer obligations:

- a) Affordable housing – 69 Shared Ownership units
- b) Affordable housing early and late stage review mechanism
- c) Air quality offsetting payment - £42,400
- d) Carbon offsetting payment and/or connection to future district energy network - £435,181
- e) On site car club (12 spaces)
- f) Car club – 3 years membership
- g) Employment and training strategy (including financial contributions of £70,000 for construction and £31,734 for end user employment training and brokerage)
- h) Marketing of commercial space within Block C for a health facility for 1 year
- i) Public realm delivery within the site (and public access rights)
- j) Public realm – working with adjacent land owners and the Council to deliver step free route to George Street
- k) Public realm – Delivery of structural improvements across the Fair Field and bus standing changes on Park Lane as required for fire tender access and work with Council to deliver Fair Field Public Realm improvements
- l) Public Art – Final strategy, implementation plan and details of commissioned interventions
- m) Restrictions on parking permits
- n) Retention of scheme architects
- o) TfL financial contribution (£222,000)
- p) Travel plan and monitoring fee of £3,094
- q) Transport contribution towards an ANPR camera on College Road of £22,250
- r) TV aerial mitigation
- s) Wind mitigation
- t) Monitoring fees
- u) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport

Council obligations (as land owner of adjacent land):

- v) Public realm – use of existing Coast to Capital funding (related to the Hybrid permission for public realm improvements) to contribute towards delivery of a public realm scheme on the Fair Field by 2022.

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

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

### **Conditions**

1. Commencement of the development within 3 years
2. Development to be carried out in accordance with the approved drawings

#### *Pre-commencement*

3. Construction logistics plan and method statement
4. Construction Environment Management Plan
5. Contaminated land investigation
6. Impact study of the existing water supply infrastructure

#### *Prior to commencement of podium slab (and/or above 'ground floor' of any of the proposed blocks)*

7. 1:1 mock ups of specific façade details
8. External facing materials, including physical samples and detailed drawings of design elements
9. Public Art strategy, designs and implementation (brief and commissioned pieces for final public art pieces including physical samples)
10. Details of public realm and landscape design to ensure it is coordinated with neighbouring developments and the emerging Council College Green public realm designs
11. Wayfinding strategy
12. Tree planting and management strategy
13. Public realm and building lighting scheme and to include night time illumination

#### *Pre-occupation*

14. Secured by Design/engagement with the Police
15. Hard and soft landscaping, including rooftop amenity spaces, boundary treatments and planters (including detailed sections with proposed planting including plants specification, densities and details)
16. Details of resurfacing and landscaping works to the Hazeldean Bridge and any work to Hazeldean Road to make it pedestrian and cycle route and restrict vehicle access.
17. Vehicle Dynamics Assessment with hostile vehicle mitigation and anti-terrorist measures (for Hazeldean Bridge)
18. Children's playspace detailed design and strategy
19. Landscaping and public realm management and maintenance strategy
20. Wind mitigation planting and screens to be implemented prior to occupation and first use of the 'Hazeldean Walk'.
21. Details of fenestration of the ground floor, including shop fronts, glazing, signage zones and co-ordination and enhancement of the public realm
22. Details of internal layout and accessibility of commercial units, including shower facilities for staff.
23. Lighting and CCTV of bin and bike stores, surface and under-croft parking areas
24. Details of cycle parking and storage (including staff provision)
25. Access routes and signage down the ramp and into basement for pedestrians, cyclists and cars
26. Refuse store and collection management plan

27. Detailed delivery and Servicing Plan to be submitted
28. Car park management plan (including EVCP)
29. EVCP provision and locations
30. Landscaping to rooftop amenity for Block C to be agreed
31. Biodiversity enhancements
32. Details of air handling units/plant/machinery and screening
33. Building maintenance strategy including window cleaning
34. Window ventilation systems and sound insulation
35. 35% CO2 reduction on site
36. BREEAM excellent for non-residential
37. Any extract systems for commercial uses

#### *Compliance*

38. Use of ground floor as A1, A2, A3, B1 or D1 uses
39. If A1 uses implemented, the floor space for each A1 use restricted to no more than 280sqm and the mezzanine level within Block C shall not be used for A1 retail. No new mezzanine levels to be built without permission.
40. Restriction on hours of use of non-residential uses
41. All features and materials must comply with Part B of the Building Regulations in relation to fire safety
42. Sustainable urban drainage strategy
43. Parking spaces, disabled parking, cycle parking installed in accordance with the approved details prior to occupation
44. Public accessibility of lift and access to be provided as specified
45. Accord with mitigation set out in the Air Quality Assessment
46. Accord with mitigation outlined in Noise Assessment
47. Noise from air and plant units should not increase background noise
48. In accordance with submitted energy strategy
49. 10% of units M4(3) and 90% M4(2)
50. 110 litre/person/day water consumption target
51. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

#### **Informatives**

- 1) Granted subject to S.106 agreement
- 2) Community infrastructure levy
- 3) Code of practise for Construction Sites
- 4) Condition surveys of the public highways around the site
- 5) Light pollution
- 6) Requirement for ultra-low NOx boilers
- 7) Thames Water - groundwater discharge and water pressure
- 8) Site notice removal
- 9) Environmental health
- 10) Network Rail construction and information
- 11) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## 4 LOCATION DETAILS

### Site and Surroundings

- 4.1 The site is located towards the eastern end of College Green and is bounded by Mondial House, the College Tower site and Croydon College (to the north) and the Magistrates Court and College Annexe (to the south). To the east, the site bounds the railway line. Until recently, the site formed part of the Fair Field (College Green) with the eastern end of the site occupied by a multi-storey car park. The car park was demolished in 2018 along with the relevant part of the College Green podium slab – with the land now in a vacant state.



Aerial photo of the site (looking south)

- 4.2 The land levels across the wider area are complex; heavily influenced by existing access and height restrictions. The land levels fall away from the existing College Road/George Street junction and from Barclay Road, leading down to an existing basement level. The Fair Field itself was historically formed at raised podium level with basement parking below. The proposed development would be constructed at podium level, with this level being the primary entrance level into the various buildings.
- 4.3 The basement level is currently accessed via ramps from College Road and Barclay Road. The Barclay Road ramp is located to the rear of Fairfield Halls and goes beneath part of the College Annexe building. This ramp also provides access to the service yard to the rear of Fairfield Halls, a public car park beneath the Fair Field podium (due to re-open later this year) and to an open car parking area attached to the College Annexe site (situated immediately to the south of the site). The College Road ramp also provides access to the Mondial House and College Tower open car park, as well as basement parking for Croydon College. Croydon College also has classroom/workshop space at basement level.

- 4.4 There is presently no pedestrian access into to the basement level (pedestrian subway/ramp - either off Park Lane or Queens Gardens) with previous links either having been closed off for safety and security reasons or, as a consequence of development taking place. In due course, it is anticipated that the two Park Lane subways will be permanently closed off, although the ramp and step access on the eastern side of Park Lane is expected to be retained to provide access and ventilation to the refurbished basement car park.



Photo from basement level within the site (Looking west towards the Annexe building (left) Fair Field public realm podium (centre) and College building (right))

- 4.5 The demolished multi-storey car park was previously accessed at around fourth floor level (via the Hazeldean bridge) which crosses the railway line. Whilst the bridge remains, the link has been removed (temporarily) and this is currently hoarded off from Hazeldean Road.
- 4.6 The site has a number of designations in the Croydon Local Plan 2018 including:
- The site is located within the Croydon Opportunity Area
  - The site is located within the Croydon Metropolitan Centre
  - The site is located within the Fair Field Masterplan Area
  - The Fair Field (College Green) is undesignated protected open space (under London Plan policy 7.18)
- 4.7 The Public Transport Accessibility Level (PTAL) of the site is 6b, which is the highest level of accessibility.

4.8 The site is located with Flood Risk Zone 1. However, parts of the sites are modelled as being at risk from surface water flooding.

### **Background: Fair Field Masterplan, Hybrid Permission and Emerging Context**

4.9 The Fair Field Masterplan covers the area bounded by George Street, Park Lane, Barclay Road and the railway line and provides a framework for the redevelopment of the area - as Croydon's cultural and learning quarter; focussing on a lively and sustainable mix of residential, cultural, educational and commercial uses as well as a well-connected and high quality public realm.

4.10 Key aims of the Masterplan which are relevant to this scheme include:

- Increased accessibility, legibility and activity to support enhanced potential for development sites
- Better connections, particularly a step-free pedestrian route from East Croydon Station and further connections to the south towards Barclay Road
- Improvements in connectivity between the podium (ground) and car park levels
- An animated and well used public realm which complements the surrounding spaces



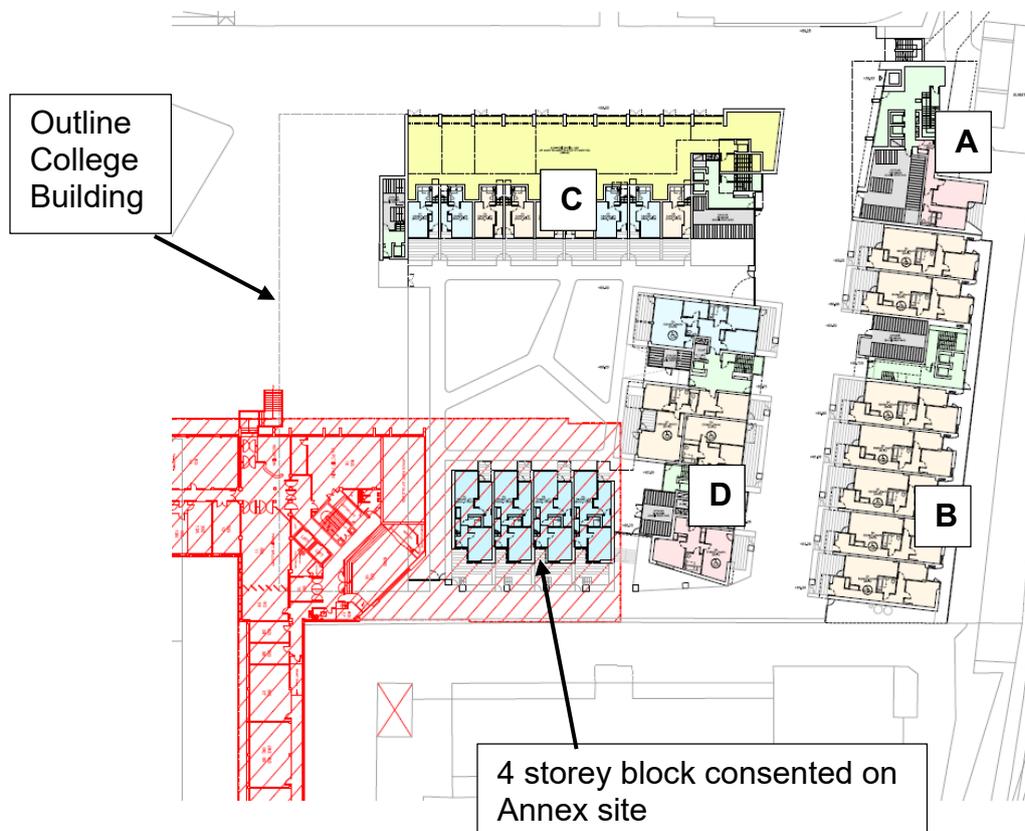
Drawing showing hybrid permission: Blocks A – D from the Phase 1A residential scheme and the outline footprint for Block 7 (labelled Croydon College Phase 1B)

4.11 The hybrid planning permission sought detailed consent for the delivery of 218 residential units within four blocks (A-D) together with refurbishment of Fairfield Halls and improvements to the Fair Field (College Green). The permission included the demolition of the College Annexe building to provide a pedestrian route from the Fair Field to Barclay Road. The proposed blocks ranged from 4 to 21 storeys and included

500 square metres of flexible commercial space, primarily aimed for use by the NHS (at ground floor of Block C). The blocks were laid out to create new routes through the site together with a residential courtyard. Block A (a 21 storey tower) sat at the north eastern corner of the site and was abutted to the south by Block B which ran the length of the site (in parallel with the adjacent railway line). A new north-south pedestrian route separated these blocks from Block D which was an L-shaped block forming two sides of a residential courtyard with Block C forming the northern edge.

4.12 Outline permission was also granted for redevelopment of the buildings to the north and south of the current application site, including outline permission for new building (Block 7) which was intended for a replacement building for Croydon College; the scheme included the demolition and redevelopment of the existing Croydon College building for residential and commercial uses. This replacement educational building was to form the western edge of the approved residential courtyard and would have fronted onto the Fair Field. It was designed to over-sail a pedestrian link (between College Green and Barclay Road) with an additional element of replacement educational floorspace approved to the rear of Fairfield Halls. The agreed parameter plan suggested that this built element would have achieved a maximum height of around 7 storeys.

4.13 Under the hybrid planning permission, the College Annexe building (to the south of the current site and to the rear of Fairfield Halls) would have been demolished with part of the land forming the southern element of Block D (residential) along with a pedestrian route from College Green to Barclay Road. Since that time, Croydon College has changed its plans and now intends to remain in its current building (situated on the north side of College Green). Moreover, the College Annexe building (which was formally owned by Croydon College) is now controlled by a separate developer.



Plan showing location of College Annexe Site (red hatching) and the impact upon the Hybrid Permission scheme

4.13 The College Annexe building is allocated in the Croydon Local Plan (2018) for residential led redevelopment with community uses and a creative and cultural industries enterprise centre (Allocation No. 294). A pre-application scheme for redevelopment of this site was presented to planning committee last year and a planning application has recently been submitted by the new owners.

### **Planning History**

4.14 The following pending planning applications for adjacent sites are relevant:

- Land Adjacent to Croydon College (College Tower): Redevelopment of the site to provide a part 49 and part 34 storey building with basements, comprising 836 co-living units (Use Class Sui Generis) within Tower A and 120 residential units (Use Class C3) within Tower B, a cafe (Use Class A3), community use (Use Class D1), associated communal facilities for co-living residents, amenity spaces, cycle parking, disabled parking spaces, refuse and cycle storage and associated landscaping and public realm works (LBC Ref: 19/04987/FUL) – This scheme has resolution to grant, subject to legal agreement.
- The College Tower site has previous permission for a 16/38 storey building comprising 159 residential units and hotel and restaurant and partial enclosure of access ramp (LBC Ref: 14/01603/P). Whilst this consent remains extant – with a material start on site having taken place around 12 months ago, it was smaller than the more recent scheme and included a hotel in the lower floors of the building.
- Former Croydon College Annexe (College Annexe): Pre-app submission for redevelopment of the site for a part 4, part 12 storey building providing circa 100 flats and a cultural and creative industries enterprise centre was presented to Planning Committee in October 2019 and a planning application has been submitted (LBC Ref: 20/00663/FUL) but is yet to be validated – awaiting further information.
- A previous submission last year sought to convert and refurbish the College Annexe to provide 58 flats and community use at ground and basement level, plus associated works including minor demolition, landscaping and parking (LBC Ref: 19/01025/FUL). This scheme was withdrawn after officers raised concern over the suitability of the building for conversion (in terms of quality of accommodation, internal layout and accessibility of the proposed public route).

4.15 The following planning decisions are relevant to the application:

- Outline planning permission for demolition and redevelopment to provide: flexible class A1 (shops) and/or class A2 (financial and professional services) and/or class A3 (food and drink); class B1 (business); class C1 (hotel); class C3 (dwelling houses); class D1 (non-residential institutions); class D2 (assembly or leisure); public realm and landscaping; and associated car and cycle parking, servicing, and access arrangements (with all matters reserved); and

Full planning permission for demolition including multi-storey car park and Barclay Road Annexe; extensions and alterations to Fairfield Halls including class A3 (food and drink); erection of buildings for flexible class A1 (shops) and/or class A2 (financial and professional services) and/or class A3 (food and drink) and/or class D1 (non-residential institutions) and/or class D2 (assembly and leisure) and class C3 (dwelling houses); change of use of basement car park (part) to class D1 (non-

residential institutions); public realm and landscaping; and associated car and cycle parking, servicing, and access arrangements (LBC Ref 16/00944/P).

4.16 This permission (the hybrid permission) included comprehensive parameter plans, design guidelines and design codes to guide the development as it came forward over several phases.

4.17 Development pursuant to the full planning permission part of this hybrid planning permission has commenced; the extensions and alterations to the Fairfield Halls and the demolition of the multi-storey car park/parts of the College Green podium having either been completed or are underway.



