

**1 APPLICATION DETAILS**

Ref: 23/02689/FUL  
 Location: 1-5 Lansdowne Road And 30-32 Wellesley Road, Croydon, CR0 2BX  
 Ward: Fairfield  
 Description: Redevelopment of the site and erection of a mixed-use development comprising of a maximum of 806 residential units (Use Class C3), co-working and retail space (Use Class E) across two buildings including basement (Building A with a maximum height of 50 storeys and Building B with a maximum height of 31 storeys) with associated communal facilities, landscaping, access, cycle parking, car parking, refuse storage, public realm works and other associated works (amended description).  
 Drawing Nos: See Appendix 1  
 Applicant: Fizzy Lansdowne PropCo LLP  
 Agent: Ian Mayhead of Icen Projects Ltd  
 Case Officer: Laura Field

	<b>Housing Mix</b>				
	<b>Studio</b> (1 person)	<b>1 bed</b> (2 person)	<b>2 bed</b> (3 and 4 person)	<b>3 bed</b> (5 person)	<b>TOTAL</b>
<b>Proposed</b> (Market Rent)	114	321	170	85	<b>690</b>
<b>Proposed</b> (Discount Market Rent)	0	51	25	5	<b>81</b>
<b>Proposed</b> (London Living Rent)	0	20	13	2	<b>35</b>
<b>TOTAL</b>	<b>114</b> <b>(14.1%)</b>	<b>392</b> <b>(48.6%)</b>	<b>208</b> <b>(25.8%)</b>	<b>92</b> <b>(11.4%)</b>	<b>806</b> <b>100%)</b>

	<b>Affordable Housing Mix</b>				
	<b>Studio</b> (1 person)	<b>1 bed</b> (2 person)	<b>2 bed</b> (3 and 4 person)	<b>3 bed</b> (5 person)	<b>TOTAL</b>
<b>Proposed</b> (Discount Market Rent)	0	Building A: 26 Building B : 25	Building A: 10 Building B: 15	Building A: 5 Building B: 0	<b>Building A: 41</b> <b>Building B:40</b> <b>Total: 81</b>
<b>Proposed</b> (London Living Rent)	0	Building A: 8 Building B: 12	Building A: 7 Building B: 6	Building A: 2 Building B: 0	<b>Building A: 17</b> <b>Building B: 18</b> <b>Total 35</b>
<b>TOTAL</b>	<b>0</b>	<b>71</b>	<b>38</b>	<b>7</b>	<b>116</b> <b>(14.39%of units and 15% by habitable rooms)</b>

Type of floor space	Amount proposed
Residential (Use Class C3)	50,459 Sqm (NIA)
Co working Office Space (Use Class E )	934 sqm (NIA)
Reail Space (Use Class E)	78 sqm (NIA)
<b>Total</b>	<b>51,471 sqm (NIA)</b>

<b>Vehicle and Cycle Parking (London Plan Standards)</b>	
PTAL: 6b	
<b>Car Parking maximum standard</b>	<b>Proposed</b>
Car free with 3% blue badge provision (25 Spaces)	5x disabled bays (0.62 % provision)
<b>Long Stay Residential Cycle Storage minimum</b>	<b>Proposed</b>
1,302	1,135
<b>Short Stay Residential Cycle Storage minimum</b>	<b>Proposed</b>
25	26
<b>Co working Cycle Storage minimum</b>	<b>Proposed</b>
15	15

1.1 This application is being reported to committee because:

- It is a residential development containing 200 or more new dwellings.

## 2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission

2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission subject to:

- Any direction by the London Mayor pursuant to the Mayor of London Order
- The prior completion of a legal agreement to secure the following planning obligations:

### Housing

- Build to Rent criteria, including covenant, clawback mechanism and management, local connections
- Secure 15% affordable housing (by habitable room) as 30.6% London Living Rent (LLR) level and 69.4% as Discount Market Rent (DMR) level
- Affordable housing review mechanisms (early and late-stage (all input) reviews)

### Transport

- Sustainable Transport financial contribution of £1,124,000 (to include surface level pedestrian crossing on Wellesley Road)
- Transport for London (TfL) financial contribution of £500,000
- Provision of a car club bay (with EVCP)
- Car club membership for every home for 3 years
- Restriction on residential parking permits in Controlled Parking Zone (CPZ) and in town centre car parks

- i) Travel plan and monitoring

#### Public Realm

- j) Enter into a S. 38 and 278 highways agreement to secure the following:
  - Loadings bays and footways
  - Removal of redundant dropped kerbs
- k) Street tree provision and Maintenance of trees to Lansdowne Road and Wellesley Road
- l) Public Realm delivery and maintenance including allowing the public to pass and re pass within the public realm areas and collaboration with neighbouring sites
- m) Securing the pedestrian link to the north with the public realm areas and neighbouring site and collaboration with neighbouring sites.

#### Design

- n) Architect retention clause
- o) Financial contribution of £49,528.2 for off-site play space for older children plus 5 years maintenance
- p) Public art clauses – location defined and a) brief and section agreed with LPA b) final strategy agreed with LPA and c) implementation

#### Environmental

- q) Carbon offsetting financial contribution of £703,526 (subject to review if the energy performance improves during the detailed design stages)
- r) 'Be Seen' monitoring clause
- s) Air quality financial contribution of £80,600
- t) TV signal mitigation measures
- u) Wind mitigation measures
- v) Public access to building and upper floors

#### Employment and Training

- w) Local Employment and Training strategy (LETS) including construction phase work placements, financial contribution of £85,000 for apprenticeships and operational phase 34% local jobs with additional apprenticeships
- x) LETS construction phase financial contribution of £645,000 and operational contribution of £35,741

#### NHS

- y) Financial contribution of £130,000

#### Other

- z) Relevant monitoring fees (per £1,500 per obligation above)

2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.

2.4 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

#### **Conditions**

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings
- 3) Development to have homes (Use Class C3) across all buildings at heights

*Pre-commencement (including any works such as foundations)*

- 4) Piling method statement
- 5) Construction Logistic Plan
- 6) TfL Impact Assessment for Trams
- 7) Construction Environmental Management Plan
- 8) Detailed design of SuDs strategy
- 9) Written scheme of investigation for archaeology
- 10) Radar mitigation scheme to be submitted

Prior to above ground floor works

- 11) Full details of hard and soft landscaping (including trees, materials, boundary treatments, junctions with public realm and drainage, child play space, amenity spaces maintenance plan, lighting, wayfinding and UGF)
- 12) Full details of cycle provision
- 13) Full details of refuse provision and management plan
- 14) Biodiversity enhancement
- 15) Crane Operation Plan
- 16) Public Art strategy
- 17) Wind mitigation strategy
- 18) Materials for bay, external facing materials, panels for elevation treatment, entrances, tiles, windows, including full details including 1:1 mock up panels and 1:20 drawings and models
- 19) Crown details with 1:1 mock up panels, 1:20 drawings and models
- 20) All materials including for all external elements geometric façade forms of Tower B, roof details, entrances, amenity spaces, ventilation system, rainwater goods, windows, sections all plant units, wind mitigation and doors and gates
- 21) Vehicle Dynamic Assessment
- 22) Aviation lights
- 23) Tree planting strategy and management plan

Within 3 months of commencement of superstructure

- 24) Details of security measure including Secure by Design standards

Pre-occupation

- 25) Development and infrastructure phasing plan (Thames water)
- 26) Travel Plan
- 27) Delivery and Service Plan
- 28) Detailed car park and access design and management plan including visibility splays
- 29) Lighting scheme
- 30) Whole Life Cycle Carbon Assessment
- 31) Circular Economy Statement
- 32) Energy statement carried out achieving 35%- final certificate submitted
- 33) Certified BREEAM post construction review- Excellent rating
- 34) Long term scheme maintenance for SuDs
- 35) Detailed plans for the provision of ducting space for full fibre connectivity
- 36) Communal area management plan
- 37) Building maintenance strategy

Compliance

- 38) Land contamination report
- 39) Ecological mitigation and enhancement
- 40) Noise levels from plant
- 41) Noise Impact Assessment
- 42) Air Quality Impact Assessment
- 43) Emissions standards

- 44) Fire Statement
- 45) 10% of units M4 (3)
- 46) Water efficient standard of 110 litres/person/day
- 47) Retention of non- residential uses
- 48) Retention of office uses
- 49) Opening times for the retail unit
- 50) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

### **Informatives**

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Thames Water informatives
- 4) CLP guidance
- 5) Refuse notice to team
- 6) Highway guidance
- 7) Guidance for Safeguarding Aerodromes
- 8) Guidance for retail unit/ commercial units
- 9) Lighting guidance
- 10) Hot water boiler guidance
- 11) Radar Mitigation guidance
- 12) Crane guidance
- 14) UKPN guidance
- 15) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.5 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Wellesley Road (North) Conservation Area, Central Croydon Conservation Area, Church Street Conservation Area, Croydon Minster Conservation Area, Chatsworth Road Conservation Area, East India Estate Conservation and the Waldrons Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.6 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

2.7 That, if within 3 months the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

3.1 The proposal is an application for full planning permission and includes the following:

- A residential led mixed- use development ranging in height with Tower A being 50 storey and Tower B being 31 storeys, containing 806 residential units as Build To Rent
- Tower A provides co-working spaces (Use Class E) with access on the ground floor to the main provision on the ground, first and second floors
- Retail space (Use Class E) will be provide on the ground floor of Tower B , facing Lansdowne Road

- The basement will provide cycle parking and plant
- Associated refuse facilities at ground floor in both towers
- The provision of 5 blue badge car parking spaces at ground floor to the rear of the site
- Provision of communal amenity spaces including the courtyard public realm (950 sqm), internal amenity spaces on the top floors of both towers (2,267 sqm) and external amenity on the top floors of both towers (312 sqm).
- Highway/access works
- Landscaping and public realm. This includes public realm improvements including a pedestrian route through the site that would allow a future public access through to Canterbury House and Apollo House



Figure 1: proposed site layout plan

### Amendments

3.2 During the course of the application assessment significant amendments to the scheme were secured as a result of officer feedback. A re-consultation exercise took place on 4<sup>th</sup> September 2024. Re-consultation has taken place in full.

3.3 The amendments broadly comprise:

- Increase in unit numbers – 806 in total from 783 units
- Building A now has 46 residential floors and 50 storeys in total (not including the basement or roof). AOD height – 163.3m (the original scheme as submitted had 42 residential floors and in total 48 storeys and 156.570m in height.
- Building B now has 29 residential floors and 31 storeys total (not including basement or roof). AOD height – 104.9m (the original scheme as

submitted had 33 residential floors and in total 35 storeys and 117.720m in height. ).

- New basement layout connecting footprint of Building A and B across courtyard. Main plant and cycle storage in basement (previously there was a smaller basement).
- Change to the ground floor layouts including the locations of entrances
- Increase in the number of private amenity spaces (72 balconies in the original scheme and 132 in the current revised scheme)
- Improves layout of communal terraces on the top floor
- Design changes including architectural detailing
- Improved changes to the public realm
- Change to the affordable housing offer to be GLA compliant



*Figure 2: Visual of the proposed scheme*

### **Site and Surroundings**

- 3.4 The application site (generally level and 0.475 ha in site area) is situated at the junction of Wellesley Road and Lansdowne Road. It is approximately 300 metres from East Croydon Rail Station, 370 metres from West Croydon Rail Station and 60 metres to the east of the edge of Croydon Primary Shopping Area.
- 3.5 It is noted that demolition of all the buildings on site has been completed. This is in line with the extant planning permission for this site (see planning history below). The site is now vacant. The site was previously occupied by a hostel, a hotel and a fitness centre, café, and offices. The buildings on the site varied in height from 4-11 storeys. The site

also included Voyager House, which was a six storey former office building fronting onto Wellesley Road.

- 3.6 Adjacent to the site and to the east, is Emerald House (12 storeys) which has been converted from office to residential use (following on from a previous office to residential prior approval in 2014).
- 3.7 To the west of the site lies Wellesley Road, a dual carriageway following a north/south alignment which is a major artery through Central Croydon for public transport (buses, trams) but also for private motor vehicles. On the opposite side of Wellesley Road is the retail core of Croydon, focused around the Whitgift and Centrale Shopping Centres.
- 3.8 To the south of the site is a hotel and beyond this are a number of office buildings of varying heights with retail uses fronting onto Wellesley Road at ground floor level. Noting, The Quarters, 20-26 Wellesley Road is a GPDO office to residential conversion and Cambridge House, 16-18 Wellesley Road is a 26 storey building for 63 residential units. Further south is Croydon College, the main education focus within the town centre.
- 3.9 To the north are various office buildings including the Home Office at Apollo House, which is a 22-storey building and Canterbury House which is an 11-storey building which has been converted into residential units following a previous office to residential prior approval process in 2014. To the north of these office blocks is Saffron Square which comprises residential buildings of varying heights, including a 44 storey tower.
- 3.10 To the east of the site are various office and multi-storey car parking uses. East Croydon Rail Station lies to the south east of the site and there is a pedestrian bridge across the tracks/platforms, linking the station directly to Lansdowne Road. Adjacent to the station are a number of sites being bought forward for development for residential and office purposes. Further to the east the character of the area changes to low rise Victorian housing.



Figure 3: Site location plan



#### Location

- 1 Lansdowne building
- 2 Jury's Inn Hotel
- 3 Ermentof House
- 4 Hans Polo House
- 5 YMCA
- 6 Canterbury House
- 7 Apollo House
- 8 Voyager House
- 9 Fairfield Hotel

Site Extents



Figure 4: Site in context at the time of original submission

### Planning Designations and Constraints

- 3.11 The site is within the area covered by the Croydon Opportunity Area Planning Framework (OAPF). The site lies in an area identified as suitable for tall buildings in Croydon Local Plan Strategic Policies and the OAPF and in an office retention area. The site is also within Croydon Metropolitan Centre, at a distance of some 60 metres from the Primary Shopping Area defined in the Croydon Local Plan Policies Map. It also lies with the Place Specific Area- Policy DM38: Croydon Opportunity Area.
- 3.12 The site has excellent Public Transport Accessibility (PTAL 6B), being in close proximity to East and West Croydon Stations and numerous bus and tram links. A Tree Preservation Order covered 4 trees on the Lansdowne Road frontage, (TPO No. 4, 1999). These trees have been removed under the previous planning permission (see planning history).
- 3.13 The site in totality, is an area at risk of surface water flooding, a critical drainage area and is at risk of ground water flooding. All the roads around the site are within the Central Croydon Controlled Parking Zone.
- 3.14 The application site is not located within a designated conservation area, nor is the building statutorily listed. However, there are several heritage assets within Croydon Town Centre including adjacent conservation areas and listed buildings, most notably the Wellesley Road (North) Conservation Area, Central Croydon Conservation Area, Church Street Conservation Area, the Grade II listed Electric House, Grade I listed Hospital of the Holy Trinity Almshouses, Grade I listed Parish Church of St Michael and all Angels, Grade I listed Parish Church of St John the Baptist (Croydon Minster) and locally listed Corinthian House. Number One Croydon is a locally listed building and a landmark building.
- 3.15 The site itself lies within site allocation 142 of the Croydon Local Plan 2018. However, this allocation does not include Voyager House.

**142: 1 Lansdowne Road**

Place	Postcode	Size of site	Site description	Suburban, Urban or Central location?	Public Transport Accessibility of area	Local character of area	
Croydon Opportunity Area	CR0 2BX	0.47ha	Lansdowne Hotel, YMCA Hostel and Marco Polo House	Central	High	Large buildings with surrounding space; Large buildings with well defined building line and adjacent to other buildings; Linear Infrastructure	
Description of option		Justification for option			Anticipated phasing of development	Evidence of deliverability	Number of homes
Mixed use development comprising residential, with offices, leisure and/or hotel		Residential development will help to meet the need for new homes in the borough. Site lies within Croydon Metropolitan Centre close to East Croydon station but outside the Primary Shopping Area so all town centre uses except retail for which sequential testing would be required, are acceptable in this location.			2021 - 2026	The Site (excluding Voyager House) has an implemented, deliverable planning permission. The developer remains in discussions with the Council with regard to a revised scheme incorporating Voyager House.	419 to 441

Figure 5: Extract from the Croydon Local Plan 2018- site allocation

3.16 The current Croydon Local Plan (2018) is in the process of being reviewed; the partial Local Plan (Regulation 19) review has limited weight at this time. This site (which was expanded from the Croydon Local Plan 2018 allocation to include Voyager House). Details as below:

Site 142: 1 Lansdowne Road							
Place	Postcode	Size	Site description	Type of location	Public Transport Accessibility	Local character	
Croydon Opportunity Area	CR0 2BX	0.48ha	<u>Voyager House</u> , Lansdowne Hotel, former YMCA Hostel and Marco Polo House	Central	High	Large buildings with surrounding space, Large buildings with well-defined building line and adjacent to other buildings, Linear Infrastructure	
Description of option		Justification for option			Anticipated phasing of development	Evidence of deliverability	Indicative number of homes
Mixed use development comprising residential, with offices, leisure and/or hotel		Residential development will help to meet the need for new homes in the borough. Site lies within Croydon Town Centre close to East Croydon station but outside the Primary Shopping Area so all town centre uses except retail for which sequential testing would be required, are acceptable in this location.			2024-2027 - <u>2032</u>	<del>The Site (excluding Voyager House) has an implemented, deliverable planning permission. The developer remains in discussions with the Council with regard to a revised scheme incorporating Voyager House.</del> <u>Site has planning permission but there are a number of issues that need to be overcome before the site can be developed</u>	<del>419 to 441</del> <u>794</u>

Figure 6: Extract from the Local Plan review- site allocation

3.17 There are other allocations on the surrounding sites. The key site allocations in relation to this development are as follows and are shown in the image below:

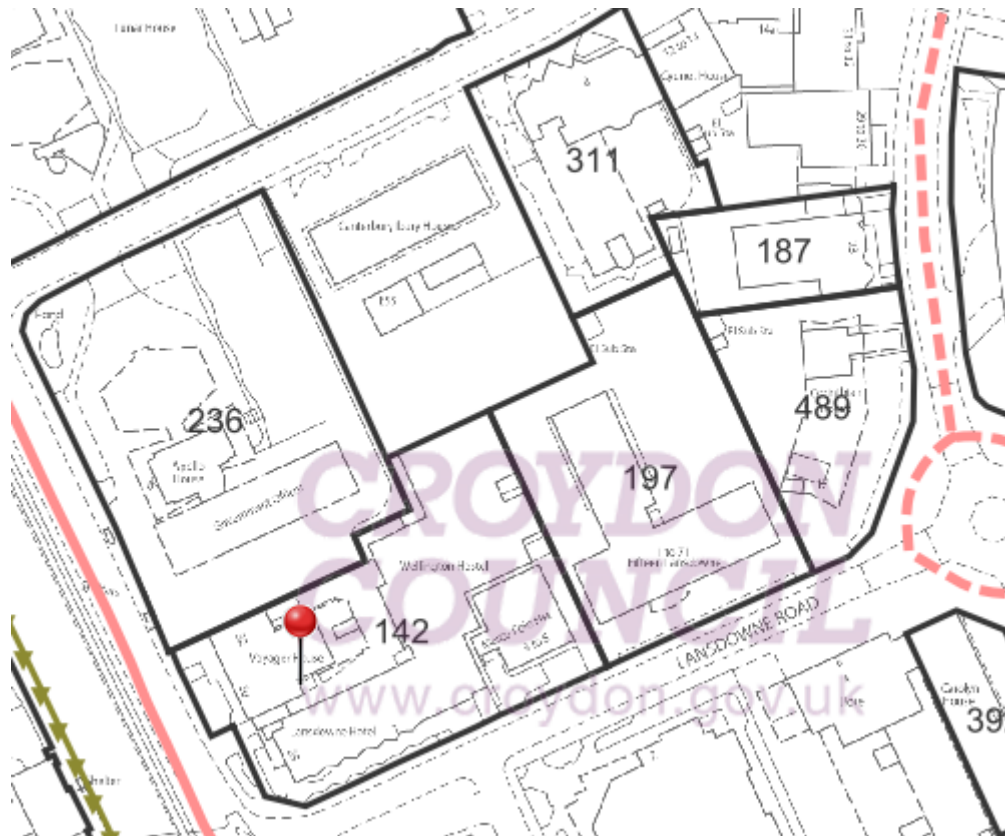


Figure 7: Local Plan Map and site allocations

**197: Emerald House, 7-15 Lansdowne Road**

Place	Postcode	Size of site	Site description	Suburban, Urban or Central location?	Public Transport Accessibility of area	Local character of area
Croydon Opportunity Area	CR0 2BX	0.39ha	Office building	Central	High	large buildings with surrounding space; Large buildings with well defined building line and adjacent to other buildings
Description of option	Justification for option			Anticipated phasing of development	Evidence of deliverability	Number of homes
Office and residential and/or hotel (with healthcare facility if required by the NHS)	In accordance with Policy SP3 of the Croydon Local Plan 2018, office refurbishment/redevelopment and mixed use should be explored fully. The site is suitable for all town centre uses except retail as it is within Croydon Metropolitan Centre close to East Croydon station but outside of the Primary Shopping Area. The site has been identified by the NHS as being in an area with a need for additional healthcare facilities. The inclusion of healthcare facilities should be explored with the NHS before development takes place.			Post 2026	Site is subject to developer interest but there are a number of issues that need to be overcome before the site can be developed	55 to 157