Outline permission site plan (full planning sections in grey)

4.16 Moreover, the following sites have planning permission for development and need to be fully understood and recognised – bearing in mind the various linkages and relationships:

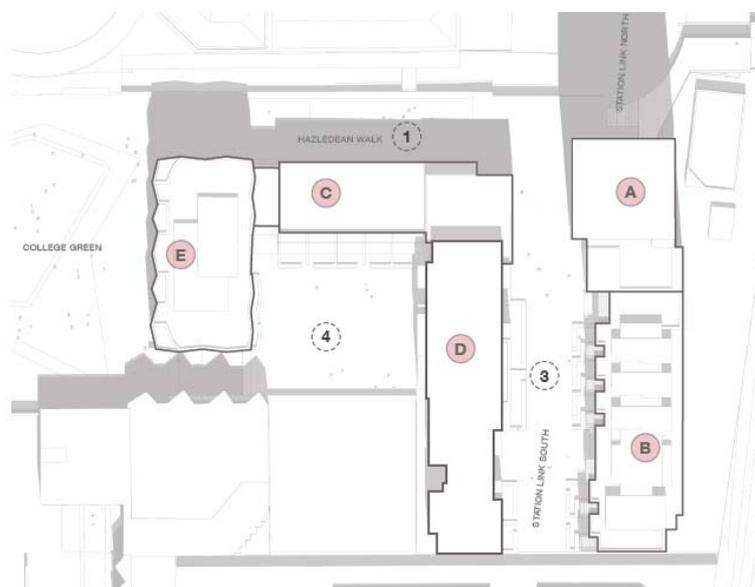
- 101 George Street (Essex House): Redevelopment of the site to provide a part 38 and part 44 storey building with 546 residential flats, with the ground floor to

incorporate a flexible space including retail (Class A1), cafe (Class A3), business space (Class B1) and gallery space (Class D1) uses with basement accommodating parking spaces, cycle storage and refuse storage, and associated hard and soft landscaping including a public winter garden (LBC Ref: 17/04201/FUL). This is currently under construction/nearing completion.

- 102 George Street (Mondial House): Demolition of the existing office building; erection of a part 35, part 13, part 11 storey building comprising plus basement, to provide 220 flats, 1,787sqm B1 office space, and 490sqm A1 retail floor space with associated works (LBC Ref: 16/00180/P). Planning permission was issued in June 2018 and works have yet to commence.

## 5 PROPOSAL

- 5.1 The proposals comprise the erection of five blocks (Blocks A –E) ranging in height from 7 to 29 storeys to provide 421 flats and commercial space at the base of Blocks A, C and E. The scheme layout is based upon the previous hybrid consent for the area, which provided a similar layout for proposed Blocks A-D. Under the hybrid, outline consent was granted for a replacement college building parameter facing onto the Fair Field which also provided an end piece to the approved residential courtyard. The currently proposed Block E would be broadly positioned in a similar location to the parameters of the outline consent. The proposed scheme would provide a higher density development compared to the previously consented scheme, achieved through an additional residential block (Block E), increased heights of the blocks and rationalisation of the housing mix and floor layouts.



Proposed Block Layout

- 5.2 Block A would provide 146 flats (including 21 wheelchair units) and a commercial unit on split levels (ground and first floor) providing 174sqm of commercial floorspace (A1, A2 or A3). This block would be the tallest element of the scheme (at 29 storeys) and would be situated towards the north- eastern corner of the site, closest to the adjoining development sites at Mondial House and College Tower. To the south, the tower would adjoin Block B, a 9 storey linear block which would run parallel to the railway line, providing 53 flats (including 6 wheelchair units). This block would form the eastern side

of a north-south route. Block D would form the western side of this route and would be a further linear block of 8-13 storeys in height, stepping down towards the southern end of the site. This block would provide 83 flats (including 12 wheelchair units) and would also form the eastern edge of a proposed private courtyard. Block C, a 7-10 storey block of 55 flats (including 2 wheelchair units), would form the northern edge of the courtyard and would also provide 1,000sqm of commercial space at ground floor. This space would primarily be designed for healthcare related use to meet the need for a new health centre in the area. Finally, Block E (12 storeys) would provide 84 flats and would form the western edge of the courtyard and would face out onto the Fair Field and would also provide 297sqm of flexible commercial space at ground floor.



View of the scheme

5.3 Each of the proposed flats has been designed to meet the London Plan/Nationally Described Space Standards in terms of internal floor place layout. Across the site, the unit mix is as follows:

Block	Studio	1b2p	2b3p	2b4p	3b5p	4b8p	AH	family units	Total
<b>Block A</b>	16	68	48	4	10	0	0	14	146
<b>Block B</b>	0	0	6	42	5	0	5	47	53
<b>Block C</b>	0	28	2	20	4	1	22	25	55

<b>Block D</b>	10	25	28	14	6	0	16	20	83
<b>Block E</b>	0	50	22	12	0	0	26	12	84
<b>Total</b>	26	171	106	92	25	1	69	118 28%	421

- 5.4 28% of the proposed flats would be family sized flats (5.9% 3bed+ and 21.8% 2b4p). Moreover, 10% wheelchair units would be provided across the site. 69 of the flats would be secured as shared ownership units (intermediate affordable housing) which would equate to 20% affordable housing provision by habitable room. The shared ownership units would include 6x1b2p, 20x2b3p, 30x2b4p and 13x3b5p flats and would be provided within Blocks B, C, D and E.
- 5.5 Each flat would have private amenity space in the form of a balcony or terrace which have been designed in line with London Plan standards. A large shared amenity courtyard is also proposed within the centre of the site measuring about 750sqm.



Visual of the central amenity courtyard

- 5.6 The courtyard would be gated with two access points; one being a level access provided to the north eastern corner (through an under-croft between Blocks C and D) with the other, a secondary stepped access towards the south-western corner of the private courtyard (between Block E and the College Annex site). Play-space would be provided within the development in the form of a mixture of doorstep play, semi-formal play-space and playable areas of landscaping within the courtyard. The scheme would also provide additional amenity space and play-space to the southern edge of the site within the north-south route close to the boundary with the Magistrates Court. An additional roof-top amenity space would be provided on the roof of Block C. Temporary planted screens would be provided along the southern boundaries with the Magistrates Court and College Annexe sites as a meanwhile boundary condition, until such time as these sites come forward (potentially) in the future.
- 5.7 The proposals include new public realm in the form of a step free route to and from the northern edge of the site ('Hazeldean Walk') which would connect into the existing Hazeldean Bridge, over the railway via a wide set of public stairs. The podium would

also link up with the podium structure developed under the emerging College Tower scheme, to provide a step-free pedestrian route from East Croydon Station to the Fair Field and beyond. In order to provide step free access across the site whilst maintaining sufficient head heights to the basement below, the podium level would need to be raised up (whilst providing an accessible gradient between the existing and proposed podium levels) thereby linking with other schemes proposed/consented for the north-east corner. The public realm would mostly be hard landscaped, to facilitate the pedestrian route/connections and flexibility in use, whilst incorporating several large mature trees, soft landscaping and benches.



Visual of Hazeldean Walk

- 5.8 In the vicinity of the north-east corner of the site (where it would connect with the Hazeldean Bridge and College Tower public realm) a small square would be formed, providing an opportunity for some seating and spill out space from the commercial unit in Block A. Additional semi-public space would be provided in the form of a north-south route between Blocks B and D. In the future, this might well facilitate a new north-south route to Barclay Road should the adjacent Magistrates' Court be redeveloped as anticipated in the Fair Field Masterplan and the previous hybrid planning permission. In the meantime, the route is designed to work as a cul-de-sac, providing access to the main cores of the buildings as well as front doors to ground floor flats. At the end of the space, it is proposed to provide a playable art feature as part of the children's play-space strategy.
- 5.9 The proposed development would be broadly car free, apart from meeting blue badge parking requirements (located within the proposed basement). The remaining space within the basement would be set aside for additional public car parking (associated with the main public car park beneath the existing retained podium which gained planning permission under the hybrid consent). The residential parking would be accessed off the Barclay Road ramp (through the main public car park). Servicing for the commercial units would be via the basement and Blocks A, C and E would each have a commercial core, providing access to the basement for this purpose. Moreover, space would be provided within the basement for servicing vehicles. The residential servicing and waste collection would also be provided at basement level and each core for the five blocks would contain communal waste and recycling stores at basement

level (accessed by lift). The waste and recycling and other residential servicing would take place at basement level and all servicing vehicles would enter the basement off the College Road ramp. Secure cycle storage rooms would be provided within each blocks at basement and ground floor level, adjacent to the main core access points and designed to meet London Plan standards in terms of numbers.

## **6 CONSULTATION RESPONSE**

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

6.2 The following external consultees were notified of the application:

### **Greater London Authority**

6.3 The application was referred to the GLA under the Mayor of London Order. The Mayoral Stage 1 response raised the following issues/comments:

- Principle: Support for intensification of an under-utilised town centre site to deliver new homes and active ground floor uses.
- Affordable Housing and Viability: Confirms that the principle of the residential development to cross-subsidise the Fairfield Halls refurbishment works was established in the 2017 approval and that the construction costs associated with these works significantly impact the scheme's viability. The GLA is reviewing the viability information to ensure that the maximum amount of genuinely affordable housing is secured. Early and late stage reviews must be secured.
- Urban Design & Public Realm: The loss of 120sqm of open space must be weighed against the contribution towards public realm and improvements to pedestrian permeability brought forward within the re-provided public realm. Further consideration of design quality for Block A requested. Details of materials must be robustly secured by condition to ensure high quality design is delivered.
- Transport: See TfL comments below.
- Sustainability: Further information requested relating to energy use, water and urban greening.

### **Transport for London**

6.4 TfL made the following comments:

- The proposed pedestrian access routes accord with the key desire lines identified by the Fairfield Masterplan. TfL sought additional information to ensure that step-free access to the site can be achieved for all users to support pedestrian permeability. This has now been provided to TfL's satisfaction.
- Details requested to confirm the cycle parking and access for cyclists is compliant with the London cycling design standards. This has now been provided to TfL.
- A car parking design and management plan and the provision of electric charging facilities to be secured by condition.
- Blue badge parking for the non-residential use should be provided in line with the draft London Plan.
- A contribution of £222,000 should be secured via the S.106 Agreement, towards enhancements to public transport service capacities in the town centre (based upon number of trips associated with the development expected to be made by public transport in the peak hours).

- Details relating to deliveries and servicing to be provided and a detailed delivery and servicing plan to be secured by condition.
- A detailed CLP to be secured by condition.

### **London Trams**

6.5 No comments received.

### **London Gatwick**

6.6 London Gatwick has confirmed that the proposals have been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria and London Gatwick does not have any objection to the proposals.

### **NATS - Safeguarding**

6.7 NATS have confirmed that they have examined the scheme from a technical safeguarding aspect and the scheme does not conflict with their safeguarding criteria.

### **Civil Aviation Authority (CAA)**

6.8 No comments received.

### **Network Rail**

6.9 Network Rail raised no objections subject to the development subject to standard informatives with regards to ensuring that the development does not undermine Network Rail infrastructure and that alterations to the use of the bridge may require clearance from Network Rail.

### **UK Power Network (UKPN)**

6.10 No comments received.

### **Theatres Trust**

6.11 The Theatres Trust confirmed that they had no objection to the scheme given that there is sufficient separation between Fairfield Halls and the new residential units for conflict to not be a concern. They also note that the site is considered as enabling development which has helped refurbish Fairfield Halls and that as part of those works, acoustic insulation to Fairfield Halls has been improved and furthermore, owing to the proximity to the railway line, the residential units would be soundproofed to a high standard – which should avoid complaints.

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

6.12 The officer confirmed that the scheme should be able to achieve the security requirements of Secured by Design and therefore requested a condition to ensure that the development follows the principles and physical security requirements of Secured by Design and accreditation is secured. The officer also made the following observations:

- The communal area between Blocks D and B would greatly benefit from being gated off and having access control as is planned for the residential gardens [OFFICERS COMMENT: the preference of the LPA is that this space remains ungated to resist

'gated communities' in this central location and to ensure that should the Magistrates' Court be redeveloped, provision of a public route through to connect to Barclay Road is protected]

- There is some concern about the potential for rough sleeping and begging around the Hazeldean Bridge steps (particularly at basement level) and natural surveillance including the public lift access. [OFFICER COMMENT: The steps are an important design features and the steps down to the basement level safeguard access to the College Road should the adjacent development not come forward as expected. It is considered that these risks will need to be managed as part of the detailed design stage and further conversations between the applicant and the Metropolitan Police which can take place at condition stage]
- The car park will need to be well managed due to the number of different users
- The UKPN substation will need to be gated [OFFICER COMMENT: The UKPN substation will be gated]
- The perimeter of the site (particularly with the Magistrates' Court) needs to be secure
- Some larger cycle stores will require compartmentalisation

### **London Fire Commissioners**

6.13 No comments received.

### **Environment Agency**

6.14 No comments received.

### **Thames Water**

6.15 Thames Water confirmed that they do not have any objections with regards to surface water network infrastructure capacity or foul water sewerage network infrastructure capacity. They have requested a condition to deal with upgrades to the existing water network infrastructure to accommodate the expected additional flows from the development.

### **Lead Local Flood Authority**

6.16 The LLFA commented that they do not have any objection to the proposals provided that a condition is attached to ensure compliance with the submitted sustainable drainage details.

### **Historic England (Buildings)**

6.17 No comments received.

### **Historic England – GLAAS**

6.18 GLAAS confirmed that the submitted information is sufficient to conclude that there remains no discernible archaeological potential associated with the site and no further information is required.

### **Croydon Clinical Commissioning Group (CCG)**

6.19 The CCG confirmed that they are supportive of the development and the space proposed within Block C would meet their requirements for this location. The CCG

raised some comments with regards to the specific internal layout requirements. They also confirmed that level changes across the site would need to be fully considered to ensure full DDA access to health facilities. [OFFICER COMMENT: The proposals seek to provide level access to all commercial units and to all parts of the public realm; the exact internal specification and layouts would be secured by condition to allow future occupiers to ensure that they are laid out to suit the specific requirements]

## 7 LOCAL REPRESENTATION

7.1 The application has been publicised by way of letters to adjoining properties, site notices displayed in the vicinity of the application site and a press notice in a local publication. 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: 4      Objecting: 4      Supporting: 0

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

<b>Summary of objections</b>	<b>Response</b>
Detrimental impact on the environment	See para 9.140 – 9.157 The scheme is expected to provide environmental improvements
Increased traffic into a heavily congested area	See para 9.124 Whilst there is expected to be an increase in servicing trips; the majority of the transport impacts related to the scheme are expected to be via public transport and walking/cycling improvements.
Loss of daylight and sunlight and rights to light issues	See para 9.109 – 9.122 Officers acknowledge that there would be some significant loss of light to the College building but the impact is considered acceptable when balanced against the benefits of the scheme. Rights to light is a private legal matter and is not a material consideration.
Noise pollution and effects of construction	See para 9.135 and 9.155
Not in keeping with the area/Obtrusive by design	See para 9.42 – 9.44 The scheme is considered to be a well-considered design and would not be out of keeping with the area.
Detrimental to trees	There are no trees within the site. 21 new trees would be planted.
Privacy and Overlooking	See para 9.105 – 9.108

	The separation distance between both Blocks C and E and the Croydon College building is considered to sufficient to protect unneighbourly overlooking.
Overdevelopment	See para 9.7 – 9.12 The proposals are considered to be of an appropriate scale and massing in keeping with this town centre environment which forms the edge of a tall buildings cluster. The scheme is not considered to represent overdevelopment.
Lack of consultation by the developer with adjacent College	The Applicant undertook public consultation prior to the submission of the application. The Applicant has confirmed that they anticipate continued engagement with the College.
Loss of open space	See para 9.28 – 9.32 The proposals would result in the reconfiguration of the majority of open space to provide new public realm and improved pedestrian connections with the surrounding sites and area.
Conflict between pedestrians and cyclists in Hazeldean Walk	The Hazeldean Walk is considered wide enough to accommodate proposed levels of activity, including pedestrians, cyclists as well as potential for spill out seating or uses from the commercial unit at ground floor.
Microclimate concerns	See para 9.149 – 9.154 A micro-climate assessment has been undertaken and this concludes that the public realm would provide suitable wind conditions for the anticipated uses. Some mitigation would be required and details are set out in the main body of the report.

### 7.3 The Mid Croydon Conservation Area Panel have made the following comments:

- Detrimental to the conservation area due to the overall height which diminishes the character of the area
- The application cannot be considered in isolation since there are other applications for adjacent sites which have visual impact on the area
- The architecture is uninteresting and reminiscent of 1960s building for which Croydon is so readily identified
- Concern raised with regards to wind and mitigation measures
- The outline views fail to adequately reflect the full impact of the buildings and those in the wider area.

7.4 The Panel's comments have been considered in the body of the report below.

## **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 2016, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

8.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018 (with minor amendments February 2019). The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Requiring good design
- 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

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

### London Plan 2016 (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
- 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
- 7.8 Heritage assets
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Croydon Local Plan 2018 (CLP):

- SP1 The places of Croydon
- SP2 Homes
- SP3 Employment
- SP4 Urban Design & Local Character
- SP5 Community Facilities
- SP6 Environment and Climate Change
- SP7 Green Grid
- SP8 Transport and Communication
- DM1 Housing choice for sustainable communities
- DM4 Development in Croydon Metropolitan Centre
- DM10 Design and character
- DM13 Refuse and recycling
- DM14 Public art
- DM16 Promoting healthy communities
- DM18 Heritage assets and conservation
- DM19 Providing and protecting community facilities
- DM23 Development and construction
- DM24 Land Contamination
- DM25 Sustainable drainage systems and reducing flood risk
- DM27 Protecting and enhancing our biodiversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM31 Facilitating rail and tram improvements

- DM38 Croydon Opportunity Area

### Supplementary Planning Guidance

#### 8.4 National Guidance:

- National technical housing standards 2015
- National Planning Practice Guidance 2014 (last updated May 2019)

#### 8.5 GLA SPG:

- Accessible London: Achieving an inclusive environment SPG (2014)
- Affordable housing and viability SPG (2017)
- Culture and night time economy SPG (2017)
- Housing SPG (2016)
- Play and informal recreation SPG (2012)
- Sustainable design and construction SPG (2012)
- The control of dust and emissions during construction and demolition SPG (2014)

#### 8.6 Croydon SPGs and guidance as follows:

- Croydon Opportunity Area Planning Framework 2013 (adopted by the Mayor and Croydon)
- Fair Field Masterplan 2012
- Public Realm Design Guide 2019
- Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy– Review 2017

### Emerging New London Plan

8.7 Whilst the emerging New London Plan is a material consideration, the weight afforded to it is down to the decision maker, linked to the stage a plan has reached in its development. The New London Plan remains at an advanced stage of preparation but full weight will not be realised until it has been formally adopted. Despite this, in accordance with paragraph 48 of the NPPF substantial weight can be applied to those policies to which the Secretary of State has not directed modifications to be made.