**218: Lunar House, Wellesley Road**

Place	Postcode	Size of site	Site description	Suburban, Urban or Central location?	Public Transport Accessibility of area	Local character of area
Croydon Opportunity Area	CR0 9YD	1.34ha	Office Block	Central	High	large buildings with surrounding space; Linear Infrastructure
Description of option	Justification for option			Anticipated phasing of development	Evidence of deliverability	Number of homes
Office and residential and/or hotel (with healthcare facility if required by the NHS) if the site is no longer required by the Home Office.	In accordance with Policy SP3 of the Croydon Local Plan 2018, office refurbishment/redevelopment and mixed use should be explored fully. The site lies within Croydon Metropolitan Centre close to East Croydon station but outside the Primary Shopping Area so all town centre uses except retail are acceptable in this location. Residential development will help to meet the need for new homes in the borough. The site has been identified by the NHS as being in an area with a need for additional healthcare facilities. The inclusion of healthcare facilities should be explored with the NHS before development takes place. Conversion should be considered in the redevelopment to increase sustainability of the site.			Post 2026	Site is subject to developer interest but there are a number of issues that need to be overcome before the site can be developed	188 to 542

236: Apollo House, Wellesley Road

Place	Postcode	Size of site	Site description	Suburban, Urban or Central location?	Public Transport Accessibility of area	Local character of area	
Croydon Opportunity Area	CR0 9YA	0.58ha	Office Building	Central	High	Large buildings with surrounding space	
Description of option		Justification for option			Anticipated phasing of development	Evidence of deliverability	Number of homes
Offices and residential and/or hotel (with healthcare facility if required by the NHS) if the site is no longer required by the Home Office. There is one record of sewer flooding.		In accordance with Policy SP3 of the Croydon Local Plan 2018, office refurbishment/redevelopment and mixed use should be explored fully. The site is suitable for all town centre uses except retail as it is within Croydon Metropolitan Centre close to East Croydon station but outside of the Primary Shopping Area. The site has been identified by the NHS as being in an area with a need for additional healthcare facilities. The inclusion of healthcare facilities should be explored with the NHS before development takes place. To assist sustainability the development must incorporate accoustic measures to reduce noise impact on the development.			Post 2026	Site is subject to developer interest but there are a number of issues that need to be overcome before the site can be developed	82 to 234

311: Mott Macdonald House, 8 Sydenham Road

Place	Postcode	Size of site	Site description	Suburban, Urban or Central location?	Public Transport Accessibility of area	Local character of area	
Croydon Opportunity Area	CR0 2EE	0.24ha	Office building	Central	High	large buildings with surrounding space; Large buildings with well defined building line and adjacent to other buildings	
Description of option		Justification for option			Anticipated phasing of development	Evidence of deliverability	Number of homes
Offices and residential and/or hotel (with healthcare facility if required by the NHS)		In accordance with Policy SP3 of the Croydon Local Plan 2018, office refurbishment/redevelopment and mixed use should be explored fully. The site is suitable for all town centre uses except retail as it is within Croydon Metropolitan Centre close to East Croydon Station but outside of the Primary Shopping Area. The site has been identified by the NHS as being in an area with a need for additional healthcare facilities. The inclusion of healthcare facilities should be explored with the NHS before development takes place. A community use could assist the sustainability of the site.			Post 2026	Site has no known developer interest and the Council will need to work with landowner to bring it forward	34 to 97

## Planning History

3.18 The following planning decisions are relevant to the application site:

11/02986/P      Granted      On 28th March 2012, planning permission was granted for the Demolition of existing buildings and erection of a part 12, part 16, part 55 storey building, comprising residential (Use Class C3), office (Use Class B1), café/restaurant (Use Class A3), leisure (Use Class D2) and hotel (Use Class C1), with associated parking, landscaping and access. A material start on site has commenced including demolition.

17/03457/FUL      Granted      On 2nd October 2017, planning permission was granted for the Demolition of the existing buildings and the erection of a part 11, part 41, part 68 storey development comprising 794 residential units (Use Class C3), 35,000 sq.m (GIA) of offices (Use Class B1a), retailing/restaurant/bar uses (Class A1/A3/A4 and/or A5), public viewing gallery, swimming pool and gym (Use Class D2), with associated access and servicing, car/cycle parking, landscaped

pedestrian walkways and public plaza. A material start on site has commenced including demolition.

As there has been a material start with both of the previous planning permissions, these are both considered to be commenced and either could be fully implemented at any time.

22/05177/ENV	Not required	Environmental Impact Assessment (EIA) Screening Opinion Request for the demolition for the existing buildings and construction of new buildings to the maximum height of 230mAOD and up to 50-storeys, based on 3150mm floor to floor across the typical residential levels and taller heights for the lower and top levels/roof. Proposed Development will provide: Up to 825no. residential units Up to 6,500 sqm (GIA) of commercial floorspace, including office and retail floorspace, both of which now fall under Use Class E. This will be located on the lower floors, with an active ground floor promoting commercial operations including retail, café and restaurant uses Up to 30no. car parking spaces for blue badge users Up to 1,600 cycle parking spaces with an additional 50 space at ground level for short stay provision; and Associated access and servicing, car / cycle parking, and landscaped pedestrian walkways
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### Surrounding Area

3.19 The surrounding area contains a wide variety of building types and scale, within the central cluster a number of tall buildings are either under construction or benefit from planning permission. Those either under construction or with planning permission range in height up to 49 storey (College Tower). Ten Degrees (101 George Street -Former Essex House) is a completed Build to Rent Scheme which is a part 38 and part 44 storey building. Cambridge House, 16-18 Wellesley Road is a 26 storey building for 63 residential units. At 96 and 98 George Street planning has been granted for an 11 storey building for office and café uses. 17-21Dingwall Road has been grant permission for a 28 storey building for 199 units and health care facility. Croydon Park Hotel, 7 Altyre Road has been granted planning permission for a 36 storey building for 447 units and a community use.

These sites directly adjoin the site as below:

#### 2 Lansdowne Road:

24/02610/GPDO Decision pending

Change of use of existing building from commercial use (Class E) to residential use (Class C3) creating 118 x new dwellings (Prior Approval under Schedule 2, Part 3, Class MA of the GPDO 2015)

#### Canterbury House:

22/03745/FUL Decision pending

Construction of a 13-storey rear extension and 2-storey roof extension to provide 97 residential units (Class C3), a new pocket park, provision of cycle and bin stores together with internal and external alterations to the existing building at Canterbury House

which has been converted into residential from office use. This site lies immediately to the north.

Emerald House:

14/01605/GPDO Approve

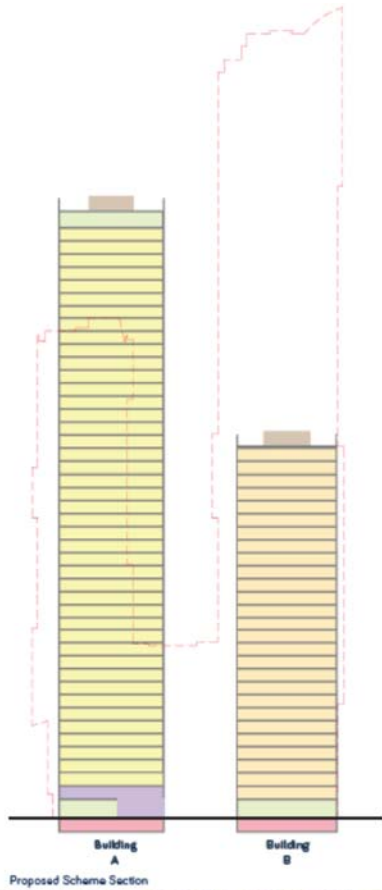
Conversion to form 70 one bedroom and 51 two bedroom flats. This has been implemented.

16/04025/P Granted

Construction of roof extension to lower block to form 8 additional flats. This has been implemented.

Place Review Panel 1 (PRP)

3.20 An earlier iteration of the scheme was presented to the Council's Place Review Panel on 19<sup>th</sup> January 2023. See images and plans below. The proposal, at that point, was for a 47 storeys tower at the front of the site (Tower A) adjoining Wellesley road, and 28 storeys to the rear tower (Tower B). This was also for approximately 800sqm commercial floorspace and approximately 770 homes.





Figures 8, 9, 10 and 11: proposal presented to PRP in January 2023

3.21 The Panel were supportive of much of the scheme’s strategy; however, there were several significant concerns regarding the bulk and proximity of the towers, the outlook and aspect of residential units, the quality of the pedestrian experience of the public realm and its microclimate, and the risk of an ‘us and them’ relationship between the two proposed towers. In summary, the Panel strongly recommended the Applicant to:

- improve the experience of moving in the east-west direction across the site and ensure that the design and safety of the public realm to the rear of the site is adequately considered;
- approach the public space by Lansdowne Road with more generosity and ensure it works for wide range of users;
- refine the scheme to mitigate any potential adverse microclimatic effects on the wider public realm, particularly in terms of wind;
- reduce the bulk of the towers and improve the outlook of residential units by reducing the number of units per core;
- ensure the architectural approach considers the scale and height of the scheme and manages overheating/daylight without excessively reducing window sizes;
- ensure the affordable tower’s design receives as much attention as the BTR tower;
- ensure access to bicycle parking is as straightforward as possible;
- avoid proposing any single-aspect units, especially north facing ones adjacent to Apollo House;
- introduce daylight into the building cores;
- consider the impact of the scheme on designated and non-designated heritage assets;
- find ways to create overlap between the communities within each tower; and,
- approach public engagement creatively and proactively.

Developer Presentation to Committee

3.22 The scheme was revised and presented to Committee Members on the 27<sup>th</sup> April 2023. The description of this proposal included demolishing the existing buildings and erection of a development to provide 783 residential units (Use Class C3, as build to



rent), 1,667sqm office space, internal and external amenity space, together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas and works.



*Figures 12, 13 and 14: views and floorplan presented to Planning Committee*

3.23 The main issues raised at this meeting by Members of the Committee were as follows:

**Principle**

- There was concern over right place for the highest element of the proposed development. There was some support for this to be located on the Wellesley Road frontage whilst other members felt as though it should be placed further along Lansdowne Road.
- There were concerns over the heights of the proposed development.
- There was some support expressed for tall buildings in relation to housing

*Officer comment: Officers agree that the site could accommodate tall buildings for housing. Officers consider the heights to be appropriate given the location and on the corner of Wellesley Road*

### **Design, Townscape and Heritage**

- The massing of the proposed development was better than the extant scheme.
- There were comments about being too tall and close together and heritage impacts

- There needs to be more reassurance over wind mitigation

*Officer comments: Officer agree on the massing. The scheme has been fully assessed in terms of heritage impact. Microclimate including wind and daylight/sunlight impacts have been independently verified by the Councils expert consultants and covered in detail in the main body of this report.*

### **Impact on Adjoining Occupiers Living Conditions**

- Members sought clarity on whether there would be public access to the building and there was a request for a public access strategy to be provided.
- There was concern was expressed at the lack of play space for older children and a request that this was looked into in more detail.

- There was concern about whether the loading bay was in the right direction and whether this would impact on the public square.

*Officer comments: There would be public access to the building and strategy and secured in the legal agreement. The playspace has been assessed in detail together with the GLA and covered in detail in the main body of this report. The servicing and delivery arrangements have been assessed by the Council Waste Team and Strategic Transport as well as TfL and the GLA and covered in detail in the main body of this report.*

### **Questioned Mix and Quality of Accommodation Provided**

- Members queried whether the units were bigger in size as there was not any balcony space provided.
- Members queried whether there was the possibility for residents to make slight changes to their units.
- Members sought clarity on whether utility bills would be separated from the rent charges.

*Officer comments: There have been design changes to schemes and more balconies added. The full assessment of amenity space is covered in the main body of the report.*

*The applicant has confirmed the following:*

*Due to insurance reasons residents are not allowed to make any structural changes to the apartments. Further to this residents cannot make cannot change the kitchens or bathrooms. Residents are allowed to make decoration changes on request. All units are fully managed and maintained by Greystar. Therefore, on completion of a tenancy, Greystar will make any necessary repairs and changes to the apartments.*

*Utilities are separate to rent bills.*

### **The design approach and elevational detail including materiality of both buildings**

- Members stressed the importance of the quality of the materials used to construct the building on the facades.
- The provision of public art was encouraged.
- Members asked the developer to consider how the facades would look in all weather conditions.

- There was a desire for the buildings appearance to reflect the heritage of the site and its surroundings.
- There was a request for the preservation of the existing mosaics at voyager house.
- There was preference for modular construction due to its lower carbon impact.  
*Officer comments: A full study of materials, detailing and facades has been submitted with the application together with samples. A detailed condition is also suggested to ensure the quality of materials and detailing. The public art strategy includes the mosaics and would be fully conditioned.*

### **The 15% affordable housing provision**

- Members asked for a need for a greater understanding of how the development would meet the needs of Croydon residents and how affordable housing could be maximised on the site.
- There was concern about the loss of employment floorspace.
- There was also a request for members to see the employment loss information.
- There was a request for the committee chair, vice chair and deputy chair to be invited to the next PRP session.

*Officer comments: The affordable housing units would be pepper potted throughout the scheme, with access to all facilities and maintenance controlled through unified ownership and management of the private and affordable elements of the scheme. The 50% affordable housing has been tested under the viability tested route; officers have reviewed the final FVA alongside independent advise and concur with the applicants' findings that the 15% offer is the maximum reasonable affordable housing provision. Clauses in relation to local people are being drafted in the legal agreement.*

*The applicant has submitted a detail employment/office study. This has been assessed by the Council's Plan Making Team and Economic Team to deliver the requirements of office space in Croydon.*

*The committee chair, vice chair and deputy were invited to the PRP session.*

### **Potential impacts on neighbouring residential amenities in terms of light, outlook and privacy**

- There was a need to consider privacy issues across the site and the two surrounding buildings.
- There was a need to consider noise issues in relation to Wellesley Road.

*Officer comments: The full assessment of these matters are covered in the main body of the report.*

### **The importance of microclimate, urban greening, trees, biodiversity and sustainable drainage**

- Members sought assurance over wind mitigation and how the developer aimed to avoid the creation of a wind tunnel around the site.
- Members asked the developer to further consider the impact of air pollution in the local area.
- There was a desire to see more tree planting around the site.
- There was a desire to exceed the required urban greening factor.
- There was a preference for modular construction due to less carbon impact
- There was a request for future naming to reflect local heritage
- There was a request to take into account Historic England's guidance on tall buildings
- There was a request to link with other site- to include masterplanning

*Officer response: Wind mitigation has been independently assessed. The Council's Pollution Team have also assessed the submission in terms of air quality. These issues are assessed in the main body of the report.*

*The landscaping plan includes many new trees around the site, this together with the urban green factor is discussed in the main body of the report. The applicant has confirmed the development will be a modular construction.*

*The site is subject to a detailed public art strategy and the name could be incorporated into that strategy.*

*All planning guidance is taken into account.*

*Officer have been working with surrounding site and the applicants have provided an indicative masterplan. The legal agreement has clauses in relation to collaborative working across adjoining sites.*

### PRP2

- 3.24 The proposal was further amended and presented to a second PRP. The scheme included the demolition of the existing buildings and Erection of two buildings, Building A would be 47 storeys, fronting on to Wellesley. Road and Building B would be 32 storeys, fronting on to Lansdowne Road. This is would be for the provision of 783 flats, to be Build to Rent and office space at 1,667sqm.





*Figures 15, 16 and 17: site layout and visual as part of developer's presentation at PRP 2*

3.25 The Panel were supportive of much of the approach proposed by the applicant, including the intention to create a pair of landmark iconic buildings with a high quality public realm between them. However, several significant concerns were expressed regarding the scale and articulation of the mass of the buildings, the quality of residential units, private and communal amenity spaces, and child play space. The Panel recommended the applicant to:

- improve the quantity and quality of the play space provision and explore co-design;
- ensure landscape proposals are of a high quality and exceed the standards achieved at Ten Degrees;
- reconfigure the parking provision to improve the layout of the public realm areas;
- consider heritage and townscape separately;
- provide public benefits through the provision of a publically accessible viewing deck;
- further develop the narrative of the scheme;
- further develop and soften the massing and articulation of the buildings in line with the iconic skyscraper narrative;

- reduce the number of units per core to increase the number of dual aspect units, reduce the bulk of the buildings and increase the distance between them;
- develop the architectural expression by exploring variation in fenestration, the use of colour, and by ensuring the wind mitigation fins (and other wind measures that may be proven necessary to mitigate the wind) do not compromise oblique views of the building;
- ensure openings manage multiple environmental considerations through their design;
- ensure residential units have adequate amounts of private and communal amenity space;
- provide publically-accessible facilities within the building;
- and ensure residential entrances have adequate prominence.

3.26 A number of key changes have been made to the scheme following PRP and Planning Committee feedback, as well as ongoing dialogue with officers both before and during the assessment of the application, are summarised below:

- Tower B has been completely redesigned
- Refinement of the design of Tower A including fenestration, use of colours and wind mitigation measures, entrance design
- Improvement of landscaping and playspace proposals
- Public art strategy refined and developed
- Agreed public access strategy
- Developed the communal and private amenity space- additional balconies and design of external communal spaces
- Environmental reports have been fully submitted

3.27 The key changes secured during the course of the planning application determination period are summarised in paragraph 3.3.

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

4.1 In summary, the officer recommendation has been informed by the following:

- The principle of the redevelopment of this site has already been established by the extant planning permission, bringing forward the regeneration of a vacant site.
- The provision of a mixed use scheme with co working office, retail and C3 residential use is fully supported.
- 116 affordable units in the form of Discounted Market Rent and London Living Rent (equating to 15% by habitable room) which has been independently assessed as the maximum reasonable provision.
- The proposal includes 92 x three-bedroom units (11.4%) which aligns with Policy requirements (10%).
- Within backdrop of the 17/03457/FUL permission, a tall building is supported. The height and mass of the building has been assessed in relation to its impact from a wide range of viewpoints and found acceptable.
- Officers have sought to limit any heritage harm, with less than substantial harm on heritages assets identified, however, the impact is outweighed by public benefits.
- As amended, the design, appearance and detailed façade treatment of the development is of high quality as required for tall buildings. The proposal would significantly improve the quality of public realm.

- The future provision of the through route to Canterbury House and Apollo House is supported.
- The living conditions of adjacent occupiers would be protected from undue harm.
- The living standards of future occupiers are satisfactory (in terms of overall residential quality), and the homes would comply with the Nationally Described Space Standard (NDSS).
- The quantum of parking and impact upon highway safety and efficiency would be acceptable, subject to conditions and s.106 agreement.
- 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.

4.2 The following sections of this report summarise the officer assessment and the reason for the recommendation.

## 5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

### **Greater London Authority (GLA)**

5.3 The GLA have made the following comments at Stage 1. N.B. the comments refer to the originally submitted plans and documents. Revised plans and documents will be considered by the GLA at Stage 2. The applicant and officers have also been working with the GLA on the issues raised below:

Land Use Principles: The proposed mixed-use, residential-led development to deliver 783 units within an Opportunity Area does not raise strategic concerns regarding land use principles. The Council should assess whether the loss of existing uses meets local policy requirements.

*[Officer comment: The recommendation endorses this position. The GLA have comments at the latest amendments and stated that there is no change from Stage 1 comments, understand the local consideration will be undertaken within the committee report to allow GLA officers to report back at Stage 2. It is also noted that since Stage 1 the site has been cleared, thus there are no existing uses on-site.]*

Housing / Affordable Housing: The current proposal includes 134 affordable housing units (17.5% by habitable room, as reported by the applicant), which does not meet expectations for this site, and not all of the units would currently meet the definition of affordable housing, which is wholly unacceptable. A viability assessment is being robustly interrogated by GLA officers, with affordability, eligibility and review mechanisms required. Compliance with London Plan Policy H11 to be appropriately secured, including clawback mechanisms, covenant and rent levels.

*[Officer comment: LBC officers are now satisfied through extensive testing that the maximum level of affordable housing has been achieved. A Build to Rent management plan, covenant, clawback mechanism and all inputs early and late stage review would need to be secured through the S.106 agreement.]*

*The latest offer is now GLA policy requirement in terms of the type of offer. The GLA have stated that they expect the requirements of LP Policy H11 to be fully secured by condition and/or legal obligation. We have reviewed the latest response from BNPP and whilst there is not a fully agreement on all inputs adopted by the parties (including neglecting a forward funded model) we are, on balance, content that the scheme as proposed provides the maximum viable affordable housing on a present-day basis. Noting also that whole-scheme review mechanisms are proposed, hopefully disagreed areas between the parties can be picked up at that stage]*

Urban Design: Broadly, layout and massing do not raise strategic concerns, however safety and legibility concerns remain regarding the north-south connection and play space provision. Transport and environmental matters require resolution to fully assess Part C of Policy D9 and the suitability of a tall building when the scheme is assessed as a whole.

*[Officer comment: The landscaping and playspace has been re-designed in the latest amendments.*

*The GLA have comments on the latest amendments and state that there is no change from broad Stage 1 comments, seeking views from the Council on microclimate and requesting play space, fire safety and inclusive principles to be secured. The proposal has seen some minor improvements to the layout and we maintain no strategic concerns.]*

Heritage: The proposal results in a low level of less than substantial harm to the Grade I listed Hospital of the Holy Trinity (Whitgift Hospital/ Almshouses). The heritage balance will be considered at Stage II.

*[Officer comment: This is agreed and the planning balance and public benefits are discussed in the officer report below in paragraphs 3.33.*

*The GLA have comments on the latest amendments and state that they maintain there would be less than substantial harm (low) to heritage assets, any harm will need to be clearly and convincingly outweighed by the benefits of the scheme.]*

Transport: Further detail is required to overcome concerns relating to safety, inclusive access, car and cycle parking, servicing, and construction. Specific conditions will be required to protect trams, and a contribution towards public transport enhancements.

*[Officer comment: These matters have now been addressed as part of the amended proposal, and the GLA and are now satisfied that this matter has been fully addressed Recommended conditions, legal obligations (including contributions) should be attached to any grant of permission.]*

Sustainable development and environmental issues: Further information is required on energy, whole life-cycle carbon, circular economy, flood risk, sustainable drainage and air quality. The recommended conditions and legal obligations should be secured.

*[Officer comment: All matters are addressed and can be secured via appropriately worded condition. The GLA have made comments on the latest amendments and information and stated that the recommended conditions and legal obligations should be secured and relevant technical memos attached for energy, air quality, circular economy and WLC].*

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

5.4 Comments were received raising the following concern.



1. Discussion and design consideration to improve safety concerns on the proposed north-east pedestrian link.

*[Officer comment: TfL have reviewed the current scheme and information and stated since the consultation at Stage 1, the layout of the development has altered, which improves the issues previously raised regarding safety and amenity of the public space and potential link to the north. The realignment of the parking bays improves visibility to the northern landscaped space, which increases opportunity for passive surveillance]*

2. Completion of a night-time Active Travel Zone assessment.

*[Officer comment. That has subsequently been carried out]*

3. Amount and mix of cycle parking to be confirmed in line with London Plan.

4. Proportion of wider Sheffield stands to be increased to at least 5% within in building.

5. Details of cycle parking design to be addressed in line with LCDS.

*[Officer comment on cycle parking: Overall, acceptable- subject to conditions. The GLA are now satisfied that this can be secure through condition. TfL have stated that given changes to the development layout and the increased number of dwellings, it is disappointing that the full requirement of cycle parking is not achieved. However, the full requirement was it was previously accepted based on improved access and quality, given space constraints. Concerns have also been raised with regards to the routes, numbers of doors and space to access the cycle parking].*

6. Discussion with TfL and LB Croydon to agree provision of disabled persons car parking and potential alternative provision. Electric vehicle charging, Car Park Management Plan and a restriction on parking permits to be secured.

*[Officer comment: Overall acceptable and subject to conditions. TfL have reviewed submitted amendments and additional information and stated that the total of 5 disabled persons parking spaces is proposed, equating to less than 1% of the total number of dwellings and is accepted]*

7. Public transport contribution of £500,000 to be secured.

*[Officer comment: Agreed and would be secured through the legal agreement].*

8. Tram infrastructure and asset protection condition to be secured.

*[Officer comment: Agreed and subject to conditions]*

9. Impact of proposed loading bay to be considered further, including conflict with buses and cycles on Lansdowne Road. Detailed Delivery and Servicing Plan to be secured by condition.

*[Officer comment: Overall acceptable and subject to conditions. TfL have reviewed the submitted amendments and information and stated that the proposed loading bay on Lansdowne Road is suitable.]*

10. Discussion with TfL on construction access. Detailed Construction Logistics Plan to be secured by condition.

*[Officer comment: Overall acceptable and subject to conditions.]*

### **Active Travel England (Statutory Consultee)**

- 5.5 Active Travel England have stated that the LPA should refer to the comments made by Transport for London, and confirmed they will not provide additional comments within London.

### **Health and Safety Executive (Statutory Consultee)**

- 5.6 Following a review of the information provided in the planning application, the HSE is content with the fire safety design to the extent that it affects land use planning.

### **Building Control (Consultee)**

- 5.7 Building Control reviewed the application in relation to the consideration of fire. They have raised no objection, stating that the design allows for some flexibility at the build stage should any issues arise at the detailed design stage. Officers note that following recent regulatory changes the scheme will be legally required to have obtained the approval of the regulator.

*[Officer comment: Conditions are recommended].*

### **Metropolitan Police Service (Design out Crime Officers) (Consultee)**

- 5.8 No objection subject to conditions in respect of Secured by Design.

*[Officer comment: A condition is recommended].*

### **Network Rail**

- 5.9 No objection.

### **Environment Agency (Statutory Consultee)**

- 5.10 Responded stating that no consultation was necessary.

### **Lead Local Flood Authority (Statutory Consultee)**

- 5.11 Have not raised an objection to the proposal subject to the imposition of appropriately worded conditions to address SuDS.

*[Officer comment: Conditions are recommended].*

### **Thames Water (Consultee)**

- 5.12 Have not objected to the proposal but have raised concerns over water and sewage capacity and have therefore recommended that conditions be attached to any approval.

*[Officer comment: Conditions are recommended]*

### **Historic England (Statutory Consultee)- Archaeology**

- 5.13 No objection subject to condition.

*[Officer comment: Condition are recommended]*

### **Historic England (Statutory Consultee)- Listed Buildings**

- 5.14 Historic England note that this scheme is for a smaller development in a simpler form to that previously consented in 2017, and therefore that this would likely be a preferable scheme to the previous consent in terms of impact on the setting of key heritage assets. However, still advise that this scheme would cause harm to the historic environment, in particular the Whitgift Almshouses and the conservation area in which they sit.
- 5.15 It is stated that a very tall tower at 1-5 Lansdowne Road would be highly visible over the roofscape of the Whitgift Almshouses, competing with their distinctive roofline. The present 'breathing space' permitted to this very important historic building would be reduced by the scheme, and harm would be caused to its significance. This would have an impact on the Central Croydon Conservation Area, to which the listed building makes an important contribution. It is considered that this harm is likely to be lower than the previously consented scheme for a 68 storey tower on the site, but note that this harm should be taken into account and weighed against the public benefits of the proposed development.
- 5.16 Historic England maintains some concerns regarding the application on heritage grounds, though as explained above we consider the scheme would cause a lower level of harm than the previous scheme consented for a taller building on the site.

*[Officer comment: Officers consider harm to be less than substantial and the public benefits are weighed in the planning balance in paragraphs.8.85 to 8.88]*

#### **National Air Traffic Services (NATS) Safeguarding (Consultee)**

- 5.17 No Objection subject to aviation conditions

*[Officer comment: Conditions are recommendation]*

#### **Civil Aviation Authority with Biggin Hill (Consultee)**

- 5.18 These heights will not affect the airport operations based on the current UK safeguarding requirements for Aviation.

#### **Gatwick Airport (Consultee)**

- 5.19 No objection.

#### **Heathrow Airport (Consultee)**

- 5.20 No safeguarding objections to the proposed development. Informatives suggested on cranes

*[Officer Comment: Informatives are recommended]*

#### **London Fire Brigade (Consultee)**

- 5.21 The London Fire Brigade provided a response in June 2024 to a previous iteration of the scheme. Concerns were raised on matters of kitchen locations, secure by design features, cycle storage areas and residential amenity. It was stated that there is concern with the lack of detail contained within the strategy regarding the communal use amenity spaces, particularly their link into common corridors serving flats, where an evacuation signal indicating smoke has been detected within the escape corridor serving these communal/amenity spaces is insufficient and they do not consider that such proposals would comply with The Order. Additionally, the conflicting evacuation strategies, i.e. stay

put for the flats and simultaneous evacuation for the amenity spaces has not been suitably addressed, nor has how the use of these spaces and control of numbers of occupants can be practically achieved, including requirements for an on-site management provision to appropriately support this.

*[Officer comment: The London Fire Brigade were consulted on the current schemes and amended documents and have been chased for a response. No response has received to date.*

*The applicants sought to address these concerns in the amended submission and in the updated Fire Report as below:*

*Open plan flats: The comments are acknowledged, this issue will be assessed further during later design stages, and this will include radiant heat analysis and consideration of the other factors detailed in the LFB letter.*

*Cycle storage areas: Suppression will be provided to all areas and smoke extract will be provided to basement cycle storage areas. Any connections with the escape routes serving the flats will be via smoke vented lobbies. Consideration will be given to the location of charging areas in relation to means of escape and sub-compartmentation of cycle storage areas during later design stages.*

*Secure by design: The comments are acknowledged and the provisions to facilitate fire brigade access throughout the premises will be developed during later design stages. Each tower will include two firefighting lifts with appropriate controls (in addition to separate evacuation lifts).*

*Residential Amenity: There is no link from residential amenity spaces into common corridors serving flats as the amenity spaces are on separate floor levels. Therefore, there should be no significant 'conflict' between evacuation strategies. The management arrangements for these spaces including control of numbers will be developed and addressed at the Building Regulations stage.*

*It is important to note that the statutory consultees (HSE and Building Control) have no objection to the scheme.]*

#### **Local NHS (Consultee)**

- 5.22 A contribution of £130,000 is requested to meet increased demand to reconfigure and upgrade existing facilities to provide capacity.

*[Officer comment: This is secured in the legal agreement]*

#### **Natural England (Statutory Consultee)**

- 5.23 There is no requirement to consult for this application.

#### **UKPN (Consultee)**

- 5.24 Have no objected subject to informatives.

## **6 LOCAL REPRESENTATION**

- 6.1 A total of 661 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of 5 site notices displayed in the vicinity of the application site and has also been publicised in the local press. Following

the receipt of amendments, a further consultation exercise was carried out in September 2024 and therefore the following comments capture both the initial consultation period and the amended consultation period. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 11      Objecting: 4    Supporting: 7

Neutral comments: 0

## 6.2 The following Councillors made representations:

- Councillor Ria Patel [objecting]

Cllr Patel has raised the following issues:

- 1) Whilst I welcome the incorporation of the mosaics, proposed public access arrangements, like to green space and the play area - though I hope there is play equipment for disabled children and thought given about connectivity, there's a change from previous submissions reduction in office space, community space and retail space on the lower floors, and nurseries and clinics are needed but this means it's unlikely now. I hope that this space is actually filled and not left empty like many spaces in new builds as the prices are often unviable for organisations.

*[Officer comment: Details of play space is subject to condition. The scheme is a residential scheme with co working space and small retail unit. The marketing and design will be subject to legal agreement clauses]*

- 2) Regarding carbon offsetting, why does the carbon offset payment not need paying to Croydon, but to Wandsworth? The payment of £556,227 also doesn't seem to include the embodied carbon. (8.4 Total Carbon Offset).

*[Officer comment: This is incorrect. The carbon off setting will be paid to Croydon and the amount is £703,52.*

*Croydon currently conforms to London Plan policy regarding Zero Carbon development and Carbon Offsetting.*

*The current London Plan Zero Carbon target applies to the operational emissions from a development as measured by the Building Regulations (Part L). While the London Plan requires developers to submit "Whole Life" carbon assessments (which measure 'embodied carbon') as part of their applications, these emissions are not currently included within the Zero Carbon target that must be met.]*

- 3) The number of affordable houses is low for the number of homes being built.

*[Officer comment: LBC officers are now satisfied through extensive testing that the maximum level of affordable housing has been achieved.]*

- 4) The building is orange and will stand out significantly in the area.

*[Officer comment: the two towers are different colours and reflect the local area. Extensive testing has informed the design and explained in detail in the submitted Design and Access Statement and in paragraphs 8.33 to 8.39]*

- 5) The current mature trees are being lost. Mature trees are better for storing carbon. I'm glad there are more new trees, though I hope the replacement trees are fairly mature and suitable for the area.

*[Officer comment: The details of replacement planting is subject to a detailed condition and detailed in paragraphs 8.47 to 8.53 The existing trees on the site*

*have now been removed in accordance with the terms of the extant planning permission.]*

- 6) It's unhelpful that there is 493 documents attached to this application and it is difficult to fully comprehend the changes made. This is something that needs to be addressed in the longer term by the planning team as a regular issue with Fairfield / major planning applications in relation to Croydon's planning system. There are also only 8 public comments for a major application with 493 documents - this surely cannot be right if this has been adequately consulted on.

*[Officer comment: 661 individual letters have been sent out, 5 site notices have been erected and a press notice. This is above the statutory requirements. In terms of the documents these are required as part of a complex planning application]*

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

<b>Objection</b>	<b>Officer comment</b>
<b>Character and design</b>	Concerns in this respect are covered in paragraphs 8.23 to 8.49
Choice of materials should match the Croydon Skyline	
Overdevelopment- too many high rise flats	
There seems to be a lack of creative architectural design that could serve to enhance the image of Croydon.	
<b>Transport and Highways impacts</b>	Concerns in this respect are covered in paragraphs 8.181 to 8.211
The proposed development, considering its scale and location, has significant implications for the local traffic and pedestrian flow. Ensuring adequate and efficient pedestrian and vehicular movement through and around the proposed development is paramount to avoid congestion and overburdening of our existing infrastructure.	
<b>Trees and ecology</b>	Concerns in this respect are covered in paragraphs 8.47 to 8.53
Use of more diverse tree selection including flowering trees	
<b>Other matters</b>	
Wind levels on the balconies and potential safety aspects	Officer comment: This is covered in paragraphs 8.227 to 8.234 and wind conditions have been reviewed by an independent expert.
Retail units? What for? The shopping in Croydon is completely dead due to the state of the Whitgift Centre.	Officer comment: This is covered in paragraph 8.22

Strain on local services	Officer comment: such matters will be address through the CIL contributions and S106 Legal Agreement
The current design does not appear to encourage community interactions. I recommend incorporating spaces such as outdoor gyms, table tennis areas, canopy spaces, and buildings that could host community gatherings and meetings.	Officer comment: The design has communal facilities on the top floor. There are also community spaces on the ground floor and public realm areas.
There is a lack of detail on the proposed rental figures and affordability of the residential units.	Officer comment: This is covered in paragraphs 8.92 to 8.103
The proposal should elaborate more on its sustainability credentials.	This is covered in paragraphs 8.235 to 8.241
High-rise buildings can contribute to gentrification, to prevent this, a portion of the units should be allocated as affordable housing.	Officer comments: There is affordable housing within the scheme- covered in paragraphs 8.92 to 8.103
The need for new office spaces may be overestimated. It might be more beneficial to focus on flexible, multi-use spaces that can adapt to changing needs.	Officer comments: there are flexible spaces within the scheme including co working spaces also covered in paragraphs 8.9 to 8.17

<b>Support</b>	<b>Officer comment</b>
	The below matters are noted unless indicated otherwise.
Need to build skyscrapers in Croydon and will help with the affordable housing crisis Did not like the design of the first proposal, but I like the design of this skyscraper	
Contribute to the growth and development of the area, enhance infrastructure and will support urban development in a sustainable manner.	
This landmark will attract more visitors to our town centre which will be vital in increasing the local economic investment for Croydon.	
Assist the rental market in Croydon.	
Using monies for the Wellesley Road crossing which positive	

## 7 RELEVANT PLANNING POLICIES AND GUIDANCE

### Development Plan

- 7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

## London Plan (2021)

- GG1 Building strong and inclusive communities
- GG2 Making best use of land
- GG3 Creating a healthy city
- GG4 Delivering homes Londoners need
- GG5 Growing a good economy
- SD1 Opportunity Areas
- SD6 Town centres and high streets
- 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 Agent 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
- H11 Build to rent
- S2 Health and social care facilities
- S4 Play and informal recreation
- E1 Offices
- E2 Providing suitable business space
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S11 Improving air quality
- S12 Minimising greenhouse gas emissions
- S13 Energy Infrastructure
- S14 Managing Heat Risk
- S15 Water infrastructure
- S16 Digital connectivity infrastructure
- S17 Reducing waste and supporting the circular economy
- S112 Flood risk management
- S113 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking



- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations

### Croydon Local Plan (2018)

- SP1 Place of Croydon
- SP2 Homes
- SP3 Employment
- SP4 Urban design and 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, District and Local Centres
- DM10 Design and character
- DM13 Refuse and recycling
- DM14 Public art
- DM15 Tall and large buildings
- DM16 Promoting healthy communities
- DM17 Views and landmarks
- DM18 Heritage assets and conservation
- DM19 Promoting and protecting community facilities
- DM23 Development and construction
- DM24 Land contamination
- DM25 Sustainable drainage systems
- DM27 Protection and enhancing biodiversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM32 Facilitating rail and tram improvements
- DM33 Telecommunications
- DM38 Croydon Opportunity Area

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

7.3 The current Croydon Local Plan (2018) is in the process of being reviewed; the partial Local Plan (Regulation 19) review has limited weight at this time given the stage it is at, following public consultation.

### **Planning Guidance**

#### National Planning Policy Framework (NPPF)

7.4 Government Guidance is contained in the NPPF, updated on 5<sup>th</sup> September 2023, and accompanied by the online Planning Practice Guidance (PPG 2021). 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:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Making effective use of land (Chap 11)
- Achieving well designed and beautiful places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14)
- Conserving and enhancing natural environment (Chap 15)
- Conserving and enhancing the historic environment (Chap 16)

The consultation on the proposed reforms to the National Planning Policy Framework and other changes to the planning system ran from 30<sup>th</sup> July 2024 to 24<sup>th</sup> September 2024. This consultation sought views on the Government's proposed approach to revising the NPPF. The feedback is currently being analysed and it is not yet confirmed that all the changes proposed will be adopted. The proposed changes to the NPPF hold limited weight at this time given the stage it is at, following public consultation.

### SPDs, SPGs and LPGs

7.5 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents (including London Planning Guidance) which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- Croydon Opportunity Area Planning Framework (2013)
- Conservation Area General Guidance SPD (2013)
- Central Croydon Conservation Area Appraisal and Management Plan SPD (2014)
- Chatsworth Road Conservation Area Appraisal and Management Plan SPD (2013)
- Church Street Conservation Area Appraisal and Management Plan SPD (2014)
- Croydon Minster Conservation Area Appraisal and Management Plan SPD (2014)
- Wellesley Road (North) Conservation Area, Church Street Conservation Area (2013)
- East India Estate Conservation Area Appraisal and Management Plan SPD (2014)
- The Waldrons Conservation Area Appraisal and Management Plan SPD (2013)
- Waste and Recycling in Planning Policy Document (October 2018)
- Section 106 Planning Obligations in Croydon and their relationship to the Community Infrastructure Levy (2019)
- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Circular Economy Statements LPG (2022)
- Sustainable Transport, Walking and Cycling guidance (2022)
- Whole-life Carbon Assessments LPG (2022)
- Characterisation and Growth Strategy LPG (2023)
- Housing Design Standards LPG (2023)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Urban Greening Factor LPG (2023)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- National Model Design Code (2021)

## 8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Heritage
4. Housing mix and affordable housing
5. Quality of residential accommodation
6. Impact on neighbouring amenity
7. Access, parking and highway impacts
8. Environmental impact
9. Sustainable design
10. Other planning issues
11. Conclusions

### **Principle of development**

#### Extant Planning Permissions

- 8.1 As stated in the relevant planning history section above, the site benefits from two extant planning permissions. The most recent is 17/03457/FUL (hereafter referred to as the "2017 permission"). This includes permission for:
- Demolition of the existing buildings
  - erection of a part 11, part 41, part 68 storey development
  - 794 residential units (Use Class C3)
  - 35,000 sq.m (GIA) of offices (Use Class B1a)
  - Retailing/restaurant/bar uses (Class A1/A3/A4 and/or A5)
- 8.2 Various images of the 2017 permission are below.