#### 8.8 The policies of most relevance to this application are as follows:

- SD1 Opportunity areas
- SD6 Town centres and high streets
- SD7 Town centres: development principles and development plan documents
- SD10 Strategic and local regeneration
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm

- D9 Tall buildings
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agents of change
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- S4 Play and informal recreation
- E9 Retail, markets and hot food takeaways
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- HC5 Supporting London's culture and creative industries
- HC6 Supporting the night-time economy
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI6 Digital connectivity infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
  - T6.1 Residential parking
  - T6.3 Retail parking
  - T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the plan and planning obligations

## **9 MATERIAL PLANNING CONSIDERATIONS**

9.1 The main planning considerations are:

1. Principle of development

2. Townscape and visual impact
3. Housing quality for future occupiers
4. Impact upon neighbours
5. Transport
6. Environmental Impact, Sustainability and Flooding
7. S106 obligations

## **Principle of Development**

### Housing

- 9.2 The National Planning Framework 2019 sets out a presumption in favour of sustainable development which meets social, economic and environmental needs and attaches importance to significantly boosting the supply of new housing.
- 9.3 The London Plan 2012, Local Plan 2018 and Opportunity Area Framework 2013 (OAPF) all identify the centre of Croydon as capable of accommodating large scale developments. The OAPF encourages new homes, the revival of the high street and improved streets and amenity spaces.
- 9.4 The Croydon Opportunity Area (COA) designation seeks to encourage at least 7,300 new homes up to 2036. The Local Plan identifies the COA as the primary location in the borough for growth. The Plan sets out that the COA is expected to provide almost one third of the housing target for the borough.
- 9.5 Full planning permission has been previously granted for 218 flats in this location, on a site which included the land to the south – forming part of the College Annex site. The principle of redevelopment of the application site for a residential led development has therefore been established under the hybrid permission. The site is in a central location with excellent access to public transport, local shops and services and is therefore well placed for residential-led development of a higher density than was previously consented. It also appropriately directs higher densities to existing and emerging development clusters, centred close to major transport interchanges and city centre amenities.
- 9.6 The proposed layouts have rationalised the unit mix and layout of the previously approved scheme and together with the increased building heights and provision of an additional block (Block E), this has allowed the proposal to provide substantially more units. The development would therefore contribute substantially to the Borough's strategic housing targets and the overall town centre growth and regenerative agenda.

### Density

- 9.7 Based on the public transport accessibility level (PTAL 6b) and the site's central characteristics, the London Plan density matrix suggests a residential density of between 650-1100 habitable rooms per hectare and 140-405 units per hectare for the application site. The residential density of the proposal would be 351 units per hectare (or 889 habitable rooms per hectare) based upon the whole site which would comfortably sit within the suggested density matrix limits. This would rise to 526 units per hectare when considering only the main area of the site which is to be developed (0.8 hectares).

- 9.8 The current London Plan indicates (at paragraph 3.28), that it is not appropriate to apply the density matrix 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. The density ranges should be considered as a starting point rather than an absolute rule. The London Plan Housing SPG (at paragraph 1.3.50) states that Plan confirms that the SPG will provide general and geographically specific guidance on the justified exceptional circumstances where the density ranges may be exceeded. The SPG notes that the London Plan has a strategic priority to realise additional housing output through intensification. The Plan suggests that town centres, opportunity areas and areas of high public transport accessibility all have substantial potential for housing intensification particularly through residential-led high density mixed use redevelopment. This site is a highly accessible town centre location with the Croydon Opportunity Area.
- 9.9 In addition, the emerging London Plan seeks to remove reliance upon a formula to determine density, focusing instead upon a design led approach to optimising site capacity (emerging policy D3). This policy seeks to ensure that development optimises the capacity of sites in terms of form and layout, experience, quality and character. Moreover, the Secretary of State in his response to the Intention to Publish version of the London Plan, directs amendments to this policy by seeking to optimise density in higher density areas which are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. His directed modification focusses specifically on the promotion of higher densities in areas characterised by existing and emerging higher density clusters.
- 9.10 Whilst the emerging London Plan and directed changes by the Secretary of State have yet to be adopted, they appear to reflect the principles set out in the NPPF. Chapter 11 of the NPPF 2019 seeks to ensure that policies and decisions promote an effective and efficient use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Paragraph 122 sets out that policies and decisions should support development that makes efficient use of land (taking into account the identified need for different types of housing and other forms of development and the availability of suitable land; local market conditions and viability; availability and capacity of infrastructure and services; desirability of maintaining an area's prevailing character and setting or promoting regeneration / change and importance of securing well-designed, attractive and healthy places).
- 9.11 As noted in the section above, the CLP supports a growth agenda and sets out an expectation for the COA to support at least one third of the borough's housing target. Policy SP2.2f confirms that the borough will ensure that land is used efficiently. The OAPF promotes high density development and the Fair Field Masterplan seeks to optimise development potential to enable a new mix of uses, whilst noting that significant height is to be accommodated and stating that the benefits of introducing significant residential uses to the area should not be underestimated in achieving the core aspirations for the site. CLP policy SP4.5 encourages tall buildings in the Opportunity Area, subject to compliance with the Local Plan's detailed policies and the Opportunity Area Planning Framework. Being located within the Edge Area of the Opportunity Area, the site is covered by CLP policy DM38.4 where tall buildings can be acceptable subject to achieving a high quality form, design and treatment and where negative impact on sensitive locations is limited. This is explored further in the townscape and heritage section of the report.

9.12 Officers consider that the layout, massing and density optimises the site capacity making effective and efficient use of a brownfield site in a highly accessible location which is well connected to jobs, services, infrastructure and amenities. In addition, the development of this site would promote regeneration of the Fair Field Masterplan area, creating a new residential community in the Metropolitan Centre and improving connections with rest of the Masterplan and wider area. Whilst the density is perhaps more than was anticipated within the OAPF and Fair Field Masterplan, it is clear that with the increased housing targets within the Local Plan and emerging London Plan and the drive to realise the potential of accessible town centre sites, the higher density is supported in principle, subject to the detailed considerations set out in the rest of the report.

### Residential Mix

9.13 Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes. It sets out that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 requires a minimum provision of homes designed with 3 or more bedrooms on sites of 10 or more dwellings. In central settings with high PTAL ratings, the requirement is 20% of units to have 3 bedrooms or more which is also set out in the OAPF as a specific target for the Fairfield area of the COA.

9.14 The applicant has provided evidence as part of their viability appraisal which suggests that provision of 20% of 3 bedroom properties would have had a significant impact upon the viability of their scheme. The Local Plan recognises that the development market will need time to adjust to providing the quantum of larger family homes of 3 or more bedrooms and therefore accepts that for the first 3 years of the Plan, an element of family housing provision may be provided as 2b4p flats. When including 2b4p flats, the provision of family sized units would be 118 flats which equates to 28%; of which 5% would have 3b or more. The housing mix is considered to provide a suitable housing mix for the site in accordance with Local Plan policy DM1.1b.

### Affordable Housing and Viability

9.15 The CLP (2018) states that to deliver affordable Class C3 housing in the Borough on sites of 10 or more dwellings, the Council will negotiate to achieve up to 50% affordable housing, subject to viability and will seek a 60:40 ratio between affordable rented homes and intermediate (including shared ownership) homes unless there is an agreement with a Registered Provider that a different tenure split is justified. The London Plan viability SPG suggests that for public land, developments should seek to achieve 50% affordable housing (with local tenure mix).

9.16 The refurbishment works at the adjacent Fairfield Halls have a bearing upon the viability of the proposed development and the amount of affordable housing that can be provided. These works have been substantially completed, with the venue and enhanced facilities open for business. The hybrid permission scheme incorporated cross-subsidisation of the refurbishment of Fairfield Halls by the residential element. As a consequence, 15% (by unit) affordable housing (18% by habitable room), all to be delivered as intermediate tenure, was accepted as part of this previous scheme.

9.17 The Local Plan and OAPF both identify Fairfield Halls as a prominent civic and cultural facility, with the OAPF identifying the positive contribution it makes to the built environment of the COA. Policy SP3.4 states that the Council will promote the

remodelling of the Fairfield Halls as a performance facility. In the supporting text, it notes that the Fairfield Halls is a cultural asset synonymous with Croydon and is also of regional importance and therefore its retention and remodelling merits inclusion within the Strategic Policies of the Croydon Local Plan.

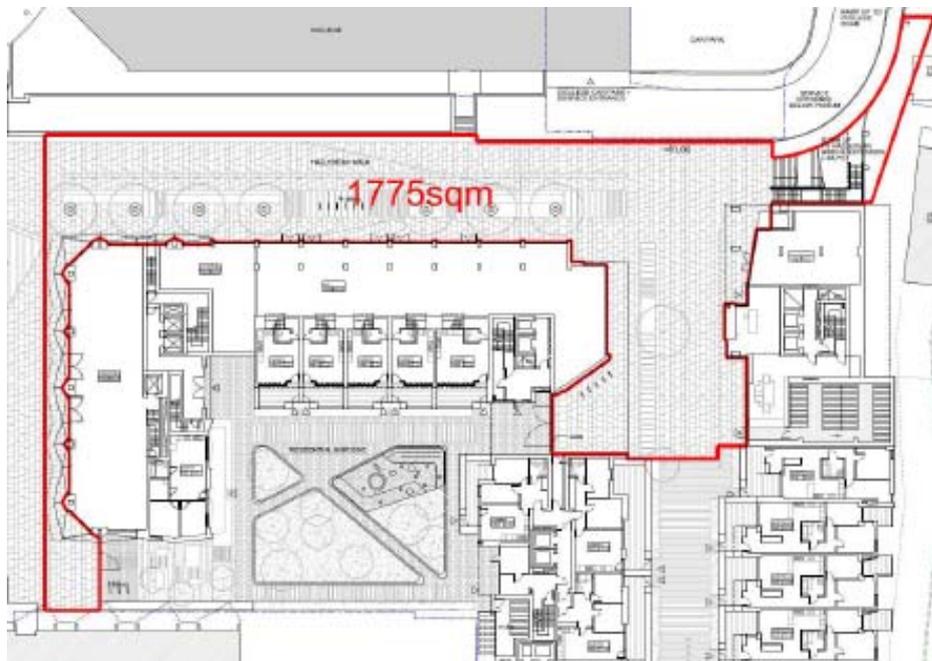
- 9.18 In the supporting text for policy DM38 for the Croydon Opportunity Area, the Local Plan states that a renewed Fairfield Halls will continue to be a major regional arts facility. This policy also identifies the role of the OAPF and adopted Masterplans (including the Fair Field Masterplan) in enabling development opportunities to be undertaken in a cohesive and coordinated manner. The Fair Field Masterplan notes that the wider influence of the Fairfield Halls on the character of the surrounding area and indeed, for the whole of Croydon, cannot be overstated. It identifies it as a cultural centre for the area which informs the area's potential to have people and activities spilling out to the adjacent spaces which make Fairfield Halls long term presence in the Masterplan very important. The Masterplan identifies some aspirations associated with the refurbishment of the building, celebrating it as an important part of Fair Field, including opportunity to create additional entrances and/or new active frontages to the north side of Fairfield Halls facing College Green (now known as the Fair Field), improvements to servicing and delivery access, an external presence of the creativity and cultural activity (which will define the Fairfield Halls area and increase its legibility to the wider urban context). The refurbishment of the Halls sought to improve the viability of the venue as a performance space, including a new extension facing onto the Fair Field and improved servicing arrangements (albeit more modest than was first envisaged under the hybrid application). Internally, the building was updated to provide more performance and rehearsal space and improve accessibility.
- 9.19 It is considered that the financial impact of the refurbishment costs on the viability of the residential development, in the context of the significance of the Fairfield Halls as a pre-eminent performance facility, justifies a reduction in the quantum and tenure of affordable housing from policy targets as this reflects another important planning priority (in this case) to fund the refurbishment of the Fairfield Hall. The primary reason for the proposed affordable housing provision has been due to the impact of the costs associated with the refurbishment works, which have also increased beyond the original estimate set out in the hybrid permission. Under the hybrid permission, the residential development was considered to be enabling development and the applicant began works to the Halls on the back of this permission. The majority of refurbishment work to Fairfield Halls have now been completed with the venue having re-opened on 16 September 2019 by the Mayor of London. Whilst the works to the Halls do not form part of this planning application (and it sits outside the redline boundary of the development) the planning history, the works undertaken to date and decisions taken pursuant to this previous planning permission means that the two elements remain closely linked. Officers therefore are satisfied that the refurbishment remains linked to the residential development and weight can be afforded to this as a relevant consideration with regards to the maximum level of affordable housing which can be achieved.
- 9.20 The applicant has submitted a financial viability appraisal which has been independently reviewed by a viability consultant on behalf of the LPA who has examined the cost and value inputs into the appraisal in order to determine whether the proposed affordable housing offer is the maximum reasonable level consistent with the viability of the project. The review confirms that the scheme results in a significant deficit which the applicant intends to offset against their profit margins.

- 9.21 Given that the applicant's role in provision of affordable housing and despite viability challenges, the applicant has committed to providing 20% affordable housing (by habitable room) as shared ownership tenure. This represents a slight increase in terms of percentage but an increase in overall numbers (from 33 to 69 units) compared to the hybrid permission. These would all be provided as shared ownership units, pepper potted across the site.
- 9.22 An addendum FVA has also been reviewed by the Council's independent consultant with additional sensitivity and scenario testing undertaken in response to GLA comments; profit levels, sales values and tenure mix. The addendum report confirms that introduction of mixed tenure (to include affordable rented flats) would have further affected the viability of the scheme, increasing the deficit and would have given rise to management costs and difficulties.
- 9.23 The Council's independent consultant has carried out further sensitivity scenario testing including discounting the cost of the refurbishment work to the Fairfield Halls and removing all developer profit. Discounting the cost of refurbishment work to the Fairfield Halls, confirmed that the scheme would have returned a surplus of £25.8m (after profit) which would have enabled the delivery of further affordable housing. The Council's independent viability consultant considered that this could have achieved in the region of 45% affordable housing (based on a high level assessment of affordable floorspace – and not factoring in required tenure splits).
- 9.24 This scenario clearly confirmed that the main driver for the low affordable housing offer was the Fairfield Halls refurbishment costs. Moreover, this scenario has limited significance, given that the refurbishment works have already taken place with the costs expended currently in the region of £42m (which is likely to be higher once fully completed). In addition, the costs of the refurbishment work have been independently reviewed and the costs are considered reasonable for the purposes of the viability appraisal.
- 9.25 The second scenario (removing of all developer profit), which resulted in the scheme breaking even (running a marginal surplus of £0.56m). However, this marginal surplus could easily be lost by very minor adjustments in costs and values. In addition, given the risks of development (particularly in light of current circumstances), a nil profit assumption would risk the viability of the scheme further and significantly constrain delivery.
- 9.26 Overall, it is therefore accepted that the proposed affordable housing offer is the maximum reasonable level consistent with the viability of the project. Any uplift in profitability would be taken account of via the S.106 Agreement through both early and late stage review mechanisms which would allow further affordable housing to be secured should the scheme's viability position improve at the time of, and during, construction. Discussions are ongoing with the applicant and GLA as to the precise wording of the review mechanisms (including costs and profit levels).
- 9.27 In seeking to secure the maximum possible contribution to affordable housing, the GLA have also suggested that a S.106 obligation should be secured to ensure that in the event where the refurbished Fairfield Halls were to be sold for a positive value or generate an operating surplus, this benefit should be captured to deliver additional affordable housing. This does not acknowledge that the Fairfield Halls is a strategic asset of the Council. As the Council's operating agreement with the venue operator seeks to reinvest any operating surpluses into further community activities at Fairfield

Halls, it is therefore not considered appropriate or necessary for this scheme to secure additional affordable housing in this way through S.106 Agreement.