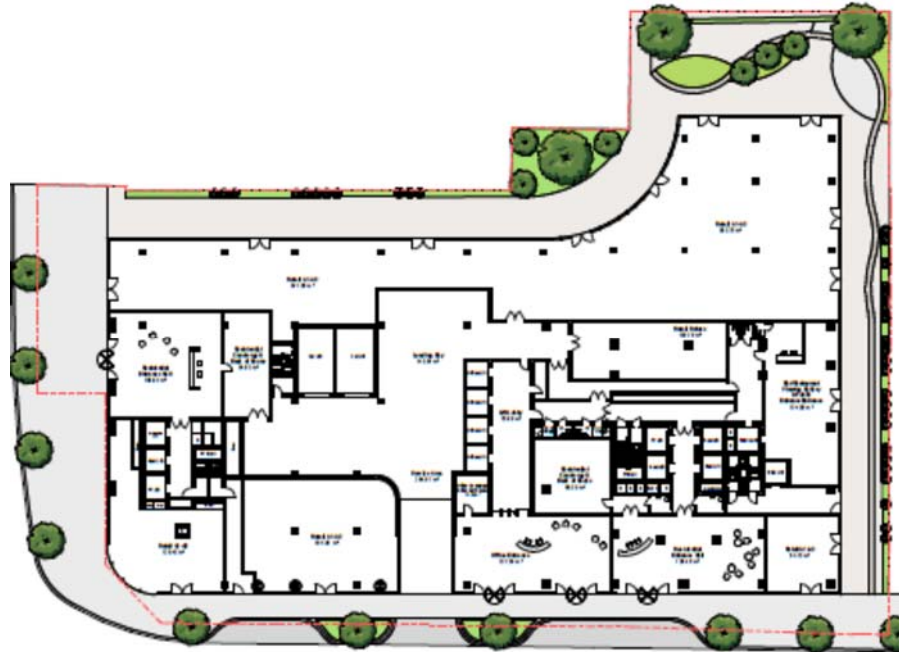


Figure 18: Site layout/ground floor plan of 2017 permission



Figures 19 and 20: South Elevation of 2017 permission

8.3 As a material start (demolition of all buildings) on site has been undertaken, this 2017 permission is extant. Therefore, this is a material consideration with regards this pre application and the determination of any planning application in the future.

Loss of hotel and associated facilities

8.4 Croydon Local Plan SP3.9 states that Croydon Metropolitan Centre will remain the principal location in the borough for office, retail, cultural (including a diverse evening/night-time economy) and hotel activity, and also be the largest retail and commercial centre in South London. Policy SP8.2 states that the Council and its

partners will enhance the borough's sub-regional transport role to support its position as a major business, hotel and conferencing destination serving London's airports and the Coast to Capital economic area. Policy E10 of the London Plan promotes visitor accommodation but does not currently protect such uses.

- 8.5 There is no policy that would seek to protect existing hotel and leisure uses within the Croydon Metropolitan Centre. In any event, all buildings have been demolished on the site. Therefore, there is no policy objection to the loss of the previous hotel and associated uses on the site. It is also important to note that a hotel use did not form part of the proposal for the 2017 planning permission and the principle of the loss is established through this extant consent. .

#### Loss of Hostel

- 8.6 The principle of residential use on this site is fully supported by policy at the national, regional and local level and is in accordance with the objectives of the London Plan, Croydon OAPF and the site allocation within the Croydon Local Plan 2018. The loss of the YMCA hostel has been accepted on the previously approved 2011 and 2017 planning permissions. The applicant has prepared a "Review of Loss of Hostel" note which provides background to the hostel. The hostel has now been demolished, and its accommodation has long been re-provided elsewhere in the town centre. The former hostel had been used for short stay temporary housing accommodation, but this ceased in December 2022.
- 8.7 As background, the capital receipt of the YMCA hostel was used to replace existing buildings with new modern facilities within Croydon, which was part of the YMCA's Asset Management Strategy. This aimed to achieve a higher quality of provision, and to transform its buildings for the homeless and specialist services for young people, women and children. Within this area there is the new Alexandra House (on Dingwall Road).
- 8.8 Therefore, whilst the hostel has been used for temporary accommodation until 2022, the building has been demolished and the YMCA hostel was re-provided some time ago. The proposed use of the site should also be weighed against the regeneration benefits it provides, including jobs and housing, the site allocation, the current vacant site and the extant 2017 planning permission. Therefore, the redevelopment of this site is supported in principle.

#### Office Space, Economy and Employment

- 8.9 The site lies within the Office Retention Area. London Plan Policy E1 (offices) states that increases in the current office stock should be supported in specific locations in London, which include "the strategic outer London office location at Croydon town centre", where the office market should be consolidated and – where viable – extended. The site is located within the Croydon Opportunity Area identified in the London Plan which is identified for the potential for 14,500 new homes and 10,500 new jobs by 2041. The area is part of the Trams Triangle/London-Gatwick-Brighton mainline Growth Corridor.
- 8.10 The Croydon Local Plan (2018) Policy SP3.13 states that:

The Council will promote and support the development of new and refurbished office floor space in Croydon Metropolitan Centre, particularly around East Croydon Station and within New Town, and the District Centres as follows:

- a. Up to 92,000m<sup>2</sup> by 2031 to be located in Croydon Metropolitan Centre;

b. Retaining, or through refurbishment providing, higher quality office floorspace (Grade A), or lower quality floor space for which there remains a demand, within the Office Retention Area of the Croydon Metropolitan Centre. Mixed use developments must include a level of office floor space proportionate to Croydon's role as an Outer London Office Centre; and

c. Up to 7,000m<sup>2</sup> to be spread across the borough's District Centres.

- 8.11 The latest Croydon Employment Land Review was produced in November 2020 and therefore represents the latest published evidence relating to Croydon's office market. This suggests a need for 30,500 – 33,500 sqm, around 23,000 of which should be accommodated in Croydon Metropolitan Centre, up to 2039.
- 8.12 It is acknowledged the intent to redevelop the site has been considered acceptable under both the site allocation and extant planning permission. However, the extant permission proposed significantly more office floorspace than the current proposals, and as indicated above, the site is within an Office Retention Area where development is expected to consolidate and increase office floorspace. The applicant has submitted a study on office demand in Croydon, which is welcomed as evidence to support the quantum of office space currently proposed.
- 8.13 Prior to demolition, office space provided on site was sited in Marco Polo House which was let to a serviced office operator and Voyager House was vacant. Together, this amounted to approximately 6,000 square metres of office floorspace.
- 8.14 The scheme is currently proposing to provide 1,047sqm (GIA) of co working office floorspace within Tower A. This will be a separate office use to the co-working spaces within the Build to Rent housing element of the scheme.
- 8.15 Therefore, the proposed development would result in an overall loss of office floorspace. The applicant's Office Needs Assessment concludes that, overall, office market demand in Croydon is subdued. The office market analysis presented in applicants report suggests that there is limited demand for office floorspace in Croydon. It also noted recent market signals indicating a move away from large-scale offices towards smaller scale and potentially higher quality footprints and a greater use of flexible workspaces. It forecasts that speculative large-scale offices are expected to experience weaker demand as corporates change their accommodation strategies. This report has been assessed and the conclusions drawn recognised as acceptable to support the proposed development.
- 8.16 The applicants have also been working with the Council's Economic Development, Inward Investment Team on the type of office provision suited to Croydon's need and what this site could provide. The proposal is for co-working office space to meet market standards and demand accessible for use by residents and businesses. Overall, it is considered that the quantum and typology of office floorspace proposed is appropriate for the proposal. The quantity proposed is considered to meet an identified need for higher quality, flexible office floorspace in Croydon.
- 8.17 In terms of general economic benefits and employment, the scheme is a Build to Rent model which also generates employment such as general managers, concierge staff etc. Employment and training contributions and obligations (construction/ operational) would be secure through a legal agreement. The regeneration benefits have also been weighed in the planning balance. The scheme will provide employment opportunities for local residents, whilst securing the viability and vitality of this part of Croydon. The office and employment provision is acceptable.

## Residential

- 8.18 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher target of 2,079 homes per year.
- 8.19 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small sites housing target of 641 per year. This is also allocated site.
- 8.20 In addition, the redevelopment of this 'brownfield' site would support the provision of 806 much needed homes on an allocated site, making a significant contribution to the Borough's housing delivery; such delivery is encouraged within the Local Development Plan and the National Planning Policy Framework (NPPF 2023). While the principle of the development can be supported in land use terms a balance must be struck between developing land for more efficient housing use and protecting character/heritage/neighbouring amenity etc. Therefore, the principle of providing residential use (Use Class C3) in this location can be supported subject to satisfying the criteria of other relevant policies; such are addressed below.

## Build to Rent

- 8.21 The scheme is for Build to Rent which is Use Class C3. London Plan Policy H11 sets out criteria that Build to Rent schemes need to comply with. Build to Rent homes should be secured under a covenant for at least 15 years. A clawback mechanism should also be secured which would be triggered in the event that the covenant is broken during the 15-year period. Other provisions set out in Policy H11, including unified ownership and on-site management, length of tenancy and certainty over rent levels should also be secured. London Plan Policy H11 confirms that, where these requirements are met, it is acceptable for a Build to Rent scheme to provide affordable housing as solely Discount Market Rent at a genuinely affordable rent, preferably London Living Rent levels. The legal agreement recommended would secure the covenant for at least 15 years, the clawback mechanism and the management plan. This secures the requirements of Policy H11. Affordable housing aspects considered in 8.92 to 8.103 and beyond of this report.

## Retail

- 8.22 The proposed development incorporates of 82 sqm (GIA) retail floorspace at the ground floor of Block B to provide a small unit for flexible retail use under Use Class E, which will provide an active frontage onto Lansdowne Road. Despite the site not sitting within the Town Centre Boundary, there is no requirement for sequential assessments for retail units under 280 sqm as they will not detract from activities undertaken in the main retail centre. As such an assessment has not been undertaken, the provision of the retail unit is considered to compliment the proposed uses on the site and it provides a benefit to the streetscape on Lansdowne Road.

## **Design and impact on character of the area**

- 8.23 London Plan Policy D9 requires locations appropriate for tall buildings to be identified through the development plan (see below) and requires assessment of impacts from a visual, functional and environmental impact. All these aspects are considered throughout the various sections of this report. Policy SP4.5 of the Croydon Local Plan relating to tall buildings states that they will be encouraged only in the Croydon

Opportunity Area, areas in District Centres and locations where it is in an area around well-connected public transport interchanges and where there are direct physical connections to the Croydon Opportunity Area, Croydon Metropolitan Centre or District Centres. The application site lies within the 'edge area' of Croydon Opportunity Area and within the Croydon Metropolitan Centre and has an excellent PTAL, as such the provision of a tall building in this location can be supported. This position is endorsed by the GLA in their Stage 1 comments.

8.24 CLP Policy SP4.6 (and supported by DM15) states four criteria for tall buildings in order for them to be acceptable in these locations:

- a. Respect and enhance local character and heritage assets;
- b. Minimise the environmental impacts and respond sensitively to topography;
- c. Make a positive contribution to the skyline and image of Croydon; and
- d. Include high quality public realm in their proposals to provide a setting appropriate to the scale and significance of the building and the context of the surrounding area.

8.25 CLP Policy DM15 requires their location in PTAL4 and above, to be of exceptional quality, respond positively to nearby heritage assets and include active ground floor and inclusive public realm.

8.26 The Croydon Local Plan 2018 has a place specific policy DM38, Croydon Opportunity Area Framework, which is relevant to this site.

8.27 The relevant policies and the Croydon Opportunity Area Planning Framework seek to promote the production of a landmark urban quarter, delivery of a world class railway station, an efficient transport interchange and a well-connected and high-quality public realm. Given the proximity to the stations, nearby towers and the implemented consents there is an expectation for tall buildings to come forward. However, each is judged on its own merits and subject to detailed visual and environmental impact assessment, good design quality and other planning considerations. It is also important to note there is an extant permission at the site (the 2017 permission) outline in paragraph 8.1 to 8.3.

8.28 It is considered that the proposed building does comply with the above criteria, discussed in detail in the design and environmental impact sections of this report. This scheme also, in officers view represents a significant improvement to the 2017 permission, including how the architecture responds to the site and the Croydon skyline and how the landscaping and delivery of the public realm has increased.

### Height and Massing

8.29 The NPPF and London Plan encourages the best use of urban land in well-connected locations; the site benefits from excellent public transport links and government policy would support the optimisation of this site. This site is an important corner site between East Croydon station and the shopping area. This is currently vacant. The height and massing of the building and the arrangement on site is underwritten by a very strong architectural concept which provides a massing response that is unique to the characteristics of the site. The site, which is rectangular in shape, renders the development somewhat complex when seeking to create acceptable residential floorplate depths, separation distances, the need to maintain privacy in the context of the surrounding buildings.

8.30 The buildings would be visible from several viewpoints and applicant has produced a thorough Townscape, Heritage and Visual Impact Assessment and Vu City modelling to



show the impact of development within the surrounding town centre context, from immediate to long-range viewpoints (discussed in detail in the heritage section). The height and massing is acceptable, given the location and the 2017 permission Whilst Building A would be the tallest building, this is landmark building and in the wider context of the Croydon Metropolitan Centre, the scheme is entirely appropriate.

- 8.31 At street level the buildings would read as an integral feature which would complement the existing urban grain. Both buildings would be setback from the pavement and the additional public realm and tree planting would preserve a comfortable streetscape experience. The proposal would enhance the current appearance of the area and contribute positively to the streetscape along Wellesley Road and Lansdowne Road.
- 8.32 The overall approach taken is considered to be successful, worthy of landmark status and would result in a development that reflects the existing and emerging medium to tall developments in this central site.

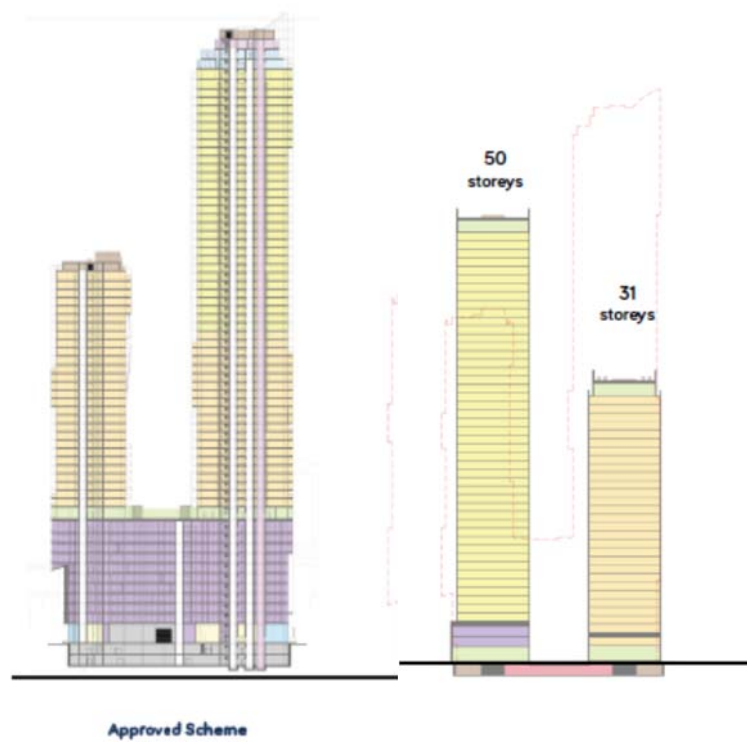


Figure 21: Heights of the 2017 permission (l) and current proposal (r)

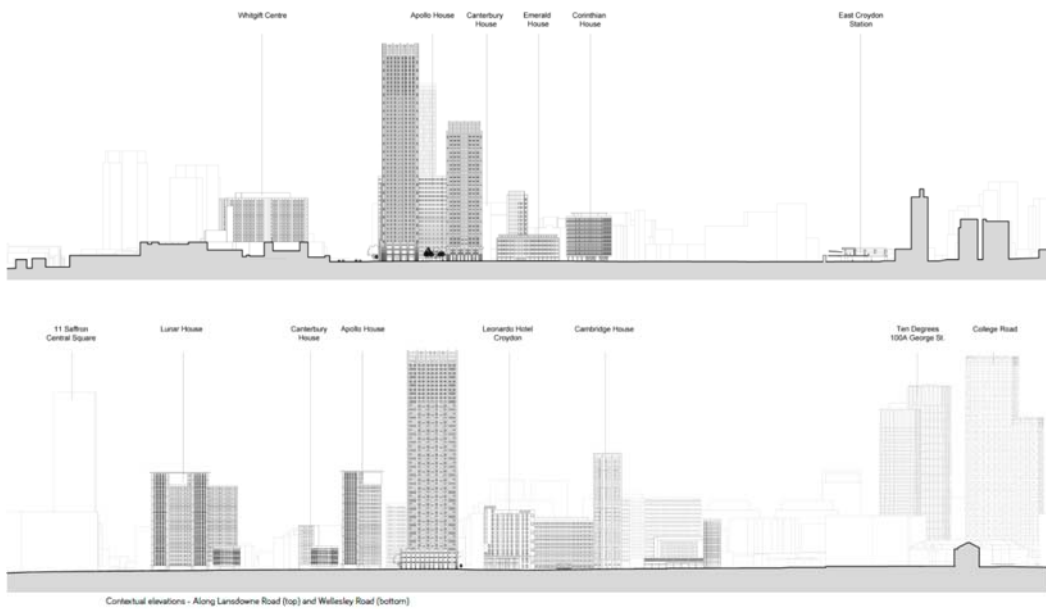
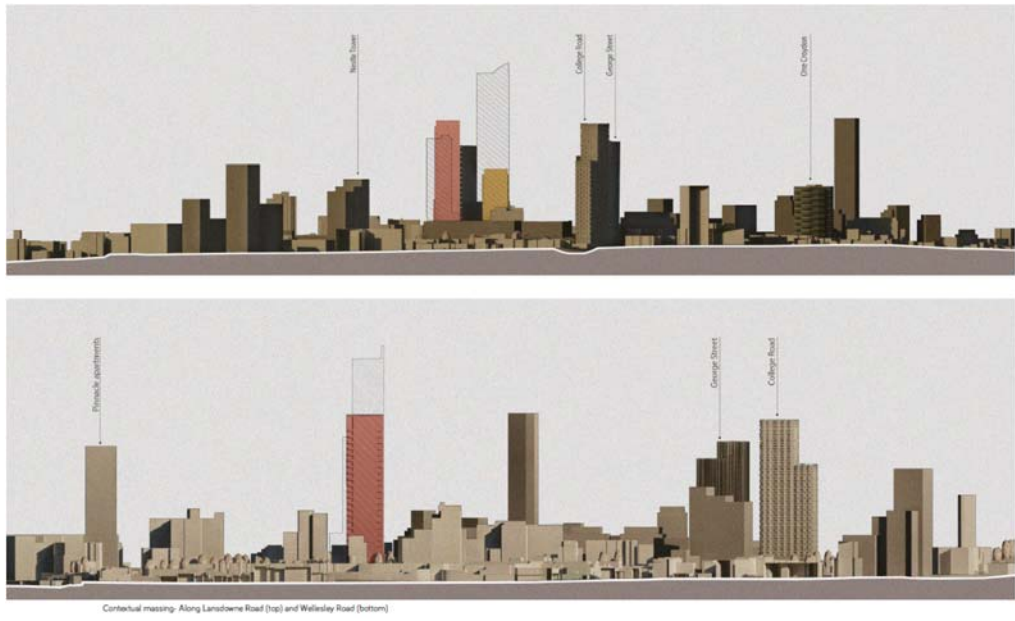


Figure 22: Height of proposal within the context of town centres and street scene.



*Figure 23: Visual of scheme- looking to Apollo House*

### Appearance

8.33 Officers are supportive of the buildings proposed architectural appearance. Across the development, the different buildings share a common language, allowing different buildings to respond to their individual roles within the setting.

#### *Tower A*

8.34 The development draws upon Croydon's modernist heritage, using a façade grid to articulate groupings, floors and bays. The design principles are organised through a series of vertically expressed bays within which the window arrangements and balconies are organised to provide a symmetrical, layered facade. The vertical bays are expressed through terracotta columns which run from ground to crown and improve the tower's slenderness. The design uses subtle variations in the façade proportions and groupings to define the base, body and crown of the tower. This technique helps to break up the overall massing and creates visual interest.



Building A - Proposed West elevation - Revised proposals help bring greater definition to base, middle and top and improved streetscape

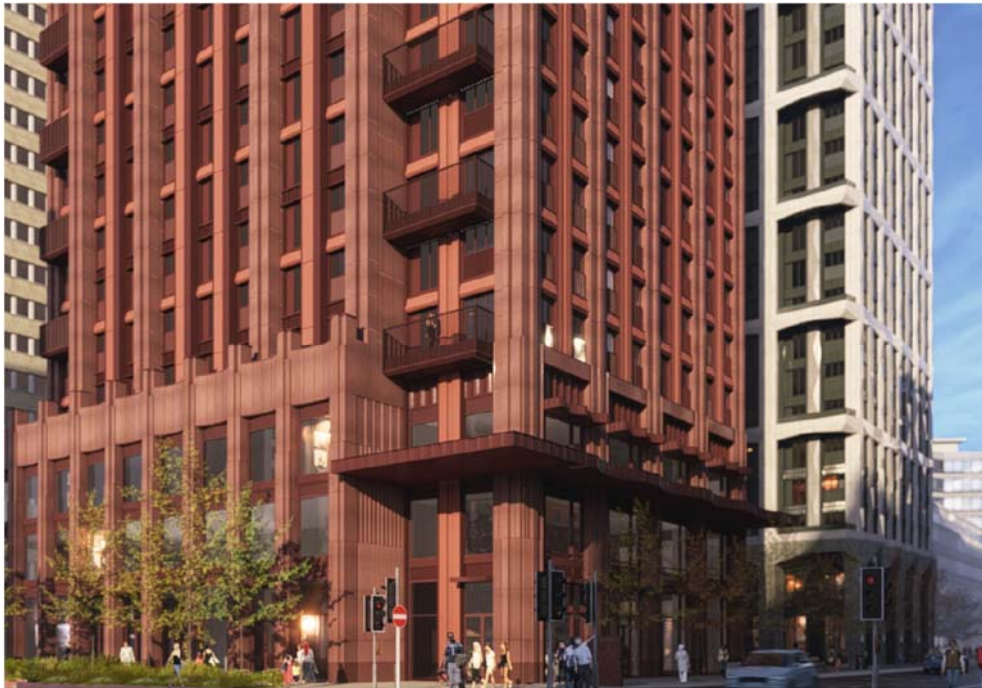


Detail bay study

Figure 24 and 25: View from Lansdowne Road and typical bay study

8.35 The base of the buildings, canopies are used to mitigate adverse wind impacts and help express the location of entrances. At the human scale, fluted detailing has been integrated into the vertical columns within the base which adds an interesting texture at street level. The crown on Building A has different design approach to than that of Building B in proportion to the overall heights of the towers. This approach provides a degree of richness to the top of the building which is reflective of the character of recent developments in the immediate area. Lighting has been designed to strongly express

the crown and ensure the legibility of the buildings landmark status continues at night. Details are subject to condition.