### Open Space

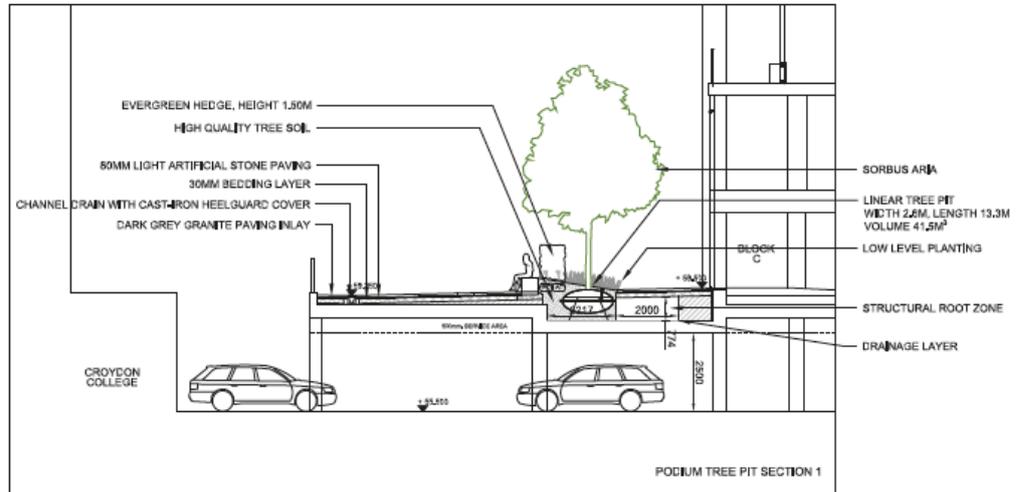
- 9.28 The Fair Field is protected as undesignated open space under the NPPF and London Plan policy 7.18. This policy seeks to resist the loss of protected open space unless equivalent or better quality provision is made within the local catchment area and that replacement of one type with another is unacceptable unless an up to date needs assessment shows that this would be appropriate. CLP policy SP7 reinforces this in seeking to protect and safeguard the extent of the borough's open spaces. This policy also supports the creation of a 'green grid' to improve access and links to and through green spaces to encourage walking, cycling and horse-riding. The Council also seeks to maintain and improve the quality, function and offer of open spaces across the borough for all users. In addition, the emerging London Plan reaffirms the need to protect and enhance open spaces and green features and should not result in loss of open space (emerging policies G1 and G4).
- 9.29 The scheme proposes the reconfiguration of the eastern end of the Fair Field public realm. This area of public realm has already been demolished (it was located at podium level) as part of the hybrid permission. It previously provided 1,895sqm of open space and mostly consisted of raised turf and hard standing which was of a low biodiversity value and restricted accessibility to disabled users. The majority of the space would be re-provided as part of the new public realm within the proposed scheme (measuring 1,775sqm). The public realm created would mostly be located to the north of the site between Block C and the adjacent Croydon College.



Re-provided public realm

- 9.30 Officers are satisfied that It would be more than just a pedestrian thoroughfare; it would be 12.5m wide and would provide a small square at the base of the Hazeldean Bridge and between Block A & C. Officers acknowledge that due to the orientation of the site, the amount of direct sunlight the space will receive is likely to be limited to early morning and late evening. However, the intended microclimate would make the area

suitable for sitting and standing. The space would be softened through tree and soft landscape planting and benches would be provided which would encourage activity and use.



Indicative tree pit, planting and public realm detail

- 9.31 The space would create a route connecting the Fair Field public space to Hazeldean Bridge, enabling a walking and cycle route to Park Hill. The applicant has also been working with the developer of the College Tower scheme and the Council's public realm team, with a view to facilitate a connection with the approved College Tower podium level, providing a level pedestrian route though from East Croydon Station, towards Fairfield Halls (and beyond to Queen's Gardens). The size and layout of this space and the steps up to the Hazeldean Bridge have been improved since pre-application discussions.
- 9.32 Overall, whilst the development would result in the loss of 120sqm of open space and the new public realm would be different in character, officers consider that the development would result in improvements to the public realm within the development site. The layout and design would provide meaningful hard and soft landscaping and furniture to make it a useable public realm. The creation of the new accessible routes would improve the legibility of the Fairfield Masterplan area, along with connections to Park Hill Park via the Hazeldean Bridge.
- 9.33 In addition to the public realm provided within the site, it was considered at pre-application stage that improvements to the Fair Field public realm should be captured as part of the planning application, through a financial contribution towards wider public realm improvements. The previous hybrid planning permission secured substantial improvements to the main Fair Field which was considered to be a significant benefit in the planning balance. Given the relationship between the current scheme and the hybrid permission, alongside the works undertaken to date, wider enhancements remain an important material planning consideration which should continue to be recognised.
- 9.34 Since the date of the hybrid permission, the Council has initiated a competitive tender process to procure a world class public realm design for the Fair Field which would go well beyond the proposals previously secured as part of the hybrid planning permission. It was suggested at pre-application stage that the current application

should provide a financial contribution to cover the value of the previously consented public realm scheme. This financial contribution would provide the local planning authority with clear certainty that public realm improvements (of a similar quality of public realm previously approved) would be delivered, should the more visionary public realm scheme not materialise.

- 9.35 At the time of the hybrid permission, the applicant together with the Council secured funding from Coast to Capital. The funding currently sits with the Council and it is understood that the remaining funds are secured primarily for the purpose of the delivering public realm improvements. Officers are satisfied that the remaining funds (circa £2.75m) would be sufficient to deliver a public realm scheme based upon the previously approved designs derived out of the hybrid scheme (albeit with a lower specification but still in line the Council's public realm design guide). Officers therefore recommend that the S.106 Agreement should safeguard this funding to facilitate the delivery of a public realm scheme within an appropriate timescale, should the more visionary public realm scheme not come forward for any reason.
- 9.36 The Council is currently developing a public realm scheme and have entered into pre-application discussions with the LPA. A planning application is expected towards the middle of this year. The anticipated delivery date for this project is scheduled for the middle/end of 2022 (which would be prior to the anticipated completion of the proposed residential development). It is expected that as long as the visionary public realm scheme goes ahead, the Coast to Capital funding would be subsumed within it and the need for a 'fall-back' public realm scheme would fall away. As part of the public realm works, the S.106 obligations would also secure work required to be undertaken by the applicant to make improvements to the Fair Field podium and access where needed for their development. It is likely that the podium might need strengthening to allow for fire tender access in specific areas. More minor changes may also be required to bus standing along Park Lane to provide emergency vehicle access.

#### Commercial

- 9.37 The proposals include flexible commercial space (primarily envisaged as a café or retail unit) within the base of Block A (linking to the Hazeldean Bridge at first floor mezzanine level) and within the ground floor and mezzanine level of Block C and ground level of Block E. The flexible uses would include A1, A2, A3 and D1 uses.
- 9.38 The site lies within the Croydon Metropolitan Centre, outside of the primary retail area. Local Plan policies supports the provision of A2 (financial and professional services), A3 (café/restaurant) and D1 (community) uses within the Metropolitan Centre but seeks to restrict retail, to ensure that it would not detract from the retail offer within the primary retail area of the Metropolitan Centre. In this case, a sequential test has been provided which confirms that the introduction of A1 retail space would complement the number of new residents and would provide for the local shopping needs of the development. Officers consider the provision of retail space within the development to be acceptable, subject to conditions imposed to restrict retail uses at mezzanine level within Block C and to restrict the floor space of any individual retail unit to no more than 280sqm (to align with Sunday Trading Laws for convenience shops).
- 9.39 Under the hybrid permission, the ground floor space within Block C was identified for a potential new medical centre with a planning condition imposed to require the space to be initially marketed to the NHS. The applicant has been working with the NHS and has sought to design the space to meet its requirements (in terms of design layouts

and servicing arrangements). This has resulted in the doubling of the unit floorspace, to respond to identified NHS need. Discussions with the NHS are still at an early stage but the Croydon Clinical Commissioning Group has provided comments in support of the proposals. They have confirmed that the size, location and indicative layouts would meet their needs (subject to further detailed design of internal layouts and servicing plans). Given the increasing need for health care facilities to meet the growing demand in the Croydon Metropolitan Area, it is considered appropriate to secure a commitment to marketing the site solely to the NHS/health care providers for one year through the S.106 Agreement (this has also been requested by the GLA). Given that there is no certainty at this stage that the NHS will want to take up the space, the applicant is seeking a more flexible use after this initial one year period, to ensure that the commercial space does not remain unoccupied. Officers are satisfied that these provisions would enable conversations to continue with health providers whilst ensuring that the unit does not stay unoccupied indefinitely.

- 9.40 DM4 states that outside the main and secondary retail frontages but within centres, proposals should demonstrate that a specific end user will be occupying the ground floor upon completion or provide a free fitting out of all ground floor units for the eventual end user, to ensure that the unit is capable of occupation and operation by the eventual end occupier. The policy also seeks to ensure that the ground floor units are capable of conversion to uses similar to those found elsewhere in the building, if after two years subsequent to completion no end user has been found for the ground floor unit. This policy seeks to ensure that commercial uses do not remain empty and boarded up for years after completion. In this case, it is expected that there would high levels of footfall and it is unlikely that the units would remain unoccupied. Whilst proposed uses might be flexible, prior to completion and occupation of the blocks, the applicant should demonstrate that specific end users have been identified for each ground floor use, or provide free fitting out of all ground floor units prior to occupation.
- 9.41 Local Plan policy SP3.14 sets out that employment and skills training will be secured via a S.106 Agreement for major developments, to provide employment and training opportunities for local residents. The scheme would secure financial contributions towards construction and end user training and employment brokerage and it is expected that a local employment and training strategy would be submitted – which has been captured by the associated S.106 Heads of Terms.

## **Townscape and Visual Impact**

### Massing

- 9.42 The site is located in an 'edge area' for tall buildings which is defined in the Local Plan policy DM10 and DM38 and the OAPF as an area where tall buildings should be supported; where it can be demonstrated that there will be limited negative impact on sensitive locations and that the form, height, design and treatment of a building are high quality. The Fair Field Masterplan seeks a stepped hierarchy of building heights, stepping down in height away from East Croydon Station towards Fairfield Halls and the Chatsworth Road Conservation Area. The Conservation Area Panel note in their objections, that the application cannot be considered in isolation since there are other applications for adjacent sites which have visual impact on the area. Whilst officers note the panel's views, the Local Plan, OAPF and Masterplan all accept the principle of tall buildings in this area and several tall buildings have already been built out or approved in the locality creating an existing tall building cluster. Given the scale and massing of the adjacent development at the 101 George Street, College Tower and

Mondial House sites, the 29 storey Block A is considered to be an appropriate height for the area and would not have a significantly different impact compared to the previous hybrid consent (which achieved 21 storeys). In addition, the proposed massing to Blocks B, C and D would not significantly alter the relationship between the blocks or the wider context in terms of townscape.

- 9.43 The most significant change from the extant hybrid permission is the introduction of Block E and its relationship with the College Annexe site. The general approach to massing is supported and goes some way to achieve the ambitions of the Fair Field Masterplan; stepping height across the site from the lower height of Fairfield Hall up towards the towers being constructed (or with planning permission) close to East Croydon Station and adjacent to the railway line. A townscape and visual impact assessment was submitted by the applicant, which demonstrates that the scheme will make a positive addition to Croydon's evolving townscape and would not have a substantial negative impact upon heritage assets within the vicinity of the site (see below for full assessment of heritage impact).
- 9.44 The provision of a taller block (Block E) on the site of the proposed replacement Croydon College (Phase 1b of the extant hybrid permission) is considered acceptable on balance, due to its prominent role, forming the termination to the Fair Field and acceptable impact on the existing and emerging context. The proposed footprint and massing would successfully terminate this key public realm and would help define the main square, set within the context of the Grade II listed Segas House opposite and the locally listed Fairfield Halls and Croydon College on either side. Some concerns have been raised as regards the close adjacency of Block E to the College Annexe site. This is considered acceptable given the high density town centre location and the role Block E will play, in terms of terminating the emerging Fair Field public realm.

#### Site Layout & Access

- 9.45 The layout of the site has not changed significantly from the extant permission and remains firmly grounded in the Fairfield Masterplan principles of improving legibility and connections to the wider context. This is a key objective of the Masterplan and the delivery of several connecting routes remains a significant benefit of the scheme. The main principles of the layout include provision of:
- A step free east – west pedestrian route connecting from the Fair Field public realm through to East Croydon station and to the Hazeldean Bridge.
  - A step free north – south pedestrian route connecting the scheme to Barclay Road (should the Magistrates' Court be redeveloped).
  - Provision of a central courtyard.
- 9.46 The omission of the southern portion of the hybrid site and subsequent re-consideration of the proposed layout and massing of the proposed Block E is supported. Its layout and proposed entrances provide a suitable response to this change of condition. The access arrangements to all blocks is supported although some additional wayfinding signage for the recessed entrances on Blocks B and D would aid legibility. A site-wide wayfinding strategy (to include any entrance signage and wayfinding posts or signs) would be secured by condition.

#### Landscaping, Public Realm & Outdoor Amenity Space

##### *General*

- 9.47 The scheme would present a clear logic as regards the hierarchy of spaces, including the scale and sequence of the spaces with good definition between public and private space and clear routes through the site and wider Fair Field Masterplan area.
- 9.48 The scheme would provide a variety of public realm spaces and critically, it would facilitate a step free route between East Croydon and Fairfield Halls with steps up to the Hazeldean Bridge. During the course of the application, work was undertaken to widen the steps as much as possible, to provide an extensive landing space and high quality public realm. Further detail will need to be secured by condition to ensure that the Hazeldean Bridge would be suitably resurfaced, to provide a pedestrian and cycle route onto the site and to ensure that the junction with Hazeldean Road would be suitably resolved, to limit conflict with vehicle parking and to protect pedestrian and cyclists. An internal lift would facilitate step free access between the Hazledean Bridge level and the podium/ basement levels.
- 9.49 The public realm landscaping designs are considered acceptable. The hardstanding within the public realm areas would accord with the public realm design guide and is based upon the previously consented design for the Fair Field public realm. The design of the Fair Field is set to change as part of the Council's public realm scheme for the area. The applicant is participating in co-ordination workshops with the public realm team and it is expected that the emerging design would be incorporated into the final public realm design. Continued co-ordination would be secured through the S.106 Agreement alongside a condition for detailed landscaping design. The transition between the two hardscape designs (indicating movement to a more private space between Blocks B and D) is considered appropriate subject to further detail (to ensure that it ties into any updated public realm design).
- 9.50 In terms of the soft landscaping, the double landscape layer of hedging and low level planting to screen front gardens on the ground floors should maintain privacy without creating undue barriers and would provide a good transition from private to shared amenity areas. Sections and planting details including Day 1 - to mature heights and planting densities would be secured by condition. The general planting strategy for the public realm areas and courtyard is considered acceptable subject to detailed conditions. The species selected would need to provide year round variety and suit the range of conditions around the site, particularly any shared areas within the development. Questions were raised as regards to the longevity and maintenance of the planted screen to the south of the site (along the boundary with the Magistrates' Court and College Annexe). However, subject to species mix and detailed conditions (including maintenance and planting conditions) the screens would be acceptable. The access decks to Block C would include modest planting beds to provide privacy and soften the appearance of the decks which is supported. Further consideration of appropriate planting would be needed given the north facing aspect of the decks, which would also be secured by condition.
- 9.51 An accessible roof terrace is provided to the roof of Block C which is supported. It appears that this would be accessible for individual residents to book and use but limited information has been provided at this stage. A hard and soft landscaping and use strategy for this space would be secured by condition.
- 9.52 Limited information has also been provided with regards to the lighting strategy for the area. Given the likely changes to the public realm design to respond to the Fair Field public realm, officers consider that an acceptable lighting strategy (including locations

and detail designs of luminaires, maintenance, and supplier information) can be secured by condition.

#### *Biodiversity and Urban Greening Factor (UGF)*

- 9.53 The London Plan policy 7.19 states wherever possible, development proposals should make a positive contribution to the protection, enhancement, creation and management of biodiversity. This is reinforced in CLP policy SP7 and DM28 which states that biodiversity should be incorporated into all sites and integral to new buildings (including green roofs). The emerging London Plan policy G6 pushes this further, encouraging developments to aim to secure net biodiversity gain as does paragraph 175 of the NPPF. In addition, the emerging London Plan policy G5 introduces an urban greening factor to identify the appropriate amount of urban greening required in new developments. This policy states that major developments should contribute to the greening of London, including urban greening as a fundamental element, incorporating measures such as high quality landscaping (including trees), green roofs, green walls and nature based sustainable drainage.
- 9.54 The policy suggests an UGF of 0.4 for residential developments. An UGF report has been provided by the applicant which confirms that the development would provide an UGF of 0.25 which falls short of that suggested by the Mayor. However, the scheme replaces a multi-storey car park and area of lawn and hardstanding, both of which had limited biodiversity value. The site is located in an urban city centre location where hard landscaped public realm improvements are prioritised at ground floor (particularly given that the public realm is situated at podium level and therefore has limited opportunities for nature based sustainable drainage). Officers have encouraged the applicant to consider how the podium could be softened, with tree pits and soft landscaped areas. The proposal now includes the provision of 21 new trees which will be a range of species, helping to improve biodiversity. Two green roofs have also been incorporated into the landscape strategy. Whilst the proposals would not meet the UGF threshold for residential developments, officers are satisfied that the site provides significant additional soft landscaping and new tree planting.

#### *Ground Floor Uses & Activation*

- 9.55 The frequency of front doors to the residential blocks means that there is a good level of active frontage and visible connection of the units to the public areas. The commercial space to the base of Block A would provide a meaningful point of destination and would provide some activation at the bridge level and as one approaches from George Street (as it would provide a mezzanine access). Concerns have been raised about the passive surveillance of the public access lift at bridge level. However a condition will secure compliance with secure by design accreditation and it is considered that this can be resolved at detailed design through further discussions with the police. The designed-in flexibility of the units within Block C and E is acknowledged and welcomed, but future uses may benefit from co-ordination with other development sites to ensure that emerging uses complement the whole Masterplan area.
- 9.56 In terms of design, the commercial frontages would add visual interest and activation to the public realm, particularly within Block E - although officers acknowledge that there is a slightly awkward resolution between the fire escape stairs exit to the north elevation within the façade of the bay. Further design detail would be secured by

condition to ensure that all of the commercial frontages are of a high quality and any junctions would be suitably resolved.