*Figure 26 and 27: Base levels images and entrances of Tower A*



*Figure 28: Images Looking from Lansdowne Road*

### *Tower B*

8.36 The facade of Building B is arranged upon a similar underlying grid and façade principles to Building A. A distinct base can be read below the residential levels. The main facade is broken down into a series of vertical bays, which are expressed with a 3- storey vertical order by including a primary horizontal element every third floor which masters the verticals and lends Building B more of a horizontal emphasis to juxtapose the distinct verticality of Building A. This horizontality references the character of directly adjacent buildings such as Lunar/Apollo and Corinthian House, and allows Tower B to act as a point of mediation between the context and new landmark in Tower A. The building also references modernist precast geometric forms and reinterprets them in white metal panels. This folded geometry gives an exoskeletal appearance to the primary façade structures. Green window frames and spandrel panels are inset as a secondary skin and tie the residential levels to the colours used in the base. The crown is defined by combining the top residential storeys with the rooftop amenity floor to give the building a proportionally appropriate top where the vertical cladding changes in hierarchy to highlight the difference. Full details are subject to condition.



*Figure 29: Elevation of Tower B facing west*



Figure 30: Facade details of Tower B



Figure 31: Image of Main Entrance to Tower B

### Materials

- 8.37 Precedent for colour and materiality has been taken from the local context and inspired by other local landmark such as Martin's Bank on Wellesley Road, Fairfield Halls, the NLA Tower and the emerging Ruskin Square development.
- 8.38 Based on the applicant's contextual studies of Croydon, three material palettes have been extrapolated for the site within the Fairfield context, Mid-Century context and local context. The taller Building A references the more distant and historic forms of Croydon Town Centre. Its verticality compliments the town hall, while the warm terracotta tones echoing the red brick. There are a mixture of colours and materials in the immediate vicinity, including 2 Lansdowne Road (being red/brown colours) The lower Building B references the Mid-Century that forms the immediate context from the iconic NLA Tower and Fairfield Halls to the close by Corinthian, Apollo and Lunar House with use of aluminium, concrete and glazed green terracotta.



Figure 32: Materiality of Building A



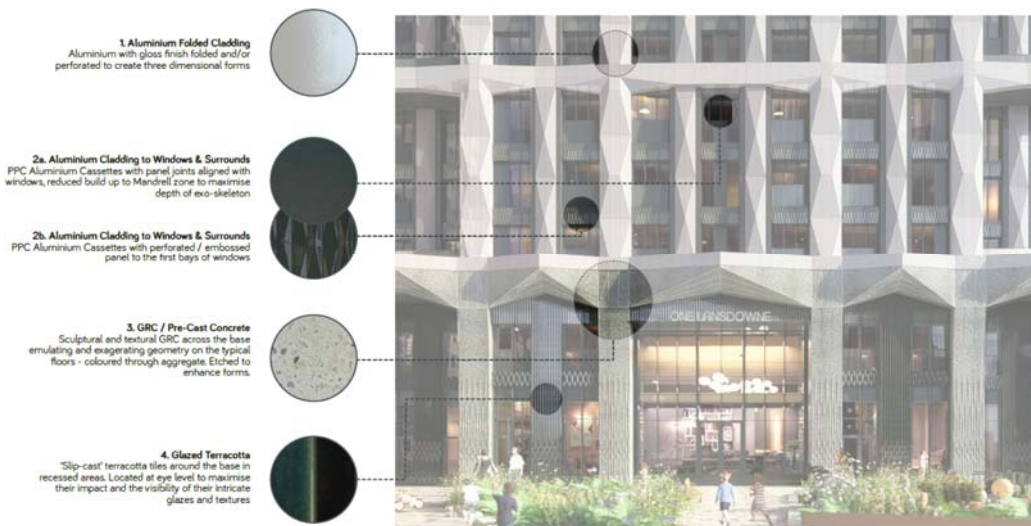


Figure 33: Materiality of Building B

8.39 Full material detail is subject to condition. Officers are satisfied that the materials palette allow the mid-century buildings of Croydon to prevail in the wider townscape and allow the buildings and the architecture to be of high quality.

#### Layout and Public Realm

8.40 The development is split into two distinct buildings. The ground floor layout delivers a variety of uses including residential entrances & amenities, retail, community space, children's play, co-working space, plant and refuse storage. Externally, there will be accessible resident parking, children's playspace and public realm. The main access to both buildings is from the central courtyard space and residential entrances lead directly into large, double-height reception spaces which are in-turn attached directly to amenity spaces and a central circulation core.

8.41 Both resident amenity spaces and publicly accessible amenities will be accessible from Lansdowne Road, Wellesley Road and the central courtyard spaces, creating active street frontages around the buildings and enhancing the streetscapes. The retail space is entered from Lansdowne Road, on the south facade of Building B. Publicly accessible co-working spaces are accessed within Building A via a dedicated entrance from Wellesley Road.

8.42 The existing basement is proposed for re-use with some increase in area for plant and cycle parking. The existing basement ramp would be remodelled with the vehicle crossover for the access to the car parking and the servicing delivery route for refuse vehicles. Whilst this is not an ideal scenario with the use of the public realm, given the site constraints and use of the on-site management team, this is on balance, an acceptable solution. Officers have also weighed up the competing materials planning considerations including the benefits of delivering the OAPF route. An appropriate balance across the site and servicing has been struck with improvements to the public realm and landscape.



Figure 34: Layout of scheme

8.43 Officers are supportive of the general principles defined by layout of the two buildings with the public realm and landscaping central to the site. This allows for communal landscape, play on the way for children and amenities for the new occupiers of the scheme and members of the public. One of the key developments to the scheme is that the lobbies (to the residential units) to both buildings A and B have moved to the centre of the buildings and are accessed from the square. The development also provides enhancement to the public realm on Lansdowne Road and Wellesley Road in terms of a significant number of trees and landscaping.

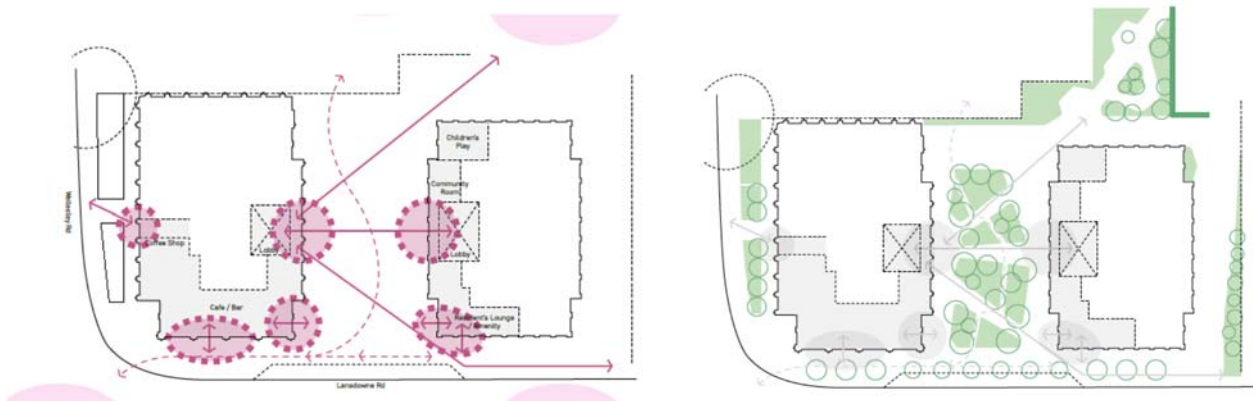


Figure 35: Pedestrian movements around the central public realm



*Figure 36: Images of the Public Realm*

8.44 The layout of the site and the public realm is designed form the north-to-south strategic route from Sydenham Road to Lansdowne Road. This is achieved through a communal public “pocket park’ between the two towers, connecting to another pocket park to the rear of tower B, which is then linked to Canterbury House. The new public access route and park provision provided between the towers and to Canterbury House is a positive of the scheme, particularly when compared to the 2017 permission. Furthermore, this follows the aspirations of the OAPF and the north/south pedestrian route.

8.45 This route will be secured via a Section 106 agreement but its future utility is very much dependent upon a future redevelopment of Canterbury House or agreement with neighbouring land-owners. Whilst the entrance is proposed to be gated for security reasons, were the route through to be realised in the future, the s106 can be appropriately worded to ensure the gate remains open at certain times of the day to allow the public access through. The site layout and design also allow for further connections with Apollo House and this will also be secured via clauses in the Section 106 agreement. In addition to the public realm at ground floor level, the applicant has submitted a public access strategy which will allow members of the public access to the

roof terrace of Building A. This will be monthly and on heritage open days. This is secured through the S106 legal agreement.



*Figure 37: Showing the public realm and links to Canterbury House*



*Figure 38: Looking from the public realm to Canterbury House*

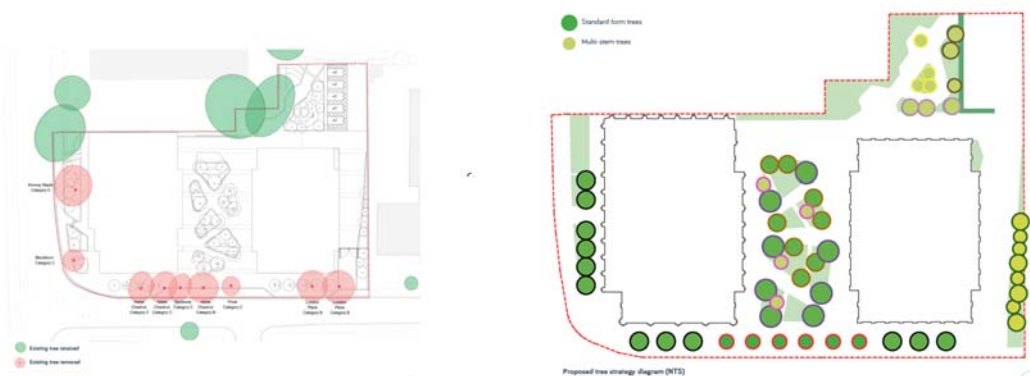


*Figure 39: Pedestrian route to Canterbury House*

8.46 Overall, the layout and the location of the built form that facilitates the delivery of public realm is fully supported. The landscape proposal would result in a high-quality development that would have real environmental benefits, not only for the residents but the wider public.

## Trees, Landscaping and biodiversity

8.47 9 existing trees (including 4 trees covered by TPO) have been removed under the 2017 planning permission. To offset the loss, the development proposes extensive tree planting throughout the public realm (highlighted in Figures 40 and 41 below). The proposed tree strategy will provide a significant increase in tree numbers and ultimately canopy cover over the existing trees on site. The indicative number of trees is 56, however, the specific number and detail will be secured through a detailed landscaping condition.



*Figures 40 and 41: Tree Removal and proposal tree planting*

8.48 The hard landscaping area would provide a high-quality palette of materials that blend with the character of the landscape and adjacent public realm. There is also an opportunity to incorporate public art into the paving to aid in reinforcing character area. This would be subject to condition. The applicant has suggested that a range of features will be integrated within the public realm to add interest, give a sense of place and assist with legibility and wayfinding (Figures 42 and 43 below). The Voyager House space age mosaics will be refurbished and incorporated into the public realm. The applicant has been in touch with the artist (Jo Letchford) of the mosaics. She will act as a stakeholder and advisor on how these can be incorporated within the new square. A mosaic is proposed to be located within each of the four gardens within the square and would form part of children's play trail. The detail of the public art strategy will be subject to condition.

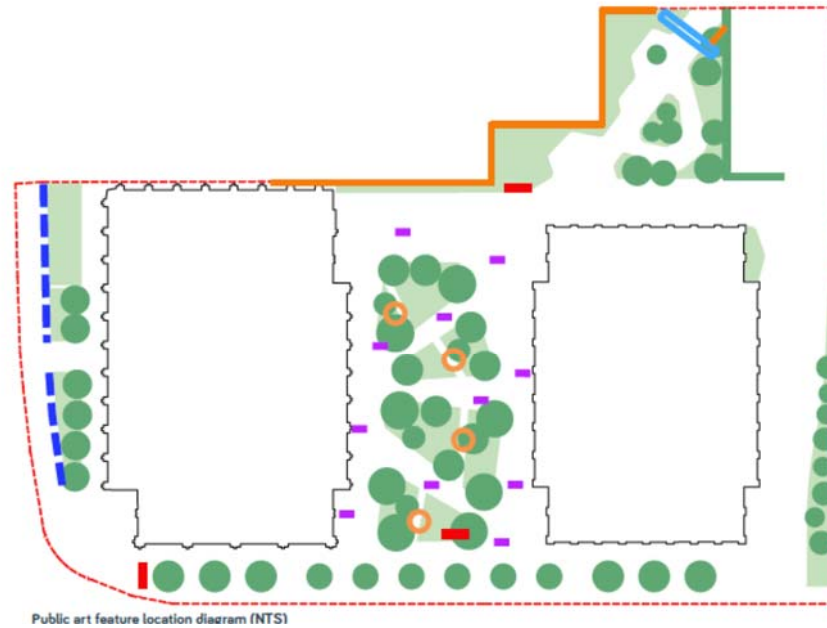


Figure 42 and 43: Public Art Strategy

8.49 The boundary treatments would also reflect the design of the scheme, including on the northern boundary with Apollo House. This has been designed create a visually permeable boundary and will be demountable to allow the future connection with this site. A full landscaping scheme is subject to condition.



Figure 44: Overall landscaping and layout



Figure 45: Visual of the boundary with Apollo House

- 8.50 London Plan policy G5 requires major development to contribute to greening, setting a target score of 0.3 for commercial development and 0.4 for residential development. The development provides public realm landscaping improvements and landscaped areas. Extensive landscaping is proposed across the development of new trees with further soft landscaping designed to deliver visual interest and contribute to a net gain in biodiversity, with an Urban Greening Factor of 0.34. This is acceptable given the nature of the mixed-use scheme.
- 8.51 London Plan policy G6 requires that any development seeks to provide biodiversity net gain. The Biodiversity Net Gain Assessment identifies a net increase in ecological value of 34% for habitat units which significantly exceeds policy and is fully supported.
- 8.52 Overall, the landscape proposals would result in a high-quality development that would have real environmental benefits, not only for the residents but the wider public. To ensure that the landscaping does not result in a generic approach full details would be secured via an appropriately worded condition. Such appropriately worded conditions would help to ensure that the landscaping proposals are ambitious and evolve a narrative more closely linked to this part of Croydon.

## Heritage

- 8.53 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires (at section 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 possesses. With regard to conservation areas (at section 72), it requires special attention to be paid to the desirability of preserving or enhancing their character or appearance.
- 8.54 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. 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”*
- 8.55 Any harm to a designated heritage asset, including from development within its setting requires *“clear and convincing justification”*, with less than substantial harm weighed against the public benefits delivered by the proposed development.
- 8.56 With regard to non-designated heritage assets, paragraph 203 of the NPPF states that:

*“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing...applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

- 8.57 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. London Plan Policy HC1 states that developments should conserve historic significance by being sympathetic of the assets' significance and setting along with HC3 that protects strategic and local views. This policy goes on to state that new development can make a positive contribution to the views, and this should be encouraged.
- 8.58 The application site is not located within a designated conservation area, were any of the buildings on the site statutorily or locally listed. However, there are several heritage assets within Croydon Town Centre that have the potential to be affected. These include adjacent conservation areas and listed buildings, most notably the Wellesley Road (North) Conservation Area, Central Croydon Conservation Area, Church Street Conservation Area, the Grade II listed Electric House, Grade I listed Hospital of the Holy Trinity Almshouses, Grade I listed Parish Church of St Michael and all Angels, Grade I listed Parish Church of St John the Baptist (Croydon Minster) and locally listed Corinthian House. Number One Croydon is a locally listed building and a landmark building.
- 8.59 In addition to the designated heritage assets mentioned above, there are non-designated heritage assets, including the locally listed Corinthian House, designed by Richard Seifert and Partners, which will be impacted by the development.
- 8.60 In accordance with Historic England's guidance, The Setting of Heritage Assets (GPA3), and following an assessment of the significance of the assets, the contribution made by setting, and the impact of the proposals, it is concluded that many of the heritage assets around the site will not experience adverse changes to their settings and their significance will remain unaffected. The exception is the Almshouses and this impact would also extend to the Central Croydon Conservation Area.
- 8.61 A detailed Townscape, Heritage and Visual Impact Assessment (HVIA) was submitted as part of the application and was amended following the scheme amendments. This assesses the impacts of the proposal on a range of nearby heritage assets, accompanied by views. The analysis of the views used the Zone of Theoretical Visibility approach (ZTV) to assess where views may be impacts.
- 8.62 Whilst the majority of heritage assets will not be harmed, it is considered that the below heritage assets will experience harm to their significance through a change within their setting as set out below:
- Grade I Listed Whitgift Almshouses
- 8.63 The Grade I Listed Almshouses of outstanding national historical and architectural significance, built between 1596-1599, stand out as the most impacted heritage asset by the proposed development. Notably, the impact on the Almshouses has been significantly reduced compared to extant scheme.



8.64 It is acknowledged that Centre Tower (located within the Whitgift Centre), dramatically altered the view below, from the courtyard by interrupting the building's silhouette to the left. However, this would be exacerbated by the current proposal, by further disturbing the building's silhouette towards the middle, despite the fact that the open sky backdrop is still being retained on the rest/most of the view.



*Figure 46: Proposed View from the courtyard of the Almshouses*

8.65 This has a notable visual impact on the courtyard of the Whitgift Almshouses, which is also on the Local List of Historic Parks and Gardens. The sense of place within the courtyard is undergoing a transformation due to the intrusion in the open sky, reducing the breathing space and, as a result, upsetting the ambiance and serenity that the Almshouses have preserved for over 400 years. This would result in a very low level of harm to the non-designated heritage asset.

8.66 The distinctive silhouette of the Almshouses against an open sky backdrop is evident in the view below, the junction of George Street and High Street. Therefore, the intrusion of the proposed development behind the building would inevitably cause some degree of harm to its significance, compromising its special architectural and historic interest.



*Figure 47: Proposed view from corner of George Street and High Street*

8.67 Although the sky backdrop of the Almshouses has already been compromised by Whitgift Tower, it is still possible to appreciate the roofscape against a blue-sky background. However, the proposed towers would now sit inside the sky backdrop of the Grade I listed Almshouses causing disruption to the appreciation of its distinctive silhouette and to the prominence of its features such as the spire and chimney stacks. Consequently, this would result in less than substantial harm to the Almshouses and its setting. Additionally, such an impact would extend to the Central Croydon Conservation Area.

#### Central Croydon Conservation Area

8.68 The Central Croydon Conservation Area is characterised by its urban setting, forming a transition between the lower and smaller scale of Old Town to the west and post-war high-rise buildings. Despite the presence of tall structures in the immediate and wider setting, the conservation area successfully maintains its predominant height datums, historic fabric, and urban grain. This resilience is evident even in the face of large 20th-century shopping centres, which represent various historic phases of Croydon's economic and commercial development.

8.69 The Grade I listed Whitgift Almshouses occupying a prominent position at the southern end of the street at the crossroads with George Street, High Street and Crown Hill, is integral to the Conservation Area as a local landmark feature. Furthermore, the Conservation Area itself makes an important contribution to its setting by permitting an appreciation of its intended prominence and providing insight into the overall historic development of Croydon. The Conservation Area is, therefore, highly sensitive to cumulative changes to its setting.