### *Play Strategy*

- 9.57 It is accepted that the location of the development offers a wide range of play environments in close proximity to the site. Within the site, there are informal playable environments and the provision of a semi-formal play provision within the courtyard. Whilst the scale and layout of the proposed play-space is considered acceptable, officers' preference has been to focus play-space within the courtyard and to make use of a more natural approach to play-space, removing need for synthetic surfacing material and 'off the shelf' play equipment. A more natural approach would integrate the play area into the courtyard's landscape and provide more natural play on the doorstep of the homes within the urban context. It is considered that the play features could become more ambiguous and natural in kind such as landforms, natural materials and biodiversity features (such as insect hotels etc) which would also enable other residents to make use of the area when not in use for play. Further detail would be secured by condition for the submission of a play strategy and detailed information about the play features and any structures.

### Architectural Expression, Materials and Detailing

- 9.58 In general, the applicant has satisfactorily resolved all of the key design challenges into well-proportioned and articulated forms that work well together as a group of buildings, set within the surrounding existing and emerging context. Despite the Conservation Area Panel's concerns that the architecture is uninteresting, officers consider it to be high quality and provides an appropriate response to the character of the area (and builds upon the architectural design of the hybrid consent). Block A would successfully incorporate the increased height and the top, middle and bottom articulation has been clearly executed. The alterations to Block B has led to some dilution of the hit and miss massing of the top floors – but the overall expression remains strong and well considered. The articulation of Block C is supported, including the recessed bay which successfully transitions between the main block and Block E. Block D has a limited visibility from outside of the site; the elevation articulations are considered acceptable. The quality of articulation of Block E and the level of detailing variety is of a very high standard and is fully supported. It will be vital for the success of the scheme to ensure this quality is carried through and executed given its important civic role within the Fair Field Masterplan area.
- 9.59 The use of brickwork to provide a more domestic scale is supported as is the use of a lightly variegated, grey/white/pink smooth brick for the majority of the blocks, to complement the use of concrete in Block C. The choice to different stock brickwork for Blocks D and E, compared to the remaining blocks, is also considered appropriate, although officers feel that the difference in brick should be subtler for Block D than for Block E. Officers consider Block E to be distinctly different in its architectural themes and plays a more public facing role within the Fair Field public realm whereas Block D should retain a similar architectural expression to the other blocks in the family of buildings. Therefore, as is indicated within the submitted visuals, officers consider that the brickwork for Block E should be markedly contrasting, although still complementary. Officers support the use of a reddish toned brick as shown in the visuals but are not yet convinced by the brick or mortar colours suggested in the design and access addendum. These issues, however, can be resolved at a later date as part of the planning conditions discharge process.



Block A and B (viewed from Hazeldean Bridge)



View of Block E from the Fair Field

9.60 Additional information has been provided to confirm that the brick corbelling detail shown in the visuals would be provided to the front and sides of the building which are the most visible elements of the building. To the rear, the corbelling would be replaced by brick banding and officers consider that this could either be achieved through use

of a subtle difference in brick colour or simply through use of different mortar. This articulation of the facades is considered high quality. Since the submission of the application, the elevations of Block E have also been updated to replace the brick balconies with corrugated metal balconies. The quality and the colour of the balconies are key to ensuring the design retains a high quality appearance. Officers' preference would be for the corrugated metal façade material, to avoid powder coating and have opted for a high quality anodised of equivalent finish.



Metal balcony design and brick corbelling

- 9.61 Precedent images and details have been provided which indicate that the balconies would have a high quality corrugated finish to complement the corbelling design of the brickwork. The indicative metal colour in the submitted document appears overly pink in colour, compared to the more bronzy/brown hue suggested in the visuals and is therefore not supported. However, officers are satisfied that the final colour can be secured by condition through the submission of further details and samples.
- 9.62 Officers are satisfied that suitably worded conditions could secure the quality of the final materials and detailed designs of the elevations including the specific brickwork including mortar colours and joint type, stack bonding, corbelling details and brick banding, concrete panels, balustrade and other metal and all other external materials types (to include the submission of samples, detailed drawings and the provision of 1-1 mock-ups of specific important junctions between materials and of specific design features).

#### Public Art Strategy

- 9.63 CLP policy DM14 requires major schemes to deliver public art benefits to enhance and express local character. The proposals include public art interventions in the form of a play sculpture adjacent to the boundary with the Magistrates' Court and kinetic sculpture to the public lift which aids legibility and visibility. However, the public art strategy is not as clear as it could be, in terms of how these interventions enhance and create local distinctiveness or reinforces a sense of place. Given this, the public art strategy requires further development and there may be an opportunity for a more co-ordinated approach to public art across the Fairfield Masterplan area linked into the public realm scheme being developed for the Fair Field. This would be secured through the S.106 Agreement with associated planning condition.

#### Heritage

- 9.64 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires (S.66) with respect to listed buildings, that special regard is paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess. With regard to conservation areas (S.72), it requires special attention to be paid to the desirability of preserving or enhancing their character or appearance.
- 9.65 The NPPF places strong emphasis on the desirability of sustaining and enhancing the significance of heritage assets, and affords great weight to the asset's conservation. At paragraph 193 it states that:
- “great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm”*
- 9.66 Any harm to a designated heritage asset, including from development within its setting requires “clear and convincing justification” (paragraph 194) with less than substantial harm weighed against the public benefits delivered by the proposed development (paragraph 196).
- 9.67 The NPPF requires a balanced judgement to be made in regard to the effects of a development proposal on the significance of non-designated heritage assets (paragraph 197).
- 9.68 Policy DM18 of the Local Plan permits development affecting heritage assets where the significance of the asset is preserved or enhanced. Policy SP4 requires developments to respect and enhance heritage assets and Policy DM15 permits tall buildings which relate positively to nearby heritage assets.
- 9.69 The setting of a building is defined as ‘the surroundings in which a heritage asset is experienced’ in the glossary to the NPPF - *‘It's extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance of may be neutral.’*
- 9.70 The site is not within a conservation area (CA) and there are no designated heritage assets either on or immediately adjacent to the site. The site is located in the wider setting of a number of listed buildings and conservation areas. Fairfield Halls and Croydon College adjacent to the site are both locally listed. It is also significant that the development would join a cluster of consented and emerging tall buildings, visible in the setting of nearby heritage assets.
- 9.71 A heritage statement was submitted that assessed the impacts of the proposal on a range of nearby heritage assets, accompanied by verified views and this was updated during the course of the application. The Conservation Area Panel raised concerns that the outline views fail to adequately reflect the full impact of the buildings and those in the wider area. However, officers consider the heritage statement and verified views were soundly based.
- Fairfield Halls (Locally Listed), Croydon College (Locally Listed) and Segas House (Grade II listed)*
- 9.72 Fairfield Halls, Croydon College and Segas House are significant pieces of mid-20th Century architecture, which form an important part of the development of Croydon. Fairfield Halls is also a community value as a significant cultural venue for Croydon. It

therefore forms an important element of the local townscape of which its simple but distinctive roof-scape and elevations form part. The enlarged height of Block A would be viewed across the Fair Field within the setting of Fairfield Halls and Croydon College. The rationale of focussed height toward East Croydon Station would result in limited direct impacts to the silhouette of Fairfield Halls from key views of the building's frontage.

- 9.73 Block E would terminate views across the Fair Field. Fairfield Halls, Croydon College and Segas House are of group value due to their similar age, height and massing, presenting a cohesive setting to the Fair Field. The proposed Block E would present a similar relationship to the Fair Field. The increased height (beyond the parameters of the hybrid permission) would draw attention away from the heritage assets. In addition, the height of Block E would result in an awkward relationship with Fairfield Halls as viewed in updated View 2 (see below).



View from Queen's Gardens with Fairfield Halls

- 9.74 However, Block E would not rise above the height of the shoulder to Fairfield Halls and has been carefully designed to respond to the mid-20th Century character of the area whilst remaining distinct from surrounding heritage assets. Therefore, there is some rationale to a taller height, given its position terminating longer views across the Fair Field.
- 9.75 Overall, it is considered that the scheme would cause some modest harm to the setting of Fairfield Halls although the significance of Croydon College and Segas House and their settings would be preserved.

#### *Chatsworth Road CA*

- 9.76 Chatsworth Road CA to the south of the site, contains a substantial grouping of late Victorian and Edwardian houses, many of which are of high architectural quality; fifteen

of which are locally listed. The Conservation Area Panel have raised concerns that the development would be detrimental to the CA due to the overall height which would diminish the character of the area. The additional height of the tower (Block A) would be visible from the CA. The Chatsworth Road CAAMP acknowledges that the CA is located in close proximity to the town centre, with existing and proposed tall buildings visible in the longer views, forming part of the setting of the CA. There is a clear rationale to the taller elements of the scheme (and of schemes within the Fair Field Masterplan) being focussed within a cluster toward East Croydon Station and at a further distance from the conservation area. The additional height would respond to this rationale, with the height seen against a backdrop of 101 George Street and College Tower. Overall it is considered the harm to the setting of this heritage asset would be less than substantial.

#### *Central Croydon CA*

9.77 Central Croydon CA is the commercial and civic heart of Croydon. Its street layout is largely medieval in origin, retaining much of its plan form and historic fabric. Queen's Gardens is included in the conservation area and is a locally listed historic park and garden. From here, the enlarged massing of the tower (Block A) and Block E would be apparent. As set out above, there is a clear rationale to the taller elements of the scheme (and of schemes within the Fair Field Masterplan) being focussed as part of a cluster - towards East Croydon Station and at a further distance from the conservation area. The tower would be viewed in conjunction with consented taller buildings at 101 George Street and College Tower and is considered to have a similar impact to the consented scheme. The proposal is considered to preserve the setting of Central Croydon CA.

#### *Whitgift Almshouses (Grade I listed)*

9.78 The CA includes the 16<sup>th</sup> Century Grade I listed Whitgift Almshouses which have outstanding national historical and architectural significance. Given the context and surrounding consented schemes, Officers are satisfied that the scheme would not impact the setting of the Almshouses which would be preserved.

#### *Harm and Public Benefits*

9.79 In relation to the harm identified to a non-designated heritage asset (Fairfield Halls), a balanced judgement should be made in accordance with the NPPF (para 197).

9.80 Officers consider that the scheme gives rise to "less than substantial harm" to the setting of the Chatsworth Road Conservation Area. It is therefore necessary to weigh that harm against the public benefits, recognising that even less than substantial harm to a designated heritage asset should be given considerable importance and weight. The public benefits weight in favour of the scheme are as follows:

- The delivery of a significant quantum of housing in this highly sustainable location, contributing positively to the borough's housing stock
- The opportunity to make optimal use of land which is currently derelict and underutilised
- Regeneration benefits for the Fair Field Masterplan area through the delivery of a significant redevelopment of a central site within the Masterplan area
- Delivery of high quality public realm including
- The critical pedestrian link from George Street to Fair Field,

- High quality link to the north of the site (towards Park Hill Park) across the railway line over Hazeldean Bridge
- Delivery of opportunity for further pedestrian connections to the south connecting to Barclay Road
- Creation of active frontages to the public realm through provision of commercial uses (with potential for inclusion of health facilities) which would activate the Fair Field and Masterplan area

9.81 Officers are of the view that those public benefits would outweigh the harm caused to the various heritage assets, considered individually (as detailed above) and as a whole, and are satisfied that the approach adopted by the applicant in terms of design, heritage and townscape is sound and can be supported.

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

#### General – (Space Standards, Amenity and Accessibility)

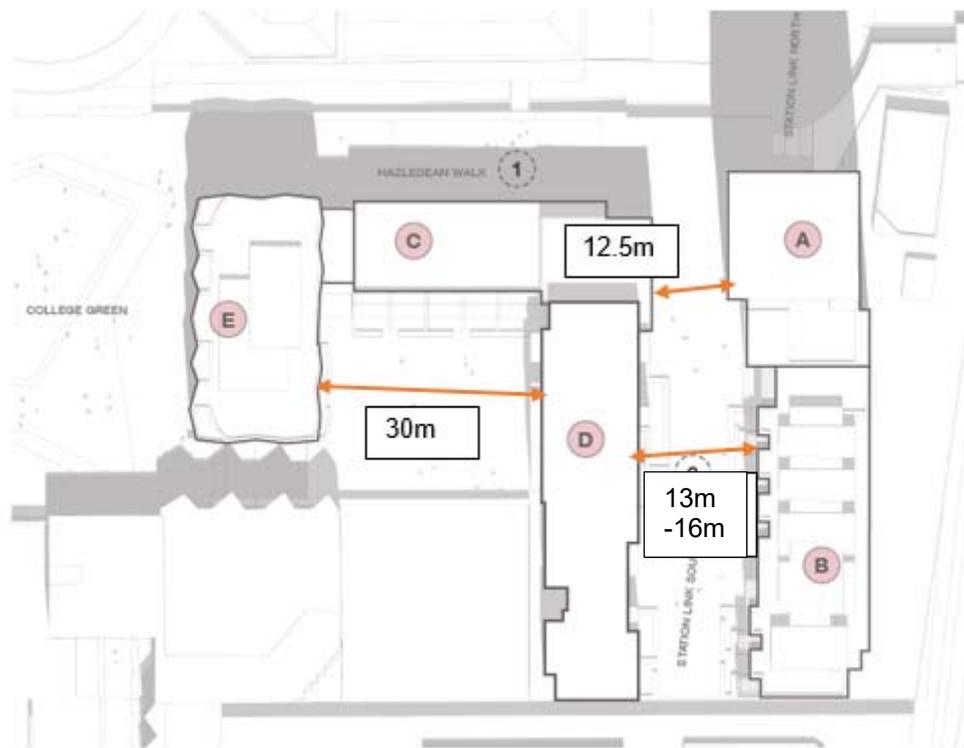
9.82 The flats have been designed to meet National Technical Housing Standards with regards to internal floor space. Each flat would also have a private outdoor amenity space in the form of private balcony or terrace in line with London Plan standards. In addition, the scheme would provide a large private courtyard of about 750sqm and additional semi-private amenity space to the end of the route between Blocks B and D. The scheme has been designed to ensure accessibility and inclusivity, with level access and accessible lifts provided. The proposal would meet the London Plan requirement for 10% of units to be wheelchair accessible (M4(3) compliant) and all others to meet the requirements of M4(2) to be wheelchair adaptable. This provision would be secured by planning condition.

#### Layout, Outlook and Privacy

9.83 The blocks would be generally well laid out, with no more than 8 units per core, in line with the London Plan housing standards. Each block would have a shared entrance, accessed from the public realm for Block A and B, from the private amenity courtyard for Block C and E and from both for Block D. Blocks B, C, D and E would all provide individual front doors to several flats accessed either from the public route between Blocks B and D or from within the residential courtyard. These would encourage passive surveillance of the public and private amenity space as well as providing activation at ground floor.

9.84 The London Plan recommends that single aspect units should be avoided where possible, particularly north facing single aspect units. The emerging London Plan, policy D6 suggests that developments should maximise the provision of dual aspect dwellings and avoid single aspect dwellings unless they are considered a more appropriate design solution to meet the requirements of policy D3 (optimising site capacity) and demonstration that the units would benefit from adequate passive ventilation, daylight and privacy and avoid overheating.

9.85 The development would not include any north facing single aspect units. The majority of flats would be dual aspect, including all of the flats within Blocks B and C. There are 168 single aspect units within the scheme but of these, 54% have been designed to provide some variation in the outlook (such as angled windows facing onto a balcony) which would provide sufficient outlook, provide cross ventilation and limit any potential overheating. The outlook and layouts are therefore considered acceptable.



Plan showing minimum separation distances within the site

9.86 Given the town centre location, the layout of the development would create a dense urban block which would lead to some close proximities between blocks. The most constrained relationships would be within the site itself, between windows in Block A and C which at its tightest would be just over 12m. In addition, flats proposed within Block D and B would overlook each other, across the north-south route at a distance of between 13-16m; these relationships have been improved since pre-application discussions. That said, the relationship of flats overlooking the communal north-south route would provide high levels of natural surveillance. For the closest relationships, the scheme has sought to limit direct overlooking through careful window and balcony placement (and offsetting) within Blocks A and C. Overall and on balance, the relationships within the site are considered acceptable.

9.87 The proposed site layout would result in 24 flats within Blocks A, D and E experiencing some close adjacencies to the College Tower site, the Magistrates' Court and College Annexe site respectively. However, officers are satisfied that the proposals would not result in significant harm to the living conditions of future residents in view of the design and layout of the proposed flats which means that none of the flats would be reliant on the affected windows for their sole outlook. The relationships with adjacent sites is considered in more detail in the neighbours section below.

### Daylight/Sunlight

9.88 The applicant has submitted an assessment of the internal daylight and sunlight for the proposed flats, using the tests set out in the BRE guidance. The guidance states that the tests should be interpreted flexibly, since natural lighting is only one of many factors in site layout design. The NPPF 2019 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially

important that planning policies and decisions avoid homes being built at low densities, and to ensure that developments make optimal use of the potential of each site. The NPPF advises that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. It goes on to state that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme provides acceptable living standards).

9.89 The assessment has tested the daylight and sunlight of the proposed flats, taking into account likely cumulative impact. The daylight and sunlight analysis therefore includes the potential impact from the College Tower (co-living scheme), Mondial House (approved development) and the emerging College Annexe scheme which would represents the worse-case scenario for the daylight and sunlight likely to be experienced by future residents of the proposed development.

9.90 The table below provides a summary of the report’s conclusion as to the daylight and sunlight levels in the proposed flats (presented as percentage of windows/rooms which meet the BRE tests):

	Daylight	
	ADF	Daylight Distribution
Block A	90%	67%
Block B	62%	29%
Block C	70%	54%
Block D	58%	19%
Block E	92%	14%
<b>Total</b>	<b>77%</b>	<b>40%</b>

9.91 In terms of daylight, overall the scheme would provide a high levels of daylight with 818 of the 1067 habitable rooms (77%) achieving or exceeding the recommended ADF values (set at 1% for bedrooms and 1.5% for living/kitchen/dining rooms). The breakdown of best and worst performing rooms in each block is set out below:

	Lowest	Highest
Block A	0.24%	9.67%
Block B	0.30%	7.30%
Block C	0.20%	6.60%
Block D	0.40%	5.30%

Block E	0.39%	5.28%
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- 9.92 The poorest performing rooms in the development would be located on the lower floors, mostly facing into the north–south route and located within Block B and D. Both blocks have been reconfigured during the course of the application to improve the internal layouts, increasing the number of dual aspect units and rationalising the balcony design and locations. In particular, Block B benefits from dual aspect units (with large living/dining/kitchens with dual aspect), deck access to one side and large balconies over-looking the north-south route. These design features (beneficial for overall residential quality) contribute to the lower percentage of ADF compliance.
- 9.93 Blocks A and Block E both have particularly high pass rates of 90% and 92% demonstrating that the majority of flats within these blocks would achieve high levels of daylight. Across the scheme as a whole, ADF compliance is generally high above 7<sup>th</sup> floor. Critically, the percentage of flats meeting the ADF test would be higher, compared to the extant hybrid permission (improvement from 64%).
- 9.94 There would be 9 rooms across the whole development which would achieve an ADF in excess of 6%. The guidance suggests that an ADF in excess of 6% might lead to overheating and loss of heat in the winter. An energy assessment and overheating analysis was undertaken which confirmed that with suitable mitigation, the development would provide suitable insulation and overheating mitigation. This is discussed in detail in the environment section below.
- 9.95 In addition to the ADF, the report considered daylight distribution within each room. The layout and density of the scheme and the surrounding can affect the levels of daylight distribution achievable. 40% of the habitable room windows would meet the daylight distribution test. 44 rooms across the scheme would fail to achieve any daylight distribution (0% where the target is 1%) of which 17 would be living rooms (5 in Block E, 6 in Block B, 4 in Block D and 2 in Block E). The daylight distribution is further limited by balconies and the depth of rooms within the scheme.
- 9.96 Whilst the majority of rooms within the scheme would achieve overall acceptable levels of light (with high ADF), the daylight distribution analysis suggests that daylight penetration within rooms would be poor, although this is mostly a function of sizable balconies limiting light penetration into deep living/dining/kitchen areas.
- 9.97 In terms of sunlight, 40% of the tested rooms (all living rooms within the scheme) would achieve both the annual and winter sunlight targets set out in the BRE guidance and 47% of living rooms would meet the annual APSH (with 58% meeting the APSH target within the winter months). The sites general compliance with the BRE tests is set out in the table below:

	Sunlight		
	Annual APSH	Winter APSH	Total APSH
Block A	68%	66%	66%

Block B	28%	39%	26%
Block C	20%	52%	13%
Block D	28%	57%	23%
Block E	59%	62%	59%
<b>Total</b>	<b>47%</b>	<b>58%</b>	<b>40%</b>

9.97 The percentage of flats achieving the BRE target would be low and would be slightly lower than those achieved for the hybrid permission, given the higher densities proposed as part of the current scheme. However, whilst the BRE guidance recommends that developments seek to orientate living room windows to the south where possible to maximise sunlight opportunity, it acknowledges that this may not be possible for larger developments of flats, especially when seeking to achieve an efficient layout of a site. In this case, all living room windows would have an east, south or west orientation, to ensure that they achieve as much sunlight as possible whilst also optimising development within the site. The table below sets out the lowest and highest APSH figures for each block:

APSH	Annual APSH (target 25%)		Winter APSH (target 5%)	
Block A	0%	84.9%	0%	28.12%
Block B	0%	58.20%	0%	16.84%
Block C	0%	49.01%	0%	14.06%
Block D	2.89%	77.69%	0.12%	24.92%
Block E	2.50%	62.08%	1.23%	16.20%

9.98 There would be 24 living rooms (out of 421) across the site which would not be expected to achieve any direct sunlight on an annual basis. These would be located to the lower floors of Block A and Block C and would include 10 living rooms up to the 7<sup>th</sup> floor in Block A all facing into the site, 13 living rooms up to the 5<sup>th</sup> floor within Block B and 1 flat at the third floor within Block C. All of the rooms which fail to achieve any direct sunlight are located at the lower floors of the development and would face into the site across the north-south route and would therefore be affected by the massing of the scheme itself.

9.99 Whilst officers acknowledge the low sunlight levels, the majority of flats above the 9<sup>th</sup> floor within the scheme would achieve the annual sunlight targets. Below the 9<sup>th</sup> floor, those flats which would achieve low sunlight levels would be generally located facing into the site and with deep balconies. The BRE guide notes that even modest obstruction can block sunlight, especially in the summer. The living rooms have all been orientated away from due north and all flats would have large windows to maximise the level of sunlight.

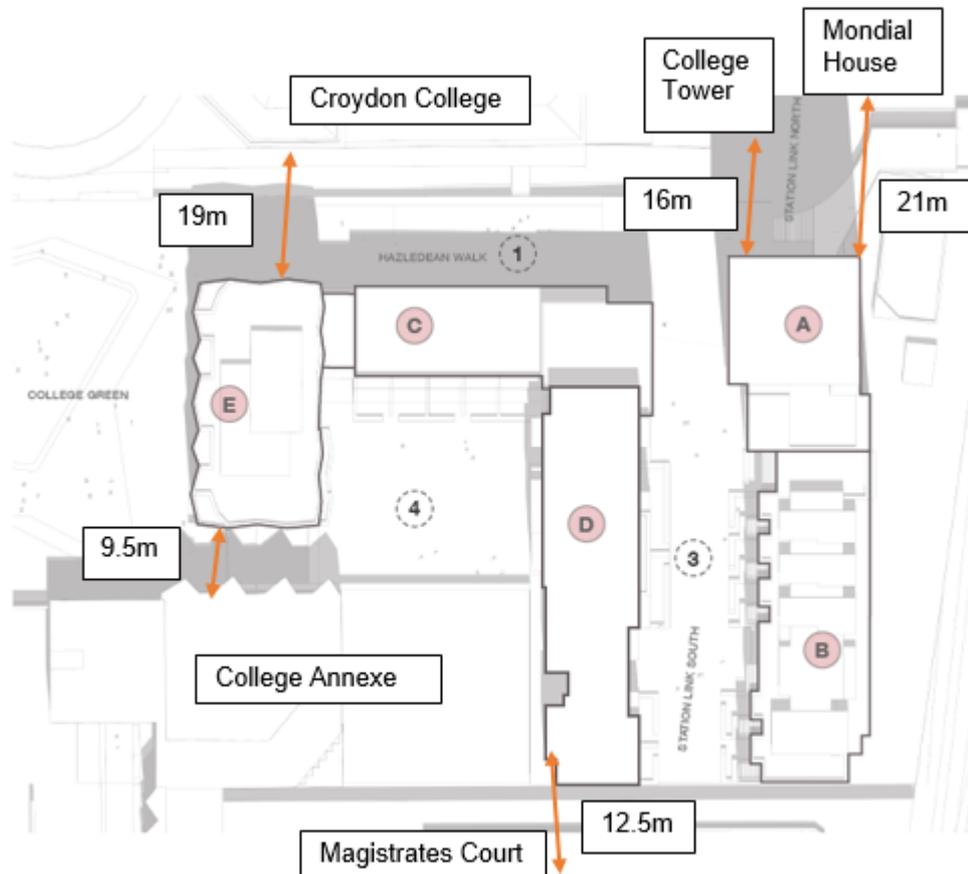
- 9.100 The report confirms that 70% of the open space (public realm and shared amenity space within the site) would achieve at least 2 hours of direct sunlight on 21st March which would exceed the BRE test (which sets a 50% target). The reports suggests that in mid-summer, this would increase to 98% of the area. Overall, it is considered that the public realm and amenity space would achieve suitable levels of direct sunlight and they would be suitable for the intended uses.
- 9.101 The assessment provides some analysis of the potential impact of future development to the College Annexe site to the south of the residential courtyard (based upon emerging proposals for a 4-12 storey building). As would be expected, due to orientation, the redevelopment of the Annexe site would result in a reduction in direct sunlight experienced within the residential courtyard. In this cumulative scenario, the courtyard would not meet the BRE target, with only 28% of the courtyard receiving at least 2 hours of direct sunlight. However, this would be an improvement upon the extant hybrid permission which achieved 2 hours of direct sunlight over 14% of the courtyard. This was considered acceptable at the time, subject to detailed landscaping design. The level of overshadowing is not unexpected for a dense city centre scheme and given the proximity of adjacent public amenity in the Fair Field and Park Hill Park, officers are satisfied that it would provide suitable residential amenity for future residents and would not prejudice development coming forward on the College Annexe site. The detailed landscaping design would be secured by condition.
- 9.102 In summary, whilst officers acknowledge that the daylight and sunlight levels are constrained (particularly at the lower levels of the scheme) they are considered acceptable in the context of a high density development. As noted in the NPPF and London Plan, daylight and sunlight is only one consideration in assessing the quality of accommodation. The NPPF, London Plan and the BRE guidance itself, all suggest that a flexible approach to the targets should be taken, particularly in high density areas. On balance, the quality of the proposed accommodation is considered acceptable and the benefits of the scheme would outweigh the harm caused by the constrained daylight and sunlight levels within the lower floors of the development.

### Playspace

- 9.103 The scheme would provide a large private courtyard of about 750sqm and an additional semi-private amenity space to the end of the route between Blocks B and D of which about 450sqm is indicated as soft landscaped areas and/or a dedicated play-space. The London Plan policy 3.6 states that development proposals should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. CLP policy DM10 sets out the need to provide play-space for children at a minimum of 10sqm for every child. This equates to 415sqm of play-space for the development. The space provided would be more than sufficient to meet this requirement and would provide a mixture of informal and more formal play structures and opportunities for incidental play. There would also be additional opportunities for play within the southern end of the north-south route between Blocks B and D and incidental play within the wider public realm. The proposals are considered acceptable subject to further detail (secured by condition) regarding the specific play strategy and features as set out in the design section above.

### **Impact upon Surrounding Land Uses and Residential Neighbours**

9.104 The development is bounded to the north by the Croydon College building and development sites College Tower (a vacant plot of land with extant permission for a mixed hotel and residential scheme and resolution to grant permission for a taller residential and co-living scheme) and Mondial House (an occupied office building with extant permission for a residential building). To the south, the site is bounded by the Magistrates' Court and the College Annexe (a vacant community building). To the west, the site bounds the open square of College Green which is due to be re-landscaped. The nearest existing residential properties are located to the east fronting onto Altyre Road (separated by the railway) and to the south on the southern side of Barclay Road over 50m from the proposed Blocks A-E.



Plan showing closest relationships with the adjacent neighbouring buildings

### Outlook and Privacy

9.105 To the north, Block A would be located roughly 16m from the proposed College Tower development and 21m from the approved Mondial House scheme. Block A would only align slightly with the corner of College Tower, with 6 windows appearing to face directly onto windows in the southern elevation of this neighbour. The affected rooms within the College Tower redevelopment would have additional windows to the east and the windows in Block A would all be secondary living room windows (with the flats all having their main outlook to the west). The separation distance is considered sufficient to protect the privacy and residential amenity of these neighbours, particularly given the dual aspect nature of the rooms affected. The window to window distances between Block A and Mondial House would also be sufficient to protect the residential amenity of this neighbour. Block C and E would be located between 19-20m to the

south of windows in the College Building. In their objection, the College have raised concerns about the potential for overlooking into classrooms, particularly given the young age of some of their students. However, officers are satisfied that the window to window distances would be more than sufficient to limit the possibility of overlooking to classrooms within this building.

9.106 To the south, Block C would be located about 26m from the boundary with the College Annexe, providing a suitable relationship. The southern elevation of both Blocks B and D would present blank elevations where they would abut the Magistrates' Court boundary. Block D would have 7 flats (14 bedroom windows) which would have close proximities to the boundaries with the College Annexe site and the Magistrates Court. Seven windows would align with rear windows in the Magistrates' Court at a distance of 12.5m. However, only 3 windows in the Magistrates Court would be directly overlooked and given the distance and use of the building, the relationship would be acceptable. Seven windows would overlook the very southern edge of the Annexe car park, at a distance of 3.8m from the boundary. However, the window to window distance with existing windows would be over 30m and given the position of the windows overlooking only the very south-eastern corner of the site, there would be no overlooking to windows proposed within the emerging College Annexe proposals.

9.107 Officers acknowledge that the relationship between Block E and the College Annexe site would be close, with window to window separation between Block E and the emerging scheme between 10-11m (and roughly 9.5m for the existing building). Whilst Block E and the Annexe building/site would have a closer proximity than might usually be considered acceptable, the positioning and prominence of Block E has been designed to provide a solid architectural end point to the Fair Field and would also help provide separation between the public and private space. Moreover, Block E has been designed to limit any loss of privacy to any flats within the College redevelopment scheme. The windows within the ground floor residential unit of Block E have been realigned so that none would face onto the adjacent site and on upper floors, the rooms would all have their main outlook to the east or west, with any windows/balconies angled towards the College Annexe site providing secondary outlook only. Thus, whilst it is likely that a scheme for the redevelopment of the Annexe Building might well have windows facing directly onto the side elevation of Block E, officers are comfortable that the submitted College Annexe redevelopment scheme would be able to achieve suitable levels of privacy.

9.108 Overall officers are satisfied that privacy and outlook for the neighbouring building would be sufficiently achieved.

#### Daylight/sunlight to residential neighbours

9.109 A daylight/sunlight and overshadowing assessment was submitted which reviewed the daylight and sunlight conditions within the emerging adjacent residential developments. The report analysed the impact of the development on the neighbouring properties against two scenarios; firstly, a baseline 'existing' scenario of a cleared site and secondly an alternative target, based upon a mirror image of the adjacent developments. The BRE guidance allows for flexibility and suggests alternative targets in special circumstances, such as in an area with modern high rise buildings where a higher degree of obstruction may be unavoidable. Officers accept that some weight can be given to the mirror image target, given that it is designed to encourage an equitable relationship between sites where there are windows in existing buildings along the boundary which would otherwise limit the development potential of adjoining

sites. This is particularly relevant given that this is a high density town centre brownfield site which CLP and the emerging London Plan seeks to optimise (in terms of its overall development potential). The NPPF and London Plan both state that an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess daylight and sunlight impacts of new development on surrounding properties. The London Plan Housing SPG suggests that the guidelines should be applied flexibly to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where the BRE advice suggests considering the use of alternative targets. It goes on to state that to fully optimise housing potential on large sites, it may be necessary to depart from standard practice, whilst still achieving satisfactory levels of residential amenity and avoiding unacceptable harm.

9.110 The report analyses the following adjacent developments:

- College Tower: The report considered the recent co-living and residential scheme which has received a resolution to grant subject to legal agreement. The previous extant permission, which had hotel bedrooms facing onto the site, has not been tested. Testing the recent scheme was considered appropriate, as a worse-case scenario for the site, as it was the larger of the two schemes, with a higher number of residential properties in close proximity to the application site.
- Mondial House: The existing building is in office use and was not been tested as it is not considered to be a sensitive receptor. The extant Mondial House residential scheme was tested.
- College Annexe: The existing building is a vacant community building and was therefore not tested. The report considered the previous scheme for conversion of the building and the emerging redevelopment scheme. As the Council did not feel that the residential conversion of the existing building was a realistic proposition, officers have therefore focused on the impact of the current proposal of the emerging redevelopment scheme (which has been fully tested). Whilst this has not been granted permission, this approach is considered appropriate as it provides a benchmark for analysing the potential impact of the scheme on the redevelopment of this adjacent site, in line with the site allocation.