8.70 As per the Central Croydon Conservation Area Action and Management Plan (CAAMP), the setting of the conservation area is partly defined by the presence of larger scale 20th century development in the town centre, concentrated to the east. Ryland House, located to the west of the Central Croydon Conservation Area, has a negative impact on its setting. Centre Tower, which rises above the Whitgift Centre, also has a harmful impact on the conservation area's setting and the view from within the Whitgift Almshouses courtyard.

8.71 Several existing tall buildings are considered intrusive elements in the setting of the Almshouses and the Conservation Area due to their height and massing. They compete with the prominence of the Almshouses as a local landmark feature, thereby undermining the significance and sense of cohesion within the Conservation Area. Considering the cumulative negative impact of these elements, the harm caused to the setting of the conservation area is assessed to be very low.

#### Locally Listed Corinthian House

8.72 Corinthian House, a locally listed building, was designed by the renowned architects Richard Seifert and Partners. The principal significance of Corinthian House lies in its architectural and historic interest, serving as an exemplar of modern post war development which transformed the centre of Croydon from a suburban character into a futuristic sub metropolis.

8.73 Its modernist 1960s design is of architectural interest representing one of the visually striking examples of post-war development in Croydon town centre. This is attributed to its distinctive V shaped Pilotis and remarkable cantilevered canopy over the main entrance. The view of the principal elevation from and at the junction of Lansdowne and Dingwall Road permits an appreciation of its architectural interest.

8.74 The building occupies a prominent position at the intersection of Lansdowne Road and Dingwall Road visible in the foreground when approaching the town centre from East Croydon Station. The view point below is relevant in considering the impact of the proposal on Corinthian House. Given that the proposed development stands out prominently behind Corinthian House, impacting its architectural interest and reducing the ability to fully appreciate the building's architectural silhouette, the harm caused to the setting of the building is deemed to be very low.



*Figure 48: Proposed view looking down Lansdowne Road.*

#### Croydon Panoramas

8.75 The impact appears to be more balanced than the extant scheme in the wider townscape views especially in consideration of prominent structures like Nestle Towers, Saffron Tower, College Tower and Ten Degrees in the skyline. Therefore, the height and massing of the scheme is considered to be acceptable in the context of Croydon

Panoramas, as the development comfortably sits within the cluster of high-rise buildings in line with the central silhouette of Croydon. To give committee idea of the long range view, the image below is from Purely Way Playing Field, which demonstrates the proposal against the Croydon skyline.



*Figure 49: Viewpoint of the proposal from the Purley Way playing fields*

### Wellseley Road North

8.76 The vertical emphasis of Tower A is acceptable considering the dominance of Saffron Square/Pinnacle Apartments (44 storeys) on Wellesley Road, see view point below. Since Tower A appears to a lesser extent in the background, the impact of the proposed scheme on the locally listed St Mary's Catholic Church would be significantly less than that of Saffron Square in the foreground. It is not considered that the setting of the church would be adversely affected by the development.



*Figure 50: Viewpoint from Wellseley Road North*

## Park Hill

8.77 The change in the height compared to the extant scheme would materially decrease the level of visual impact caused by the proposed development appearing more balanced in the centre of Croydon considering Nestle Towers, College Tower and Ten Degrees in the skyline. Therefore, it is not considered that the setting of the locally listed park would be adversely affected by the development.



*Figure 51: Viewpoint from Park Hill Park*

## Park Lane

8.78 While the height and mass of the proposal are considered to be acceptable, previous concerns regarding the visual impact on the Central Croydon Conservation Area, as well as nearby listed and locally listed buildings, have been mitigated by the landmark qualities of Tower A and the sculpted design of Tower B. Tower B, in particular, has achieved the desired iconic design that would enhance the sense of place by complementing the surrounding historic context. Its contemporary interpretation of Croydon's post-war architectural heritage is well-received, as it successfully responds to the historic urban landscape.



*Figure 52: Viewpoint looking down Wellesley Road*

### St. John the Baptist – Grade I Listed

8.79 Previous concerns about the overbearing nature of the scheme have now been addressed with the reduction in footprint of Tower A, consequently minimising the impact on the wider setting of Minster Church. The emphasis on verticality has further enhanced the slenderness of the tower, particularly in long-range townscape views -a welcomed improvement. It is now considered that the development would not adversely affect the setting of the church, especially when considering neighbouring structures like St Michael's Square Development, Saffron Square, Whitgift Tower in the skyline.



*Figure 53: Viewpoint looking to the Minster*

### Roman Way Flyover

8.80 This view focuses on the skyline of Croydon, with One Lansdowne towering in the centre as a prominent landmark and creating a focal point for viewers. The proposed development is expected to have a significant visual impact on the Central Croydon and Church Street Conservation Area due to its strategic location and height, making it a dominant feature in the central silhouette. The high-quality design and detailing of Tower A not only address previous concerns but also have the potential to improve the sense of place, respecting Croydon's heritage assets, their setting and the historic urban landscape.



*Figure 54: Viewpoint from Roman Way*

### Wellesley Road

8.81 The vertical emphasis of two towers is acceptable considering the dominance of Aspect Croydon/Cambridge House (26 storeys) and Saffron Square/Pinnacle Apartments (44 storeys) on Wellesley Road. The impact of the proposed scheme would almost be equal to Saffron Square in the background and considerably less than that of Aspect Croydon and would not change how the heritage asset is appreciated. Therefore, there would be no direct harm to the setting and significance of Electric House (Grade II Listed) in views from Wellesley Road.



Figure 55: Viewpoint from Wellesley Road

### Station Road

- 8.82 The impact on the setting of Grade I listed Parish Church of St Michael and all Angels is more balanced compared to extant scheme. Previous concerns about the spires of the church losing prominence in the foreground due to the cumulative impact of the Green Building directly behind the church and the proposed development have been mitigated with the contrasting colours of Tower A.



Figure 56: Viewpoint from Croydon Bus Garage

### Wellesley Road & Poplar Walk

- 8.83 Apollo House, towering in close proximity to the site, paired with Lunar House further to the north, form part of the modern post-Second World War development of Croydon. These post-war modernist buildings from the same era share a contextual relationship,



contributing to the collective memory of the Space Age along with their contemporaries, ultimately shaping the urban identity of Croydon.

- 8.84 The landmark qualities of Tower A and the sculpted design of Tower B significantly alleviate previous concerns and effectively address issues related to the potential impact on non-designated heritage assets, particularly within the context of Saffron Square in the streetscape. While it is essential for both towers to respect the heritage assets in terms of form, scale, and colours, the iconic design of Tower B not only meets the high standards established for the site but also complements the refined details of Tower A. Its design also demonstrates a successful alignment with the elegant style of Apollo House and a thoughtful response to the surrounding architectural context.



Figure 57: Viewpoint looking toward Apollo House

### Balance

- 8.85 As harm has been identified to heritage assets the provision of paragraph 202 of the NPPF to weigh any harm against the public benefits of the scheme is enacted. When weighing the proposed harm to designated heritage assets against public benefits of the scheme, any harm is given considerable importance and weight. A balanced judgement towards harm caused to non-designated heritage assets is also required. Public benefits can include heritage benefits and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.86 No direct harm to the fabric of any designated heritage assets would occur as a result of the proposal, however, a degree of harm has been identified to the Almshouses and the Central Croydon Conservation Area and to the non –designated heritage assets of Corinthian House. The level of harm in this case is less than substantial and would be at the lower end of this scale across all assets considered.
- 8.87 The NPPG states that public benefits “*could be anything that delivers economic, social or environmental progress as described in the 2023 NPPF*”. The NPPG continues stating that “public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit”. The development does deliver a number of public benefits, including

provision of co working spaces, housing provision and , a quantity of which would be for affordable housing delivered on site including wheelchair accessible homes, family accommodation, an improved public realm (including the route through to Canterbury House) and pocket park and greening to the street frontages, a contribution towards wider transport network improvements (particularly pedestrian and cyclist) and employment derived from the construction of the development and the operational development. There is also the regeneration of an important vacant site in the town centre, which is also an allocated site in the Croydon Local Plan.

- 8.88 It is considered that these public benefits are sufficient to outweigh the less than substantial harm identified to the heritage assets outlined above and therefore as per requirements of the NPPF, making a balanced judgement as to the scale of harm and the significance of the asset, the impact is considered to be acceptable. Notwithstanding this, it is essential that the development provides an exceptionally high design quality in relation to materials and other detailed matters at planning conditions stage. This is to ensure that the building, which is visible in the setting of heritage assets, is one of which is perceived as being of excellent contemporary design which responds appropriately to its historic context.

### **Housing Mix and Affordable Housing**

#### Housing Mix

- 8.89 London Plan (2021) Policy H10 encourages a full range of housing choice and states regard should be had to the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station, or with a higher public transport access and connectivity.
- 8.90 Croydon Local Plan 2018 Policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms, but allows for setting preferred mixes on individual sites via Policy DM1 and Table 4.1. Applying Table 4.1 to this site (urban setting with a PTAL of 4, 5, 6a or 6b) shows a requirement of 10% (in 'New Town' and East Croydon as defined by the Croydon Opportunity Area Planning Framework).
- 8.91 The scheme provides a total of 11.4% 3-bedroom units, thereby exceeding the policy standard set out with the OAPF which is specific to this development site, the provision of three-bedroom homes is therefore acceptable. Given the location of the site within the Croydon Opportunity Area, and within 'New Town and East Croydon character area, the high public transport accessibility and the high-density nature of the proposal, the provision of predominantly one- and two-bedroom units is acceptable in strategic policy terms. The proposal would provide an appropriate mix to meet both London and Croydon Plan policy requirements.

#### Affordable Housing

- 8.92 Policy SP2.4 of the Croydon Local Plan 2018 seeks to negotiate to achieve up to 50% affordable housing, subject to viability. Part b) of the policy seeks a 60:40 ratio between affordable rented homes and intermediate (including starter) homes unless there is agreement that a different tenure split is justified (a minimum of three Registered Providers should be approached before the Council will consider applying this policy). The policy also requires a minimum provision of affordable housing as set out in policy SP2.5, which requires a minimum provision of affordable housing to be provided either:

*a) Preferably as a minimum level of 30% affordable housing on the same site as the proposed development or, if 30% on site provision is not viable;*

*b) If the site is in the Croydon Opportunity Area or a District Centre, as a minimum level of 15% affordable housing on the same site as the proposed development plus the simultaneous delivery of the equivalent of 15% affordable housing on a donor site with a prior planning permission in addition to that site's own requirement. If the site is in the Croydon Opportunity Area, the donor site must be located within either the Croydon Opportunity Area or one of the neighbouring Places of Addiscombe, Broad Green & Selhurst, South Croydon or Waddon. If the site is in a District Centre, the donor site must be located within the same Place as the District Centre; or*

*c) As a minimum level of 15% affordable housing on the same site as the proposed development, plus a Review Mechanism entered into for the remaining affordable housing (up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on-site provision is not viable, construction costs are not in the upper quartile and, in the case of developments in the Croydon Opportunity Area or District Centres, there is no suitable donor site.*

8.93 The London Plan (2021) Policy H5 sets a strategic target of 50% but allows lower provision to be provided dependent on whether it meets/exceeds certain thresholds, or when it has been viability tested. There is no minimum requirement. It should be noted as the London Plan (2021) was adopted after the Croydon Local Plan (2018), where there is a policy difference, then the most recently adopted policy should take precedent.

8.94 The scheme is for Build to Rent homes and the most up-to-date policy is H11 of the London Plan (2021). Subject to meeting certain criteria (covered in paragraph 8.9 above), the policy confirms that the affordable housing offer can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level. Part C of the policy states that the Mayor expects at least 30% of DMR homes to be provided at an equivalent rent to London Living Rent (LLR) with the remaining 70 per cent at a range of genuinely affordable rents.

8.95 The London Plan stipulates that to follow the Fast Track Route, Build to Rent schemes must deliver at least 35 per cent affordable housing, or 50 per cent where the development is on public sector land.

8.96 The proposed development would provide 15% affordable housing by habitable room, which amounts to 116 homes. Therefore, the scheme is not following the Fast Track route and as such a financial viability appraisal (FVA) has been submitted with the application.

8.97 The tenure split proposed is 30.6% delivered as London Living Rent (LLR) and 69.4% delivered as DMR at up to 80% of the market rent, capped at eligibility criteria within the London Plan (i.e. at levels set by the GLA). The affordable units being 'pepper potted' throughout the development and across the two towers.

8.98 The application was subject to a FVA, which has been scrutinised independently by the Council's independent consultants BNPP. Furthermore, the GLA viability team have also reviewed the scheme. The affordable housing offer is accepted subject to an all inputs review. The only elements that would be fixed are the profit allowance and benchmark land value (BLV). All other appraisal inputs would be subject to further assessment at the time of the review.

The BLV is agreed with all parties at £250,000. The profit level has been agreed with BNPP at 15% of GDV for the stabilised asset and 12.5% of GDV for the forward fund

approach. The GLA have asked for further justification for this and this will be discussed at Stage Two and in negotiating the legal agreement. It is important to note that our independent consultant, BNPP, has confirmed this reflects research and testing on the matter and the officers are satisfied with this.

8.99 The FVA and sensitivity testing show that the proposed scheme is currently unviable and cannot deliver further affordable housing beyond the 15% offered. The conclusion (for both the applicant and BNPP's review) is that the scheme is in deficit. The applicant has adopted all the BNPP appraisal assumptions for this scheme. The Council's independent review suggests a deficit of £27,258,615.

8.100 Given the current deficit it is clear that the proposal could not offer a greater level of affordable housing. The applicant proposes 15% affordable housing by habitable room (split by 30% London Living Rent (LLR) level and 70% as Discount Market Rent (DMR) level) that has been independently reviewed as the maximum reasonable, which is the minimum policy requirement as set out in the Croydon Local Plan and meets the mix requirements of H11 of the London Plan. The S106 legal agreement would secure an all inputs review at the early and late stage review. This is agreed with GLA and BNPP. This would capture any changes (for example increase in rental prices/reduction in construction costs) which may result in increased affordable housing provision and/or contribution.

8.101 The early-stage review would be engaged if an agreed level of progress on implementation is not made within two years of the permission being granted, in this case construction up to at least first floor level. The late-stage review would be engaged when 75% of the units in the scheme are let.

8.102 LLR is an intermediate affordable housing product with low rents that vary by ward across London, set by the GLA. The DMR homes would also be an intermediate affordable housing product, subject to an annual household income cap of £67,000. These matters would be secured in the S.106 legal agreement. It is also important that additional clauses in relation to local connection criteria (including armed forces and key workers), for the affordable housing element of the scheme, has also been agreed with the applicant. It is noted that a representation has raised the issue of affordability and rent levels. The provision of LLR is considered an appropriate Affordable Housing product that is considered to be affordable by officers and the GLA.

8.103 Given the extensive viability testing, and the potential to deliver additional affordable housing through review mechanisms, officers are satisfied that the level of affordable housing proposed has been robustly assessed and is acceptable in policy terms.

### **Quality of residential accommodation**

8.104 London Plan 2021 policies D5 inclusive design, D6 housing quality and D7 accessible housing seek the highest standards of accommodation for future occupiers. Policy sets out quantitative and qualitative standards, including minimum floor space and amenity standards for new builds in order to promote high quality living accommodation.

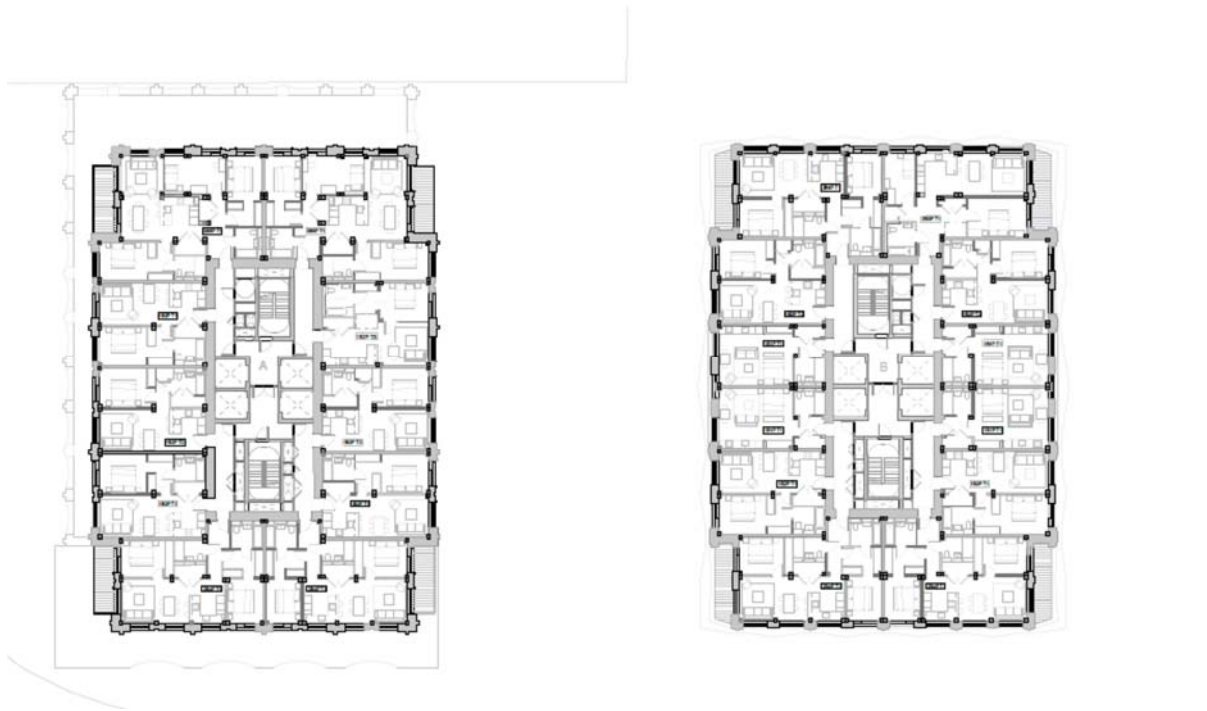
8.105 The Housing Design Standards LPG 2023 seeks to respond to the impact of the COVID-19 pandemic, including the shift to increased homeworking. It also recognises the climate emergency, and the role that residential development has to play, and the contribution it has to make, in reaching net zero. These housing design standards seeks to provide homes that: are safe, inclusive, comfortable, flexible, durable, well-built and well managed. They encompass designing with residents' wellbeing in mind and

express what it means to optimise site capacity for a residential development, as opposed to simply maximising the development of a site.

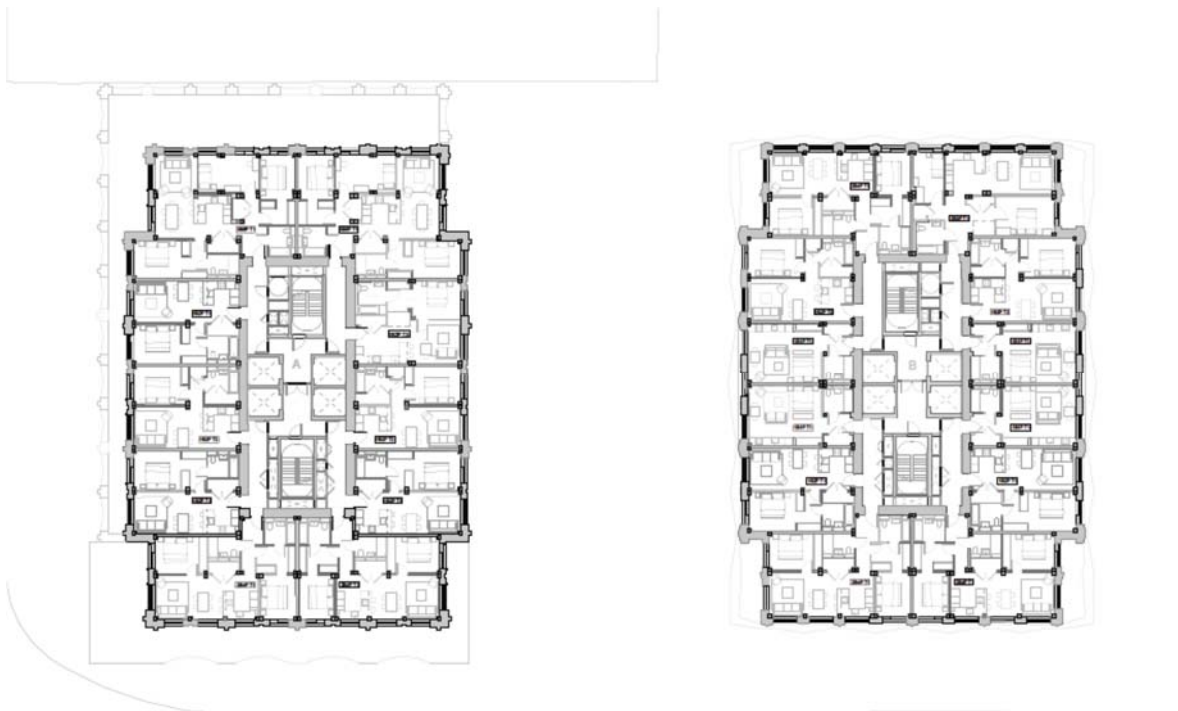
- 8.106 Croydon Local Plan policy SP2.8 relates to quality and standards, requiring all new homes to meet the standards set out in the Mayor of London's Housing SPG (now covered in D6 identified above) and the National Technical Standards 2015. Croydon Local Plan policy DM10.4 has a number of requirements in relation to providing private amenity space for new residential development. The relevant policy points seek a high quality design; a functional space, a minimum amount (5sq m per one/two person unit and extra 1m<sup>2</sup> per person after that), minimum of 10m<sup>2</sup> per child of new play space. Croydon Local Plan policy DM10.5 requires the inclusion of high quality communal outdoor amenity space that is designed to be flexible, multifunctional, accessible and inclusive.
- 8.107 London Plan policy SP4 play and informal recreation seeks, for residential developments, good-quality, accessible play provision for all ages and at least 10sqm of play space should be provided per child. Croydon Local Plan policy DM10.4 and DM10.5 set minimum requirements for the provision of communal amenity space and children's play areas that will be required in new flatted development. This scheme must provide a minimum of 10m<sup>2</sup> per child of new play space, calculated using the Mayor of London's population yield calculator.