#### *College Tower & Mondial House*

9.111 For daylight, the report confirmed that of 697 windows tested in the College Tower development, 519 (74.5%) would meet the standard VSC target. 123 (17.6%) of the windows would experience a major adverse impact, 54 (7.7%) a moderate and 1 (0.1%) a minor adverse impact. The residential windows affected would be located to the southern elevation of College Tower, up to the 26<sup>th</sup> floor. Each residential floor of this building would have two living rooms with a southerly outlook, each with four windows to the southern elevation and one window to the east or west elevation respectively. Consequently, only 44 living rooms would be affected and all of those rooms would have other windows which would meet the BRE tests. When considered against a mirror image target, 99.6% of windows would meet the target. The report also confirmed that all rooms tested would retain sufficient daylight distribution (100% of the rooms closest to the site that have been tested, meet or exceed the standard daylight distribution test). Officers are therefore satisfied that acceptable levels of daylight would be achieved. For sunlight, although most windows would experience a noticeable change (in excess of 4% of change), 92.97% would still meet the BRE guidelines for annual sunlight and 77.6% would meet the winter target; when tested

against the mirror image target, compliance would rise to 93.2% annual and 83.4% winter). The College Tower scheme and its relationship to the current Fairfield Homes proposals has been previously assessed and was found to be acceptable. Overall, the level of daylight and sunlight retained within the proposed building is considered sufficient especially given the high density town centre location.

9.112 As regards Mondial House, for daylight, 23 (34.85%) of the 66 windows tested would meet the standard VSC BRE target. 17 windows (25.76% of the windows) would experience a major adverse impact and 26 windows (39.39%) a moderate adverse impact. The windows affected would provide light to 6 flats and are located up to 10<sup>th</sup> floor in the block closest to the application site. All of these flats would have an east-west orientation with dual aspect living rooms. When considered against the mirror image target, 93.94% of the windows would meet this target. For daylight distribution against the standard test, 30% of the rooms tested would meet the BRE guidance, but when tested against a mirror image target, 93.3% of rooms would comply, with only 2 rooms failing. In terms of sunlight, although the majority of windows would experience a noticeable change in sunlight (in excess of 4%), 59.1% of windows would meet the standard BRE guidance for both annual and winter sunlight. The 27 windows affected would all be located to the western elevation of the building and would experience a major adverse impact. The impact would be limited to 12 flats within the scheme up to the 10<sup>th</sup> floor. When tested against a mirror image target, the windows would achieve 90% compliance for annual sunlight and 95.7% for winter. Overall, whilst there would be likely to be some significant impact upon the daylight and sunlight within this proposed building, the relationship is acceptable after considering alternative values and given the high density of the Mondial House and surrounding schemes.

#### *College Annexe*

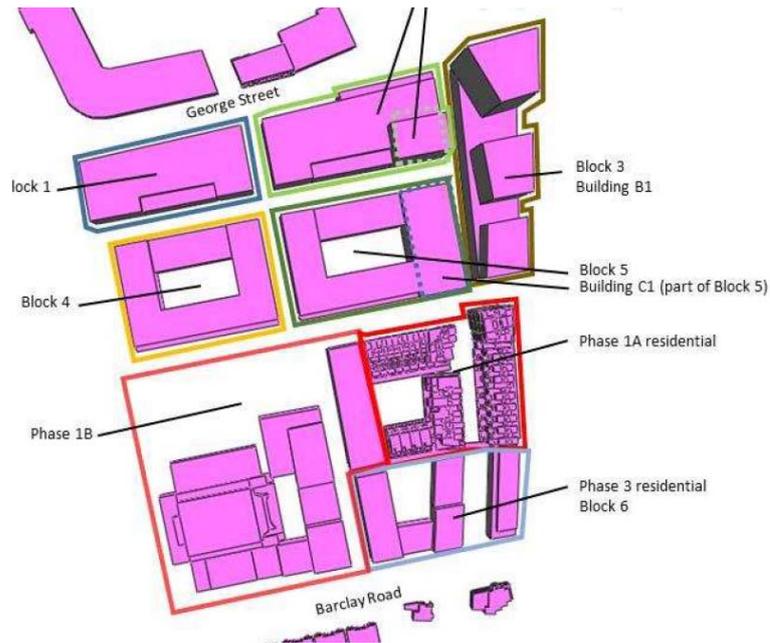
9.113 For daylight, of 155 windows modelled, 69% would meet the standard VSC test. 15.5% (24 windows) would experience a major adverse impact, 8.4% (13) moderate and 7.1% (11) a minor adverse impact. 20 flats within this emerging scheme would be affected located at the lower floors facing onto the application site up to the 8<sup>th</sup> floor. When considered against a mirror image test, compliance rises to 83.2%. In terms of daylight distribution, only 19.1% of rooms would achieve the standard BRE target. Against the mirror target this would rise to 60% compliance. For sunlight, 82.5% of windows would achieve acceptable annual sunlight levels (rising to 87.1% against the mirror target) and 100% of windows for winter sunlight levels. Overall, whilst the development may have a major adverse impact upon the daylight to some of the north facing windows of the proposed neighbour, the daylight and sunlight conditions are considered acceptable given the town centre location, in an area where high density developments are supported by the NPPF, London Plan and Local Plan. The impact is not considered significantly prejudicial to the development potential of the College Annexe.

#### *Other residential neighbours*

9.114 The nearest existing residential neighbours are located over 50m from the tallest building in the development - to the east fronting onto Altyre Road (separated by the railway) and to the south on the southern side of Barclay Road. Given the distances between the site and these properties, officers are satisfied that the development would not result in any significant daylight/sunlight impacts to these properties.

#### Non-residential buildings (Croydon College & Magistrates Court)

- 9.115 Whilst the BRE guidelines are mostly used to determine daylight and sunlight conditions for existing dwellings, they can be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight and sunlight. It notes that this would normally include schools, hospitals, hotels and hostels, small workshops and some offices.
- 9.116 The development would be located between 19-20m to the south of the eastern wing of the Croydon College building. This building has windows facing the site at basement to 5<sup>th</sup> floor. Objections have been received which raise concerns over the impact of the development on the College and in particular, loss of daylight and sunlight to classrooms and workshops within this wing of the building. The daylight sunlight assessment confirmed that all 72 windows modelled would fail the VSC test and would experience a major adverse impact. The development would result in between 0.24 and 0.58 times the previous values for the windows, with the lowest VSC figures experienced at basement level (labelled ground floor on the assessment) where windows would achieve between 6.38- 18.54% (where the target is 27%). Daylight distribution has also been tested and this suggests that 76.3% of the rooms would meet the target, with 9 rooms failing, 5 of which would experience major adverse impact, 2 moderate and the remaining 2 minor adverse impacts. Whilst the test has been undertaken separately and includes more windows than the VSC and APSH tests, the rooms most affected correlate with the windows which would also fail the VSC tests – specifically those within the southern elevation of the east wing of the building. As regards sunlight, whilst all windows would experience a noticeable degree of change (more than 4%), 87.5% of windows would meet the annual APSH target providing a good level of sunlight, with the only windows not achieving a good level of sunlight being those at basement level (labelled ground floor on the assessment). Only 12.5% of the windows would meet the winter APSH, all of which would be located to the most westerly section of the southern elevation. Given the lower angle of the sun in winter, this would not be unexpected for a town centre location. Overall, whilst there would be a noticeable major adverse impact on sunlight, the majority of windows should continue to receive good levels of annual sunlight.
- 9.117 Officers note that the objector has suggested that these tests do not show accurate internal layouts of rooms within the college. The objection suggests that the internal layout is subdivided into more rooms, which means that 24 rooms (rather than the 9 suggested in the daylight distribution test) would be affected within the southern elevation of the building. These rooms are mostly classrooms, with 4 art rooms at ground floor and 5 music and technology rooms within the basement. However, officers are satisfied that the report provides a reasonable understanding of the impact of the development and is sufficient to demonstrate that the development would result in a major adverse impact on daylight and sunlight in the southern elevation of the east wing of the building.
- 9.118 As part of the hybrid permission, it was anticipated that the College building would be redeveloped to provide two residential blocks (Block 4 & 5) as shown in the plan below. Of relevance to the comparison to the current proposals, the hybrid scheme analysis concluded that the Phase 1A development, would have an impact upon the southern elevation of Block 5. In relation to Block 5 (excluding building C1), it was accepted that the phase 1A scheme would have a moderate adverse effect upon VSC to the ground and first floor and minor adverse effect upon VSC to the second, third and part of the fourth floors. Given the above, it is clear that had the hybrid Phase 1A development been built out with the College building remaining in place, it would have given rise to some moderate to minor impacts upon this neighbour in terms of daylight.



Plan showing position of Blocks 4 & 5 from the hybrid permission (for redevelopment of the College building)

9.119 Officers are satisfied that when balanced against the benefits of the scheme (including delivery of new housing, regeneration of the Fairfield masterplan area and improved legibility of the site) these would outweigh the harm to the daylight and sunlight experienced within the College building, recognising that the spaces are not used residentially.

9.120 There are windows in the rear elevation of the Magistrates Court which face onto the site at a distance of 8.65m away from the boundary. Given the use of the building, it is not considered to be a sensitive receptor.

#### Public Realm – the Fair Field

9.121 The submitted daylight/sunlight assessment confirmed that the development would not result in significant overshadowing to the Fair Field. In fact, nearly 100% of the Fair Field would receive at least 2 hours of direct sunlight on 21<sup>st</sup> March, significantly exceeding the BRE test (and the whole area would receive over 2 hours in mid-summer). The assessment goes into further detail to confirm that at least 62% of the area would receive at least 6 hours of sunlight (shown in dark orange and red in the plan below). This demonstrates that the development would have a negligible impact upon the usability and attractiveness of this important public square.

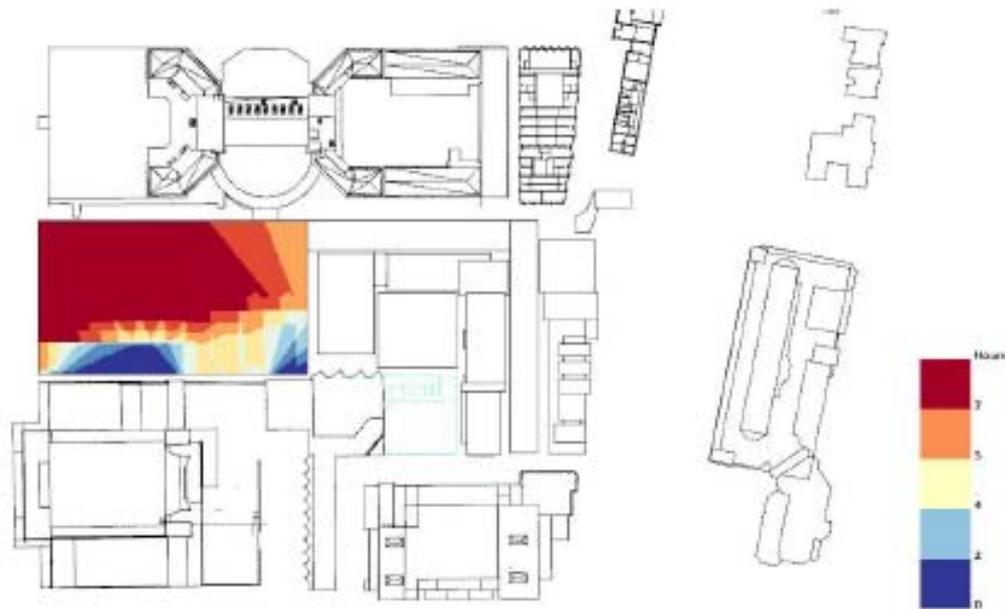


Figure 21 - College Green detailed analysis of the sunlight hours on the 21st of March

### Plan showing sunlight levels to the Fair Field

9.122 It is also noted that the wind tunnel testing (see detailed comments in section below) confirms that the scheme would not result in any significant impact upon wind conditions in Fair Field and these would remain suitable for sitting and walking and in fact when tested with a cumulative development scenario to include surrounding schemes, the wind conditions would improve.

### Transport

9.123 The site has a Public Transport Accessibility Level (PTAL) of 6b (on a scale of 0 – 6b, where 6b is the most accessible). The site therefore has an excellent level of accessibility to public transport links.

### General

9.124 A transport assessment has been submitted which assesses the transport implications of the scheme. The trip generation methodology for the proposed non-residential use would be acceptable; although the peak hour trip rates for the residential development are low in comparison with those applied to other permitted development in the town centre. Due to the low level of car parking proposed, it is expected that there will be a net reduction in vehicle trips compared with the previous use as a multi-storey car park.

### Pedestrian Movement

9.125 The proposals would provide significant improvements to pedestrian movement with the provision of public step-free routes connecting the site levels and the wider Fair Field Masterplan area. A step free route would be provided through the site from the Fair Field which would tie into podium levels for the adjacent College Tower site providing a high quality step free route through to East Croydon station. In addition, pedestrian access would be provided to Hazeldean Road and Park Hill Park beyond via steps up to the Hazeldean Bridge. Moreover, a public lift would be provided at the

base of Block A, which would provide step free access from basement level and ground floor up to the Hazeldean Bridge level. Should the scheme come forward prior to development of the College Tower site, the lift would provide step free access to the basement level providing a step free route along College Road ramp to George Street. Additionally, outside the site boundaries, the Fairfield Halls has lift provision and a pedestrian ramp to the Park Lane frontage. TfL have requested a condition for suitable wayfinding provided within the public realm signposting the step-free routes available. Subject to this, the scheme is considered to comply with the Mayor's Healthy Streets Approach and policies T2 and D7 of the emerging London Plan.

### Sustainable Transport

9.126 The Transport Assessment identifies a proposed uplift in the number of residential units proposed is expected to increase the demand for public transport services in the peak hours by nearly double (a 47% increase). A financial contribution has been sought by TfL towards public transport network improvements within the Croydon Metropolitan Centre. A significant shortfall has been identified in the costs to provide additional capacity improvements within Croydon Town Centre and without these improvements, the network would be unable to cope with the increased demand. It is anticipated that this would be used to pay for studies, capacity improvements and new bus/tram infrastructure which would directly serve the development and would allow the local public transport network to meet identified future demand.

### Car Parking

9.127 Under the hybrid planning permission, the approved basement car park was intended to provide a mixture of general public car parking (including some allocated to Fairfield Halls and associated uses and the replacement college building) and residential car parking. The intention was for cars (and general parking circulation) to access the basement from the existing Barclay Road ramp (which was approved with a reduced width) with servicing taking place via the College Road ramp. These access arrangements are proposed to remain unchanged as part of the current proposals.

9.128 In high PTAL areas such as this location, the Local Plan, London Plan and emerging London Plan supports car free developments. A car free development is considered acceptable at this location, subject to removing access to CPZ on-street parking permits for the whole development; secured through the S.106 Agreement. The emerging London Plan seeks to ensure that 3% disabled parking is provided and to demonstrate that up to 10% could be accommodated on site. The car park provides 13 disabled spaces which would meet the 3% requirement. The applicant has confirmed that the spaces would be leased rather than sold. They note that take up of blue badge parking spaces across London is circa 3% and therefore do not envisage the need for further spaces to be implemented. However, TfL have requested that a car parking management plan be secured by condition and that this should demonstrate:

- How disabled persons parking for up to 10% of the total dwellings (42) would be provided in the future if required.
- how the shared parking with the public car park will be managed to restrict car parking to the 13 allocated spaces (to ensure that residents would not be able to obtain long term parking tickets in the Public car park)
- confirm that the parking spaces for residents will be leased (not sold)

- confirm that at least 1 disabled parking space is provided for non-residential use with step free access to the ground floor

9.129 CLP Policy DM30 states that 20% of parking bays should have EVCP with future provision available for the other bays. The scheme proposed to meet this requirement with 20% active and 80% passive provision which is also in line with emerging London Plan policies. Full details and provision of the EVCP would be secured by conditions.

#### Car Club

9.130 Policy DM30 of the Croydon Local Plan (2018) requires 5% of the total number of spaces to be provided as on-site car club spaces, with additional spaces at a rate of 1 space for every 20 spaces below the maximum overall number of car parking spaces as set out in the London Plan. The proposals includes 12 car club spaces within the basement (in addition to 18 spaces planned for the remaining part of the public car park beyond the site boundary). In addition, a planning obligation would be secured for free car club membership (paid for by the developer) for all occupiers of the flats. This would be in accordance with the intentions of the policy, contributing to sustainable transport infrastructure.

#### Cycling and Cycle Parking

9.131 The proposals would provide improved cycle connectivity to the nearby national and local cycle network, with the step free link connecting to the College Tower scheme and through to College Road and George Street. In addition, wheel channels would be provided as part of the Hazeldean bridge steps, in addition to a publicly accessible lift which would improve the connection to the national cycle network.

9.132 745 long-stay cycle parking spaces and 38 short-stay spaces would be provided which would be in line with the emerging London Plan standards. The long stay parking would be provided within dedicated cycle stores at ground or basement level, mostly in the form of two tier stands. Updated plans have been provided by the applicant to provide 5% of the total spaces as large enough to accommodate adapted cycles in line with the London Cycling Design Standards which is considered acceptable. A number of stands are proposed within the basement and TfL are currently reviewing updated layout plans and access routes for cyclists and it is expected that this matter will be resolved during discussions as part of the GLA stage 2 consultation. The majority of the short stay spaces would be provided within the public realm. Whilst not covered, these would provide high quality short stay visitor cycle parking (proposed as Sheffield stands) subject to submission of detailed design.

9.133 The maximum number of spaces required for the commercial units has been identified as 10 (Block A: 1, Block C: 7, Block E: 2). TfL have suggested that since the final occupiers of the flexible non-residential space have yet to be determined and given that the units are proposed as a shell and/or shell and core, the future installation of the compliant number of cycle parking spaces in accordance with the draft London Plan can be accommodated at a later date. This will be secured in the tenant lease agreement and would also include the provision of shower and changing facilities. These details would be secured through condition and within the provisions of the Travel Plan.

#### Delivery and Servicing

9.134 A draft delivery and servicing plan has been provided, stating all deliveries and servicing are to take place from the basement, accessed off College Road. The proposed residential delivery and servicing trips have been compared with those for other consented schemes and are therefore accepted. The detailed Delivery and Servicing Plan (DSP) should seek to reduce the impact of these trips through consolidation and sustainable freight. TfL have suggested that this could include provision of facilities to support the use of cargo bikes for delivery and the consolidation of deliveries in the Fair Field Masterplan area. The draft DSP has been updated during the application to provide two additional servicing/drop off zones adjacent to the commercial cores and provide access for taxi/disabled drop off alongside residential servicing operations. The principles set out in the draft DSP is considered acceptable subject to detailed design. A detailed DSP would be secured by condition.

#### Construction Logistics

9.135 Given the scale of the development, a condition requiring the submission of a detailed Construction Logistics Plan is proposed to ensure that the construction phase of development does not result in undue impacts upon the surrounding highway network. This is of particular importance given that there are a number of developments consented or proposed surrounding the site and site logistics and build programmes will therefore need to be co-operative between developers to manage the potential for multiple schemes to be delivered simultaneously.

#### Refuse Collection and Storage

9.136 The proposal includes bin storage in the basement of each block. Each bin store would be located within an acceptable distance from residential front doors and sufficient numbers of bins for waste, dry and food recycling in line with Council standards. Swept paths have been provided for waste and recycling vehicles, confirming that they would be able to manoeuvre safely within the basement with sufficient floor to ceiling heights provided to ensure that the basement is accessible for collection purposes. Each commercial unit would require separate waste and recycling facilities at basement level, details of these and the associated strategy would be secured by condition.

#### Travel Plan

9.137 In order to ensure that the identified modal shift is adequately supported and barriers preventing the uptake of more sustainable transport modes and suitably imposed, a residential travel plan and commercial travel plan and monitoring for three years would need to be secured through the S.106 agreement.

#### Fire Access

9.138 A fire tender access note has been provided which confirms that fire tenders would reach the buildings over the Fair Field public realm podium from Park Lane. The principles and tracking details for this strategy is considered acceptable (subject to building regulation compliance). However, the proposals do not address access changes which may be required on Park Lane to facilitate this fire strategy. Park Lane currently provides bus standing space for a number of bus routes. The bus standing may require changes to provide clear access and a dropped kerb. S106 obligations would secure any work required to strengthen the Fair Field podium and changes to the bus standing to provide emergency vehicle access.

## Highway works

- 9.139 Necessary highway works would be required in order to enable the construction of the site, these works will be undertaken under a S.278 highway agreement with the Council's Highway Team. This would be secured within the S.106 agreement.

## **Environmental Impact, Sustainability & Flooding**

### Energy

- 9.140 Policy SP6.3 requires new development to minimise carbon dioxide emissions and seeks high standards of design and construction in terms of sustainability in accordance with local and national carbon dioxide reduction targets. This requires new build, non-residential development of 500sqm and above to achieve a minimum of BREEAM Excellent rating, CO2 reduction beyond the Building Regulations Part L (2013) and new build residential development over 10 units to achieve the London Plan requirements or National Technical Standards (2015) for energy performance (whichever is higher). The policy also requires the development to incorporate a site wide communal heating system and to be enabled for district energy connection.
- 9.141 A detailed Energy and Sustainability Strategy report was submitted which confirmed that the development has been designed in accordance with the London Plan hierarchy – 'Be Lean, Be Clean, Be Green' to maximise the reduction of carbon dioxide emissions associated with the development. It notes that whilst the hybrid permission proposed supplying the previously approved dwellings with heat from the Fairfield Halls energy centre, with the increase in units, this is no longer possible. However, the strategy is still to connect to this energy centre while providing additional plant within the housing development. More importantly, it would be designed to allow for future connection to the proposed Croydon town centre district energy network. Connection to any future district energy network would be secured through the S.106 Agreement. With gas CHP no longer providing carbon reductions (under the emerging London Plan) the proposal is to supplement the heat with an air source heat pump (using heat storage to balance the supply/demand). Additionally, photovoltaic panels are proposed to be accommodated on available roof-space. The proposed strategy is considered acceptable and would achieve a suitable level of carbon emission reduction on site in line with the London Plan policy. A carbon offset contribution would be secured through S.106 Agreement, to offset the remaining carbon emissions to meet the Zero Carbon standard. With regards to the commercial units, the scheme is expected to achieve a 15% reduction in carbon emissions which would be in line with the emerging London Plan policies. Overall, the proposals are considered acceptable subject to provision of offset contribution secured through the S.106 Agreement and conditions to ensure that the development is built in accordance with the Energy and Sustainability Strategy Report and submission of BREEAM certificates for the commercial units.
- 9.142 An overheating analysis has been undertaken which confirms that compliance can be achieved using internal blinds and cooling in Blocks A and B. The GLA have requested additional information to further test this compliance. Mechanical cooling is being proposed in the dwellings which is not usually supported by the GLA, especially if passive or other measures have successfully addressed the risk of overheating. However given the specification of cooling in blocks with acoustic constraints only and that passive measures have been maximised, the use of mechanical cooling is considered acceptable in this instance. The additional modelling is expected to be

reviewed by the GLA during their Stage 2 response and any additional conditions secured to ensure compliance.

#### Water Use

- 9.143 Policy SP6.3 requires all new build residential development to meet a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G. A planning condition is recommended to secure compliance with this target.

#### Flooding & Sustainable Drainage

- 9.144 The site is within Flood Zone 1 (low risk) and an area of surface water flood risk. The applicant has provided a Flood Risk Assessment and Drainage Strategy. This sets out a strategy for managing runoff from the various parts of the site using cellular storage system, flow control to restrict discharge and discharge into Thames Water surface water sewer. The drainage strategy considers sustainable drainage hierarchy and incorporates green roofs as much as possible. Details have been updated since the submission of the application to increase the number of green/brown roofs. The Lead Local Flood Authority assessed the proposed scheme and following submission of additional information raise no objection to the proposals subject to the imposition of conditions.
- 9.145 With regards to foul water and surface water network infrastructure capacity, Thames Water raised no objection. An informative is recommended to advise the developer that Thames Water underground water assets are located within 15m of the development with water mains crossing or close to the development. Thames Water have requested a condition be imposed, requiring the developer to liaise with them to discuss the impact on the existing water network infrastructure, and whether upgrades are required to accommodate the development. This is included within the recommendation.

#### Contamination

- 9.146 Previous investigations have been undertaken as part of the hybrid permission but further information is required to ensure that the development would not lead to contamination risks. This would be secured by condition.

#### Air Quality

- 9.147 The entire borough of Croydon is an Air Quality Management Area (AQMA) and therefore careful consideration to the air quality impacts of proposed development is required. The submitted air quality assessment demonstrates that the development will be air quality neutral and thus compliant with policy 7.14 of the London Plan. The air quality assessment is considered acceptable and a condition is recommended to secure compliance. Because of the increasing relative contribution of non-road transport sources of emissions of air pollution to breaches of the air quality objectives and the exposure reduction target, the Council considers that development of this scale should play a greater role in improving air quality and therefore a contribution towards air quality improvements would be secured through the S.106 Agreement.

#### Noise

- 9.148 A noise and vibration assessment has been submitted which confirms that whilst the site is located adjacent to the railway line, disturbance from vibration is very unlikely

across the site. The noise environment has been tested and the report provides recommendations for suitable façade construction to respond to the various noise levels and provide suitable noise mitigation to protect residential amenity. The acoustic environment and mitigation measures are considered acceptable subject to conditions that the development should be built in accordance with the noise and vibration assessment.

### Wind mitigation

- 9.149 Paragraph 6.71 of the Croydon OAPF states that new buildings, in particular tall buildings, will need to demonstrate how they successfully mitigate impacts from microclimate conditions on new and existing amenity spaces. In particular, new tall buildings in the COA will need to show how their designs do not have a negative impact on wind (downdrafts and wind tunnelling).
- 9.150 A wind tunnel assessment of the impact on the local microclimate has been undertaken. Given the number of consented and/or proposed developments in the vicinity of the site (including the extant consent on the site itself) and to fully understand the implications of the scheme in conjunction with all surrounding built development, the wind testing was required to cover a number of different scenarios. The report has also been supported by additional computer modelling, to review the potential impact of the recent College Tower scheme and the emerging proposals for the College Annexe site.
- 9.151 Modelling of the existing site identified no safety issues in terms of wind and found that the environment was generally suitable for existing pedestrian uses. Testing of the proposed scheme within both the existing and proposed surrounds (without any provision for wind mitigation) identified a safety and comfort issue to the north west corner of Block E and a comfort issues around the entrances to Block A and Block B. An addendum to the original report proposed mitigation measures in the form of:
- 8 m high deciduous tree north west of Block E
  - 1.5m high and 1m wide shrub north of Block E
  - 0.9m deep canopies with side walls on the south side for west side entrances of Block A and B
  - 1.2m high dense shrub and 1.2m high walls on the west side of Block B.
- 9.152 The additional computer modelling confirmed that the College Annexe redevelopment proposals and additional height of the College Tower scheme might well result in some decrease in the wind comfort levels within the square between Block A and C and the College Tower site. However the report concluded that this can be suitably mitigated by the proposed wind mitigation within the scheme and wind mitigation proposed for the College Tower scheme. The reports have been reviewed by an independent consultant and are considered to be sound and the mitigation proposed is supported.
- 9.153 Overall, the proposed mitigation is considered acceptable. Implementation and maintenance of the wind mitigation will need to be secured through the S.106 Agreement, as well as the detailed design of the tree pits and their management to ensure establishment of and longevity of the required planting.
- 9.154 Joint workshops are taking place to ensure co-ordination of the applicant's designs with the public realm design for the Fair Field public realm competition scheme. As part of these workshops the applicant has committed to continuing the work with the

adjoining developers, to ensure the delivered public realm is as coordinated and consistent as possible. This on-going engagement is to be secured through the S.106 Agreement.

#### Construction Impacts

9.155 A Construction Environmental Management Plan would be secured by condition, to ensure adequate control of noise, dust and pollution from construction and demolition activities and to minimise highway impacts during the construction phase. It is noted that the College have raised concerns about construction work and the impact upon their teaching programme. Officers note that as part of the CEMP and logistics plan, it would be expected that the applicant and their contractors would consult with this neighbour and other neighbours which may be impacted by construction noise (Fairfield Halls and Magistrates Court) in order to manage the impact of construction noise and any disruption to the operation of the neighbours.

#### Ventilation

9.156 Prior to use of any food and drink uses commencing on site, details of ventilation will be required by planning condition.

#### Light pollution

9.157 To avoid excessive light pollution, a condition is recommended requiring details of external lighting, including details of how it would minimise light pollution.

#### **Other Planning Matters**

9.158 Although fire safety is predominantly a building regulation issue, draft policy D12 of the emerging New London Plan requires developments to achieve the highest standards of fire safety for all building users. The policy sets out a number of requirements, with the submission of a Fire Statement (an independent fire strategy produced by a third party suitably qualified assessor) setting out how the development has been designed and will function to minimise fire risk. A fire statement has been submitted together with a fire tender access note. The fire statement is considered to meet the requirements of this draft policy, although it is noted that it does not address fire evacuation assembly. However, should the GLA be so minded, further details of this could be secured by condition. There are elements of the envisaged fire strategy which depart from normal guidance, but this is permitted under the building regulations code. In any case, these will need to be resolved at the detailed design stage when a detailed review is undertaken in accordance with the building regulations. The principles of the fire tender access are considered acceptable and any strengthening work required to the existing Fair Field podium to accommodate this would be secured through the S.106 Agreement. It is considered the submitted details are sufficient to satisfy the development's fire safety implications from a planning perspective. The document is currently being reviewed by the GLA and further comments are expected as part of a subsequent Stage 2 process.

9.159 London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential risks and 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. The Croydon SPD No. 3: Designing for Community Safety sets out guidance for minimising risk, including maximising natural surveillance;

creating spaces which foster a sense of ownership; activity levels; and management and maintenance provisions. Engagement with the Metropolitan Police Designing out Crime officers has taken place during the course of the application. A condition is recommended to require the applicant to continue engagement with the Police prior to occupation and secure Secured by Design accreditation.

9.160 All other relevant policies and considerations, including equalities, have been taken into account. It is recommended that planning permission is granted in line with the officer recommendation for the reasons summarised in this report.

## **10 CONCLUSION**

10.1 The development has been considered against the development plan in accordance with s38 of the Town and Country Planning Act. Notwithstanding the scheme's failure to deliver like for like replacement open space, officers are satisfied that the proposals broadly comply with the development plan taken as a whole, especially when considering the public benefits associated with the scheme.

10.2 The proposals would deliver a sustainable development which would provide a significant contribution to Croydon's housing targets in accordance Local Plan policy SP2.

10.3 The layout, massing and density of the proposed development is considered to optimise the site capacity making effective and efficient use of a brownfield site in a highly accessible location which is well connected to jobs, services, infrastructure and amenities in accordance with the NPPF, London Plan and Local Plan policies. It broadly aligns with the anticipated desire for growth within the Croydon Opportunity Area and as envisaged by the Fair Field Masterplan.

10.4 The redevelopment of this site would help to promote the regeneration of the Fair Field Masterplan area, creating a new residential community in the Metropolitan Centre and improving connections with rest of the Masterplan and wider area.

10.5 The design, layout, appearance and detailed façade treatment of the development would be of high quality and would provide a high quality appearance and backdrop to the Fair Field public realm and would have a beneficial impact upon the townscape of the area.

10.6 The development would result in less than substantial harm to the Chatsworth Road Conservation Area and modest harm to the locally listed Fairfield Halls. However, the derived public benefits would outweigh the harm to heritage assets.

10.7 The proposal would provide a suitable mix of housing in terms of sizes supporting a sustainable mixed community. The provision of 69 Shared Ownership units (equating to 20% by habitable room) has been independently assessed as the maximum reasonable provision. Given this, both early and late stage review mechanisms would be secured.

10.8 The development would result in a limited reduction in the level of open space and would fail to provide like for like replacement open space contrary to policy. Notwithstanding this, 1775sqm of open space would be re-provided within the scheme and the layout and design would provide meaningful hard and soft landscaping and furniture to make it a useable high quality public realm. The layout would also enable the provision of a new pedestrian route linking East Croydon Station through to Fairfield

Halls and up to the Hazeldean Bridge. Provision of these routes is fully supported as improving legibility for the Fair Field Masterplan area.

- 10.9 Generally the relationship with adjacent neighbours, is considered acceptable and the development is not considered to prejudice residential development of the neighbouring sites in line with the site allocations. The scheme would however result in major adverse impact upon daylight and sunlight to Croydon College, but when set against the benefits of the scheme, the urban nature of the immediate area and the educational use of this adjacent site, this harm is considered acceptable, being outweighed by the benefits of the development.
- 10.10 The living standards of future occupiers are considered satisfactory (in terms of overall residential quality) when set against the benefits of the scheme, the desire and expectation to deliver at higher densities in such locations and the urban nature of the immediate area.
- 10.11 The level of parking and impact upon highway safety and efficiency would be acceptable, subject to conditions and S.106 Agreement.
- 10.12 The environmental impacts, including wind, noise, air quality, land contamination and flooding are acceptable subject to mitigation proposed through a combination of conditions and S.106 Agreement. Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions

## Appendix 1: Application drawings

Drawings: 630-19100 P1, 630-19101 P1, 630-19101.1 P1, 630-19102 P1, 630-19103 P1, 630-19104 P1, 630-19105 P1, 630-19106 P1, 630-19107 P1, 630-19108 P1, 630-19109 P1, 630-19110 P1, 630-19111 P1, 630-19112 P1, 630-19113 P1, 630-19114 P1, 630-19115 P1, 630-19116 P1, 630-19117 P1, 630-19120 P2, 630-19121 P2, 630-19122 P2, 630-19123 P2, 630-19124 P2, 630-19130 P2, 630-19131 P2, 630-19132 P2, 630-19133 P2, 630-19134 P2, 630-19135 P2,

## Appendix 2: BRE Guidance Terms

### Daylight to existing buildings

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

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

### Sunlight to existing buildings

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

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

If one of the above tests is met, the dwelling is not considered to be adversely affected. For the dwellings affected, the level of impact has been considered as follows:

Minor adverse effect	0.7 – 0.8 times its former value
Moderate adverse effect	0.6 – 0.7 times its former value
Major adverse effect	Below 0.6 times its former value

### Mirror Image Test (for daylight and sunlight to existing buildings):

The mirror image test sets an alternative target based upon a mirror image building of the same height and size an equal distance away on the other side of the boundary.

### Daylight to new buildings: Average Daylight Factor (ADF) and Daylight Distribution (DD)

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

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

rooms, the target ADF has been set at 1.5% to reflect the principle use of the rooms as a living room. This target has also been applied to studio flats.

The DD test calculates the area of the working plane in a room which can receive direct skylight. The BRE Guidelines stipulate that no more than 20% of a room should lie beyond the no sky line (ie receive no direct skylight).

#### Sunlight to gardens and outdoor spaces

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