#### Size and layout

- 8.108 All of the proposed residential homes either meet or exceed the minimum floor space standards set out in the London Plan (2021) and the Technical Housing Standards – nationally described space standards (2015). Units which are not provided with private amenity space are oversized in floorspace terms.
- 8.109 The communal areas through the public realm and communal terrace at the top of each building provides a range of spaces to meet residents needs such as activity spaces, child play equipment and flexible areas for pop up events. Details of which are subject to conditions.
- 8.110 The layout of the scheme has helped to maximise the amount of dual aspect units, at 37.2%, and there are no single aspect north facing units, which is welcomed. Balancing the challenges of site optimisation, officers are supportive of the layout of the homes. An overheating assessment was submitted which demonstrates the proposal maximises passive and active design measures, reducing the risk of overheating as far as practical. Typical floorplans are below.



*Figure 58: Typical plan with balconies*



*Figure 59: Typical floor plan (no balconies)*

### Daylight and Sunlight

8.111 The applicant has submitted a sunlight and daylight report that has been carried out in accordance with 2022 BRE guidance. In terms of daylight, the assessment considers the spatial daylight autonomy (SDA) – see Appendix 2. This report has been reviewed by the Council’s independent daylight and sunlight consultant, who concluded that the methodology and application of the guidelines is appropriate.

8.112 Review of the SDA results, using the UK Annex, show an overall positive outcome, Using the analysis results as presented, the scheme as a whole sees daylight provision typical of larger developments in an urban area with 1351 (71.5%) of the 1890 rooms tested meeting the UK Annex room targets.

- 8.113 However, it is noted that a number of the combined Living/Kitchen/Dining (LKD) rooms will be significantly below the UK Annex targets. It is noted 82 LKDs in Tower A and 77 LKDs in Tower B will see median lux values below 100lux. Given that the UK Annex targets for these rooms is 200lux, albeit that a target of 150lux can also be considered as appropriate, this level of median lux indicates that the rooms will not be appropriately lit by daylight and that artificial lighting will be used more.
- 8.114 It is noted that some rooms (i.e., 3 LKD rooms at level 03 of Tower A) will see very poor daylight at 23, 24 and 25lux. This is at lower levels where the proposed towers directly face each other. It is also noted that 61 studio units have median lux values of below 100lux. This weighs negatively in the planning balance.
- 8.115 With regards to sunlight, the BRE Report highlights living spaces as having a higher need for sunlight access and these should receive a minimum of 1.5 hours of direct sunlight on the 21<sup>st</sup> March. The results show that 54.7% of living spaces would comply with the sunlight targets and that 64% of the proposed units would comply with sunlight targets. The results show that nearly all of the north and west facing units will see sunlight restrictions with the lowest rooms seeing close to zero hours of sunlight. This is not uncommon in urban regeneration sites. 401 Bedrooms, 125 LKDs and 25 Studios will receive less than half an hour of sunlight on the tested date. Of these, 323 bedrooms, 56 LKDs and 17 Studios would receive less than 15 minutes of sunlight on the test dates.
- 8.116 Overshadowing assessments of the proposed open amenity space within the proposed development have been provided. For the March 21 date the analysis shows that three of the 10 spaces (southern spaces at roof level of Tower A and ground floor area to south-west) will see full compliance with the BRE Report criteria. As would be expected, the north facing spaces at ground and rooftop level see little direct sunlight amenity on March 21.
- 8.117 The street level amenity space will see some limitation on March 21 but does see 2 hours of direct sunlight access to 31% of its area which is modestly below the BRE Report criteria of 50%. The noted sunlight amenity for this space is consistent with expectations for a development of this type in an urban area.
- 8.118 A further assessment has been provided for June 21. This assessment shows that sunlight amenity will increase significantly for the summer months with seven of the ten spaces seeing compliance with the BRE Report guidance.
- 8.119 Overall, the analysis results provided in the applicant's report show that 71.5% of proposed rooms meet daylight criteria and 64% of the tested units meet the sunlight criteria. Both the urban nature of the site and the requirements for mitigation of solar gain and overheating effects need to be considered.
- 8.120 Generally, the overall daylight and sunlight compliance rate is considered acceptable for a regeneration scheme in an urban location. It is noted above that there are units and rooms that fall significantly below the BRE guidance and the Council's independent consultant considers that the daylight and sunlight for future residents of the proposed development is at the lowest end of acceptable.

#### Outlook and privacy

- 8.121 Paragraph 6.80 of the Croydon Local Plan states "A minimum separation of 18-21m between directly facing habitable room windows on main rear elevations is a best practice 'yardstick' in common usage and should be applied flexibly, dependent on the context of the development to ensure that development is provided at an acceptable density in the local context".

8.122 The closest buildings are shown in Figure 58 (below). The distances are 21m from Apollo House (at the point of residential units on proposed scheme), 30.5m to the Canterbury House proposed scheme, 67.5m to the existing building and between 21m and 11.5m to Emerald House. For the hotel on the opposite side of the road, it is between 20 and 27 m and for 2 Lansdowne Road, the distance is 28.5 m. The distance between the proposed buildings is 21.5 m.

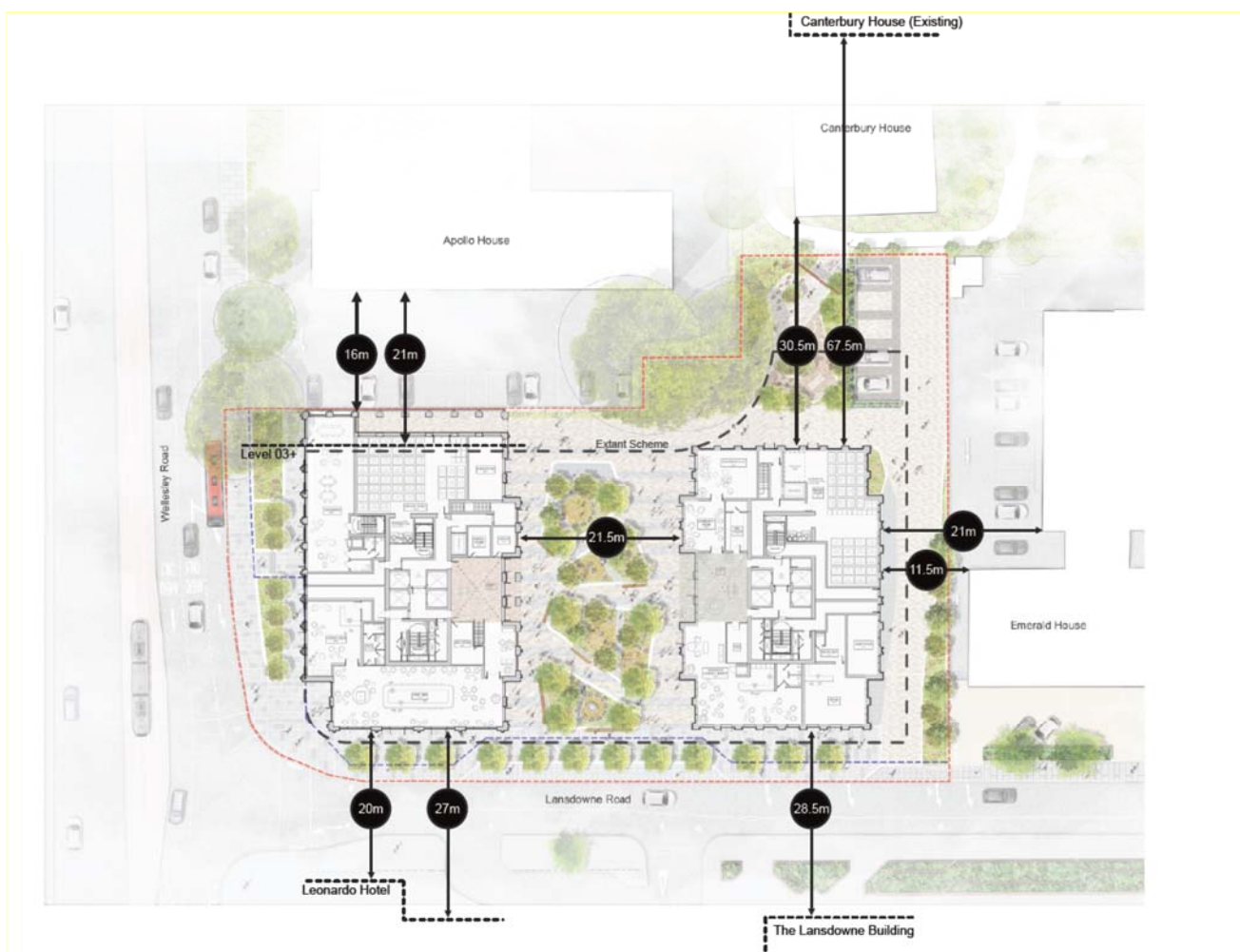


Figure 60: Proximity to surrounding buildings

8.123 In term of the relationship with Emerald House, at the closest point, there are windows in the flank elevation of Emerald House and this would have an impact on three floors of Tower B (Figure 58, below) The windows in Tower B are living/dining/kitchen rooms and bedrooms. . The proposal has been designed so the windows are offset, so there is no direct overlooking between habitable windows. It is therefore considered, these units would be provided with an acceptable level of outlook.



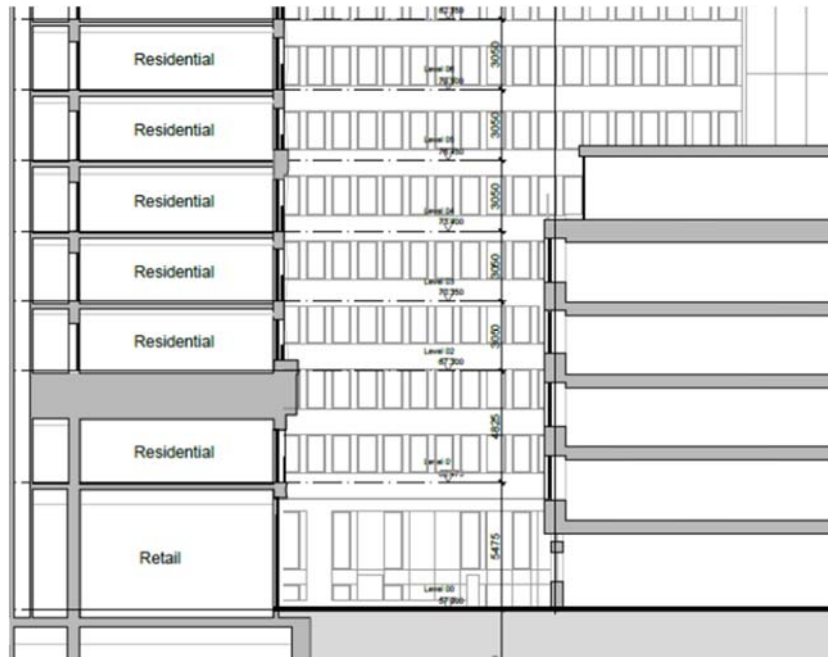


Figure 61: Relationship with Emerald House

8.124 All other proposed windows would be sited more than 18m from the neighbouring residential development and therefore appropriate levels of privacy for future occupiers would be achieved. Balconies have also been design to increase privacy using angled balustrades. Overall, it is therefore considered that there would be an acceptable level of outlook and privacy, given the need for site optimisation, the site allocation and the 2017 permission.

Private/Communal Amenity Space and Child Play Space Provision

8.125 The development provides a mix of amenities for residents, including private internal amenity space delivered through oversize apartments, private external amenity spaces via external balconies and a range of communal amenities throughout the building, accessible by all residents.

8.126 Communal space in each building allows for a full floor of residential amenity, featuring lounges, games rooms, cinema rooms, kitchen & dining rooms, a gym and dedicated childrens play. Each building also features 4 external terraces, one on each corner of the building, maximising the access to views, daylight and sunlight throughout the day. The terraces will offer expansive views. There are also a range of other spaces on the ground floors of each building and on Level 1 and 2 in Building A. The public realm space (described above) is also available for residents and provides a high quality space.



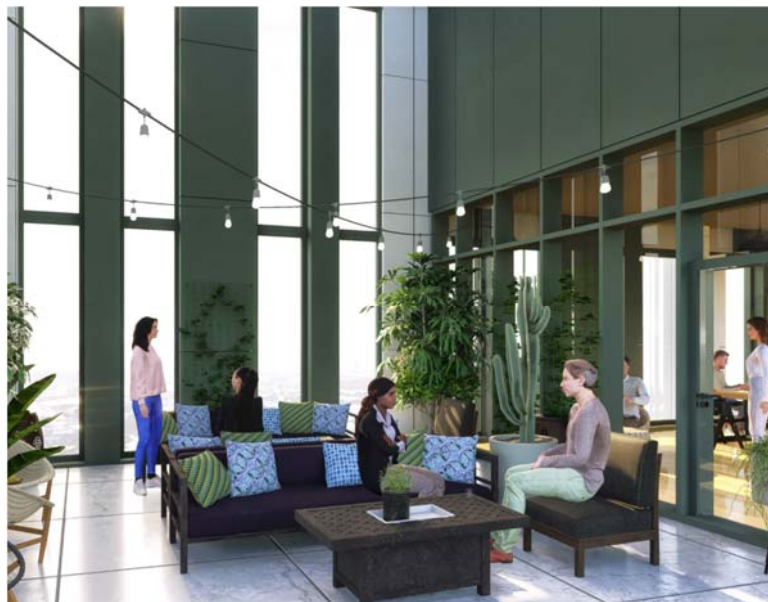


Figure 62: Images of various communal spaces

8.127 The overall percentage of private amenity space is 16.4% (132 balconies for the 806 residential units). The private balconies are focussed on the larger units, considered to be for families. These are provided as policy compliant providing 5sqm and an additional 1 sqm for each additional bedroom. Where balconies are not provided, units will be oversized (with at least 50% of the London Plan requirement for private amenity space). As a result, the build to rent buildings, which are designed to be lived in as whole and the communal amenity spaces, provide high quality spaces all of which contribute to the overall amenity, the private amenity provision is considered acceptable. All amenity details will be subject to condition.

8.128 In relation to play space, the requirements are set out in Figure 63 below. There is a shortfall of under 5's playspace and is discussed below.

Age	Play Requirement	Play Provision	Location
Under 5	663 sqm	663 sqm	100% on site
5 to 11	434 sqm	0 sqm	100% off site
12+	148 sqm	0 sqm	100% off site
Total	1245 sqm	663 sqm	53% on site

Figure 63: GLA Child Yield Requirement

8.129 The development will provide 100% play for children under 5 on-site. The provision is both external and internal. The external space is to create a joined up play trail linking the play spaces at the development with those shown in the proposals for Canterbury House. The creation of a connected series of playable spaces is a benefit of the scheme and meets the objectives of the OAPF.

8.130 The internal spaces will be provided within the proposed buildings, on ground level and amenity level. Each of the building has play rooms which will be fitted out to cater for 0 - 5 year old's. The play within the public realm will be a series of play trails, sculptural play and imaginative play. Detailed plans and specifications for play equipment, along with the soft and hard landscaping, will need to be secured by condition.



Figure 64: Play space with the development

8.131 There is a shortfall in children in over 5's playspace. Due to the established planning history with regards to building coverage, the scheme deliverability, the constraints of the site and the extensive mutli-use communal areas and public realm, it is acceptable that the London Plan SPG requirements can be applied flexibly in this instance. It is also important to note that there is opportunities within the communal areas of the development, for older children to use these amenity spaces not specified for children such as the games rooms and the cinema.

8.132 The applicant has stated that the remainder of the required play-space would be provided off site within Croydon Town Centre. There are a number of existing parks and greenspaces within the recommended distances to play facilities as stipulated in the GLA Play SPG, for example, Queen's Gardens is a 500m (approximately) walk from the site and Park Hill Park is a large existing park approximately 800m walking distance from the site.

8.133 Whilst this position is accepted, the scheme stills needs to mitigate against the shortfall of children's play space. Given the 582 sqm shortfall, a financial contribution of £49,528.2 will be secured in lieu of the play space based on the costs of equipping an area of approximately the shortfall with suitable equipment and an allowance for future maintenance. This would be for improved play space at Park Hill Park Gardens (or a suitable alternative location).

#### Fire safety

8.134 Although fire safety is predominantly a building regulations issue, policy D12 of the London Plan 2021 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.

- 8.135 Policy D5 B 5) of the London Plan requires that in all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 8.136 The fire statement has been drafted by a Jensen Huges who through its authors are registered with the Institute of Fire Engineers as a Member of the Institute. The statement has, therefore, been prepared by a suitably qualified assessor. The GLA have confirmed they are satisfied with the submission in relation to fire.
- 8.137 The scheme is a 'relevant building' under planning gateway one and hence the Health and Safety Executive (HSE) were consulted. The HSE have reviewed the amended fire statement and are satisfied with the information provided, raising no substantive objections. The residential levels in both towers all have access to two stairs and two evacuation lifts which are accessed via separate lobbies. The stairs will lead directly to outside via a protected corridor at ground level. The commercial areas will be served by two escape stairs on the east and west sides of the building. An evacuation lift to serve the commercial office space will be provided in the lobby of the main office (west) stair.
- 8.138 Tower B includes a retail unit at ground level. This unit will be fully fire separated from the rest of the building with no internal connections and escape direct to outside. This will ensure the safe and dignified emergency evacuation for all users in line with London Plan (2021) policy D5 and can be secured by condition.
- 8.139 It is noted that the London Fire Brigade had raised concerns on a previous iteration of the scheme. The applicant have provided a response on how they have addressed those concerns (detailed in the consultee section above). No objection has been raised from the HSE and separate regulation (Building Control) approval will be required for these elements, so the scheme is considered acceptable in terms of fire at this planning stage. In addition, the Councils Principal Building Control Surveyor has reviewed this statement and is content that the detailed fire design is suitably flexible to allow for any changes should this be needed at the detailed design stage post-planning.

#### Accessibility

- 8.140 10.6% (82 units) would meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and the remaining units would meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and therefore satisfy Policy D7 of the London Plan and will be secured by condition. It is important to note that the M4(3) units are pepper potted throughout both buildings, providing an opportunity for those who need accessible apartments to live at any height within the building and appreciate all the benefit of a Build-to-Rent building including unrestricted access to all communal amenities.

#### Overall quality of amenity

- 8.141 Given the tight constraints of this site and its location within the Metropolitan Centre of Croydon, the proposed development creates a good quality residential development that provides amenity of future occupiers.

## **Impact on neighbouring amenity**

- 8.142 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties or have an unacceptable impact on the surrounding area. This can include a loss of privacy, daylight, sunlight, outlook or an increased sense of enclosure. There are a number of buildings surrounding the site requiring consideration in terms of daylight/sunlight impact. This aligns with the requirements of Policy D9 of the London Plan in relation to tall buildings.
- 8.143 Paragraph 6.80 of the Croydon Local Plan states “A minimum separation of 18-21m between directly facing habitable room windows on main rear elevations is a best practice ‘yardstick’ in common usage and should be applied flexibly, dependent on the context of the development to ensure that development is provided at an acceptable density in the local context”.
- 8.144 The Housing Design Standards LPG (2023) states that, the orientation and massing of buildings, and the separation distances between them, should ensure that the public realm is not unduly overshadowed to the detriment of health, wellbeing, biodiversity or amenity.

### Outlook and Privacy

- 8.145 The closest buildings are shown in Figure 58 (above). These range from 16m to 21m from Apollo House (whilst not residential is an allocated site for development) and 67.5m from Canterbury House and between 11.5m and 21m from Emerald House. It is noted the buildings opposite the site are over 20m (Jury Inn- hotel) and 28.5m (2 Lansdowne Road - in office use). These are considered acceptable relationships in terms of privacy and outlook.
- 8.146 In term of the relationship with Emerald House, at the closest point at 11.5m, there are five windows in the flank elevation, this would have an impact on three floors of Tower B (Figure 60, above). These windows serve a bedroom for separate flats on each of the floors (these are two bedroom flats). The proposal has been design the windows are offset, so there is no direct overlooking. It is also important to note that on the 2017 permission the 67 storey part of the building was site in close proximity to Emerald house, whereas the development would have the taller element facing Wellesley Road. It is noted that the buildings, prior to demolition, on the site varied up to 11 storeys (See Figure 65 below):



Figure 66: Marco Polo House (prior to demolition) and relationship with Emerald House

8.147 Overall, given the density of the surrounding built form and closely related development in a central location it is expected that there will be a degree of mutual overlooking and visual impact for occupiers, orientation of windows and separation distances, there would be no significant loss of privacy or outlook.

#### Daylight and Sunlight

8.148 Paragraph 125 of the NPPF states, in part c) that “local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, 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 would provide acceptable living standards)”.

8.149 The Mayor of London’s Housing SPG also endorses a flexible approach to daylight and sunlight, stating:

*“An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time... The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”*

8.150 Furthermore, the OAPF notes that “It is recognised that in heavily built up areas such as the Croydon Opportunity Area, new development will inevitably result in some level of overshadowing and overlooking of neighbouring properties and amenity spaces. It should be noted that the existing pattern of development in the central part of the COA

*is not conducive to the application of normal planning guidelines for sunlight and daylight. As such, as part of new development proposals, there will need to be a flexible approach to the protection of natural light for existing properties.”*

- 8.151 The Housing Design Standards LPG (June 2023) states that the “most favourable orientation for each new building will be heavily influenced by the site-specific opportunities and constraints. Layouts should optimise the orientation of new buildings to maximise the quality of daylight and thermal comfort for residents, minimise overheating, and optimise thermal efficiency, by utilising and controlling solar gains”.
- 8.152 The applicant has submitted a sunlight and daylight report that has been carried out in accordance with 2022 BRE guidance. This report has been reviewed by the Council’s independent daylight and sunlight consultant, who concludes that the methodology and application of the guidelines is appropriate.
- 8.153 The submitted report provides analysis results for ten neighbouring properties based on two testing scenarios. The first is a comparative exercise against the extant planning consent on this site (17/03457/FUL), the second tests impact in comparison to the current natural light amenity- see Figure 64 to 66 below to show the context of the existing scenario (prior to demolition), the 2017 permission and the current proposal. It is noted that the existing baseline (for daylight/sunlight assessment purposes) is the buildings on site prior to their demolition. This is an established approach due the fact that the demolition only happened recently and is not a baseline neighbouring residents have enjoyed for a significant amount of time.



Figure 66: Buildings on site prior to demolition



*Figure 67: the 2017 Permission*



*Figure 68: The proposed development*

8.154 The properties chosen for analysis and their locations are adequate to allow an appropriate assessment to be reported. The ten properties assessed are show in Figure 1 below and are as follows:

1. Emerald House
2. Canterbury House
3. Cygnet House
4. Carolyn House
5. The Quarters Apartments
6. Cambridge House
7. Premier Inn
8. Jury's Inn
9. Alexandra House
10. Hampton Hotel





Figure 69: The ten properties assessed (pink are residential properties and purple are hotels)

- 8.155 It is noted that a recent application for permitted development office to residential conversion (- 24/02610/GPDO) has been submitted at 2 Lansdowne Road (The Lansdowne Building). The current use of the building is in office use and therefore had not been assessed with regards to impact in accordance with BRE guidance. The daylight/sunlight report from the applicants was submitted prior to the submission of this recent application so its exclusion is justified in the circumstances.
- 8.156 Notwithstanding the above, the applicant has submitted a high level review that indicate the scheme would achieve appropriate levels of daylight and sunlight . It is important to note that the applicant for the GPDO application is aware of the application on 1 Lansdowne Road (given the timing and being an allocated site) and any detailed impacts will be assessed at the time of determination for that application. There is also the 2017 extant permission on the site for a substantial building which is a material consideration.
- 8.157 Assessments of the neighbouring properties (as listed above) shows that there are notable reductions in natural light within the closest properties. However, these impacts do need to be reviewed with reference to the extant planning consent on the site and with regard to the wider urban nature of the area.
- 8.158 The applicant has used have used the VSC, NSL and APSH tests discussed in the BRE Report (explained in Appendix 2) to undertake assessments of the neighbouring residential properties. Whilst the application does not fall into the requirement for EIA assessment, officer together with the Council’s independent consultant have used the guidance contained in BRE to apply significance criteria. It is noted that this guidance is subjective and does not provide quantitative targets, though it does provide useful criteria for drawing an opinion on the significance of change noted in assessments. This set out below:

Property	VSC	NSL	APSH	Notes
Emerald House	Moderate Adverse	Negligible	Minor	VSC impacts range between minor and moderate adverse, volume of impacts indicates moderate adverse overall
Canterbury House	Minor to Moderate Adverse	Negligible	Minor to Moderate Adverse	Majority of VSC impacts are minor adverse but scale of impact on property suggests a Moderate adverse impact
Cygnets House	Negligible	Negligible	Negligible	
Carolyn House	Negligible	Negligible	Negligible	
The Quarters Apartments	Minor to Moderate Adverse	Negligible	No information	Majority of VSC impacts are minor adverse but scale of impact on property suggests a Moderate adverse impact
Cambridge House	Minor Adverse	Negligible	Negligible	Modest number of minor VSC impacts
Premier Inn	Negligible to Minor Adverse	Minor to Moderate Adverse	Negligible	Modest number of minor VSC and NSL impacts
Jury's Inn	Major Adverse	Major Adverse	Negligible	Significant number of notable impacts to windows and rooms
Alexandra House	Negligible	Negligible	Negligible	APSH impacts are noted to one room
Hampton Hotel	Minor	Minor	Negligible to Minor Adverse	Daylight and sunlight impacts are noted to a limited number of rooms but overall the property maintains good natural light

8.159 Daylight amenity has been tested using both the VSC and NSL tests. The BRE Report notes that daylight amenity may be adversely impacted if either the VSC is both less than 27% and less than 0.8 times its former value and if the NSL is reduced to less than 0.8 times its former value. Sunlight has been tested using ASPH tests that the sunlight of an existing window may be adversely affected if the centre of the window is below certain criteria in Appendix 2.

8.160 The number of properties seeing impacts of significance is limited to five of the ten discussed in the application documents. Of the five properties seeing notable adverse impacts (Emerald House, Canterbury House, the Quarters Apartments, Cambridge House and Jury's Inn) four are in residential use and the fifth is in use as a hotel. For the Jury's Inn Hotel the noted adverse impacts do need to be tempered by the property's use. The occupancy of the building is transient and as such whilst there are significant effects due to the proposed development the impact on the Jury's Inn is less significant overall.

8.161 For the residential buildings, the noted effects are more significant. However, again there does need to be an element of flexibility applied when assessing the overall significance. The properties form part of the wider urban context and consideration should be given to the area norms and expectations. The most notable effects are discussed further below.

### Emerald House

8.162 This once office building was converted to residential use in 2017. The property sees restricted daylight and sunlight amenity across portions of the tested façade due to the proximity to the site. The building is susceptible to significant percentage changes despite the quantum changes being relatively minor. It is important note that the tallest part (67 storeys) of the 2017 permission, faced the properties at Emerald House. The current development would have Tower B facing Emerald House at 31 storeys. This is an improvement from the extant consent.

- 8.163 Both the VSC and APSH tests show significant impacts to the existing natural light of the windows serving this property. Of the 119 windows analysed for VSC daylight, 65 windows satisfy BRE guidance (of which 34 improve), whilst 54 windows exceed 20% change. Of the windows which exceed BRE guidance all but 7 will retain a VSC of 15% or above which is considered a reasonable level of retained daylight in a more urban context.
- 8.164 NSL analysis results have been provided and show that good levels of daylight penetration within the building remain. This is also indicated in the supplementary contour plans provided. Of the 118 rooms analysed for NSL daylight, 117 satisfy BRE recommendations (of which 65 improve) whilst 1 room exceeds BRE recommendations. Therefore, whilst there are breaches of BRE guidance for VSC, the retained daylight values are reasonable/ good and there is a high level of NSL compliance which means there will not be significant alteration of daylight within the room
- 8.165 In terms of sunlight (APSH), of the 103 rooms analysed, 65 meet BRE guidance - of which 26 see an improvement in winter sunlight and 12 see an improvement across the whole year. However, 20 rooms do breach BRE guidance for winter sunlight and 38 rooms exceed guidance across the whole year.
- 8.166 Given the site allocation, the 2017 permission and the existing relationships in an urban area and the public benefits of the scheme, the impact is considered acceptable.

#### Canterbury House

- 8.167 This property is the subject of a current application to extend the residential accommodation within a new element between the existing building and the proposed development. The applicant have provided analysis results of both the current building configuration and the proposed scheme.
- 8.168 For the current building, the VSC testing shows the majority of windows will transgress the BRE Report guidance. Review of the analysis results shows that the majority of transgressions see windows retain over 0.75 times their current values, i.e., marginally below the BRE Report 0.8 guidance. Whilst the noted transgressions would lead to noticeable reductions in daylight amenity the retained values are, on the whole, consistent within an urban area.
- 8.169 In terms of figures, of 151 windows within this property 48 will meet BRE VSC daylight guidance whilst 103 breach it. However, the windows which breach BRE guidance do so only moderately with alterations of no more than 24.79%, and of those windows which do breach BRE guidance, all retain 15% or more VSC.
- 8.170 NSL analysis (both the tables and contour plans) shows that the rooms would retain compliant levels of daylight penetration. Of the 90 rooms analysed for APSH sunlight compliance, 76 will satisfy BRE guidance. 14 windows will breach BRE guidance in terms of both winter sunlight and sunlight alterations across the whole year.
- 8.171 VSC assessment of the submitted scheme shows that the majority of windows would remain compliant with the BRE Report guidance. The number of windows within Canterbury House would increase to 377 if the extension is granted planning consent. Of those, 315 will satisfy VSC daylight recommendations whilst 62 will breach them. In terms NSL daylight recommendations, of the 308 rooms analysed 280 will meet BRE guidelines whilst 28 will breach them.

- 8.172 Where transgressions are noted, they are predominantly to windows where the existing VSC quantum is already low and the changes, whilst modest, lead to notable percentage revisions.
- 8.173 The proposals for Canterbury House also allow for a new outdoor amenity area and the area is poorly lit to begin with. Construction of the proposed development would result in a material breach of BRE shadow criteria but it will retain some sense of sunlight throughout the year. During the summer months, when the space is most likely to be utilised, it will retain excellent levels of sunlight (with 93% of its total area receiving at least 2 hours of sunlight on the 21st of June).
- 8.174 Sunlight testing of both the current building and the submitted scheme shows the majority of windows will remain compliant with the BRE Report guidance. In terms of APSH sunlight compliance, of the 195 rooms analysed, 141 will meet BRE recommendations, whilst the remainder will breach them (54). Again, review of the analysis results indicates that transgressions are limited to those windows that are currently restricted with the changes manifesting as notable percentage revisions despite the only moderate quantum change.

#### The Quarters Apartments

- 8.175 Located to the far South of the development. Of the 39 windows analysed within this property, 22 will satisfy the VSC daylight criteria. Of the remaining 17 rooms, all experience minor breaches of under 30%. Of the 13 rooms analysed for NSL daylight compliance, all 13 will satisfy BRE criteria.
- 8.176 In terms of sunlight, no windows or rooms are orientated within 90 degrees of due South and hence none are relevant for assessment in this respect. Overall, the impact is considered acceptable.

#### Jury's Inn

- 8.177 It is noted that the occupancy of the Jurys Inn Hotel is transitory and as such a lesser significance may be attributed to the analysis results. However, hotel use is specifically referenced in the BRE Report guidance as requiring testing.
- 8.178 Review of the analysis results shows significant impact to some windows, as such the impacts are still considered notable. Of the 186 windows analysed, 40 will satisfy VSC daylight criteria whilst 146 will breach it. In terms of NSL daylight criteria, of the 139 rooms analysed, 69 will satisfy BRE guidance whilst 70 will breach it. In terms of sunlight, of the 11 rooms, material for consideration, all 11 will satisfy APSH criteria.
- 8.179 The Jurys Inn building is taller than the existing buildings on the application site and currently benefits from this by having access to direct light from the skydome that is atypical of this urban area. Given the site allocation, and the existing relationships in an urban area and the public benefits of the scheme, the impact is considered acceptable.

#### Daylight and sunlight conclusion

- 8.180 The proposed scheme will cause a noticeable alteration in daylight and sunlight as explained above, which is regrettable and must be given weight but is not unexpected given its proximity to neighbouring properties and the scale of the development proposed. In the circumstances, a reduction beyond the BRE guidelines is expected. Taking into account the opportunity area location, the relatively dense urban environment, the fact this is a brownfield, allocated, site and the policy steer to apply

application of the BRE guidance flexibly, when balancing the benefits of the scheme against the harm of these impacts, officers raise no objection.

### Access, parking and highway impacts

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

#### Access

8.182 The proposed access is a singular vehicle access from Lansdowne Road restricted by a gate. Use of this will also be restricted to only a select number / type of vehicles, with the majority of delivery & servicing undertaken elsewhere as detailed in the section below. Swept path analysis has been undertaken to demonstrate that the vehicles that require access into the Site can access and egress appropriately. This vehicular access and route into the development will be subject to a restricted number of vehicular movements travelling at low speeds under a management environment.

#### Trip Generation

8.183 The Transport Assessment submitted with the application has made a detailed assessment of trip generation from the development for different modes of transport. The multi-modal trip generation has been updated from the previous assessment to reflect the update residential unit numbers. This is set out below. The number of trips made by each mode would not result in a significant impact on any of the public transport modes with mitigation in place. The mitigation proposed is outlined below, consists of a travel plan, sustainable transport contribution TfL contribution and conditions.

**Table 2.2 Residential Multi-Modal Trip Generation**

Mode	AM Peak			PM Peak		
	Arrive	Depart	Total	Arrive	Depart	Total
Tram	6 (-)	34 (+1)	39 (+1)	32 (+1)	13 (-)	45 (+1)
Train	30 (+1)	177 (+5)	208 (+6)	169 (+5)	69 (+1)	237 (+7)
Bus	10 (-)	59 (+1)	70 (+2)	56 (+1)	23 (+1)	79 (+2)
Taxi	0 (-)	1 (-)	1 (-)	1 (-)	0 (-)	1 (-)
Motorcycle	1 (-)	4 (-)	5 (-)	4 (-)	2 (-)	5 (-)
Car Driver	1 (-)	4 (-)	5 (-)	4 (-)	2 (-)	5 (-)
Car Passenger	1 (-)	7 (-)	9 (-)	7 (-)	3 (-)	10 (-)
Bicycle	5 (-)	31 (+1)	36 (+1)	29 (+1)	12 (+1)	41 (+1)
On Foot	15	86 (+3)	100 (+2)	82 (+3)	33 (+1)	115 (+4)
Other	1 (-)	4 (-)	4 (-)	3 (-)	1 (-)	5 (-)
<b>Total</b>	<b>69 (+2)</b>	<b>407 (+12)</b>	<b>476 (+14)</b>	<b>387 (+11)</b>	<b>157 (+4)</b>	<b>544 (+15)</b>

\*Note: Any discrepancies in totals are caused by rounding

*Figure 71: Trip Generation*

#### Car Parking

8.184 London Plan Policy T1 requires proposals to support the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport.

All development should make the most effective use of land, reflecting its connectivity and accessibility to existing and future public transport, walking and cycling routes and ensuring that any impacts on London's transport networks and supporting infrastructure are mitigated.

8.185 London Plan Policy T6 states that car parking should be restricted in line with levels of public transport accessibility and connectivity. Car-free development should be the starting point whereby there should be no general parking but disabled persons parking should be provided. Major residential development proposals must ensure that for a minimum of 3% of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset, and how an additional 7% could be provided in future upon request as soon as existing provision is insufficient.

8.186 The site is in an area with a Public Transport Accessibility (PTAL) rating of 6b (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have an excellent level of accessibility to public transport links. The proposal is predominantly car-free with the exception of 5 disabled bays at ground floor level (to the rear of the site). Swept path diagrams have been provided to demonstrate that all 5 bays can be comfortably accessed.

8.187 It is noted that existing public transport infrastructure in the immediate locale provides step free accessibility on local buses and at East Croydon station. Given the convenient location of the site to these services, disabled users would have easier accessibility to sustainable services and influence their travel away from the use of private vehicles.

8.188 Following TfL's Healthy Streets approach, an assessment of the Active Travel Zone has been also been undertaken for routes to:

- public transport Services – Wellesley Road bus stops, Wellesley Road Tram Station, East Croydon Rail Station & West Croydon Rail Station;
- Local Centre / Shops – High Street / North End including Post Office, Sainsbury's and Marks & Spencer, George Street including pharmacy, restaurants, bank, coffee shops & convenience store and Fairfield Halls;
- Educational Facilities – St Mary's Infant / Junior / High School & Keeley's Nursery;
- Health Facilities – Various Gyms, Friends Road Medical Practice & All Clear Dental Centre; and
- Open Space – Park Hill Park and Queens Gardens.

8.189 It is considered that the proposals respond well to the Healthy Streets indicators and there are good opportunities for future users of the Development to access the key destinations either on foot or by cycle.

8.190 Mitigation is also outlined, below and includes restriction of permits, travel plan, sustainable transport contribution, TfL contribution and car club provision. A car park management plan would also be subject to condition.

8.191 Officers have weighed up the competing material planning considerations including the significant benefit of the regeneration of this site. Officers have considered all of the above supporting information and other mitigation measures proposed. On balance, officers consider that the shortfall of blue badge parking in this highly accessible

location, is in this instance accepted. It is noted that both TfL and Strategic Transport have not objected to this provision.

### Cycle parking

- 8.192 London Plan Policy T5 requires development to remove barriers to cycling and secure provision of appropriate levels of cycle parking which is fit for purpose, secure and well located. Safe and secure cycle parking will be provided within the proposed development to encourage cycle ownership and travel.
- 8.193 The proposal includes a total of 1,135 cycle parking spaces, which is equivalent to 87% of the London Plan number (1,302 spaces) based on the proposed residential mix. There are range of storage options. This is has been accepted by TfL. All cycle parking (in the amended scheme) for the residential elements is provided in one store at the basement level.
- 8.194 The access would via the ground floor level with dedicated cycle lift provided. The proposal also benefits from the resident lifts going down to basement level. The Council's Strategic Transport Officer and TfL have raised concerns on the cycle storage access routes and the number of doors that the cycles have to pass through. Wide corridors and power-activated doors are proposed and provide an acceptable solution to access the cycle storage. Overall, the nature and quantum of cycle parking, routes and facilities are considered acceptable given size of basement area, site constraints and fire safety requirements, while offering an appropriate choice of storage for future residents.
- 8.195 The scheme also provides short stay/visitor cycle parking within the public realm area. In total this is 26 space/13 Sheffield stands which accommodates for the required provision. Full details of the cycle parking is subject to a condition.
- 8.196 There are also cycle parking for the co working space being included in Building A. This has been provided in accordance with "office use" standards within the London Plan and therefore include a total of 15 spaces. This is subject to detailed design and a suitable worded condition.

### Waste

- 8.197 The applicant has submitted a waste management plan. For refuse collection, vehicles to enter the site to serve the development. Vehicles will access this area via the proposed access from Lansdowne Road.
- 8.198 A turning head is provided in this location to ensure that vehicles can both enter and exit the Site in forward gear, with swept path analysis demonstrating this provided below. This will ensure that refuse vehicles can get direct access to the refuse stores provided.
- 8.199 The residential refuse and recycling stores are provided at ground level are therefore within easy access for both residents and collection operatives. The non-residential refuse and recycling stores will be provided within the individual units.
- 8.200 The strategy has been developed on the assumption that the general refuse and recyclables generated by the residential uses will be collected twice weekly. The first collection will be provided by the Council's nominated municipal waste contractor as a standard collection, with the second collection being carried out as a paid collection. Commercial waste will be collected by private contractor on a bi-weekly basis. The anticipated weekly refuse vehicle numbers and types is summarised below:

Waste Type	Council Collection	Private Collection	Total
General	1 per week	1 per week	2
Recycling	1 per week	1 per week	2
Food	1 per week	1 per week	2
		Total Vehicles	6

8.201 The Council's Waste Team have accepted this strategy subject to further detail being subject to condition. However, The Council's Strategic Transport Officer has raised concerns on the strategy with the fact there will be 6 weekly collections and this would result in more than the highlighted vehicles due to the number of bins that are proposed on site.

8.202 The access to this area is proposed to be gated in order to manage the vehicles entering and exiting and restrict it to only those that are permitted access. This will be controlled by the on-site management team and a bankpeople surrounding the vehicle Whilst this is not an ideal scenario with the use of the public realm, given the site constraints and use of the on site management team, this is, on balance, an acceptable solution.



Figure 70: Swept path for refuse vehicles





Figure 71- Layout of bin stores for Building B

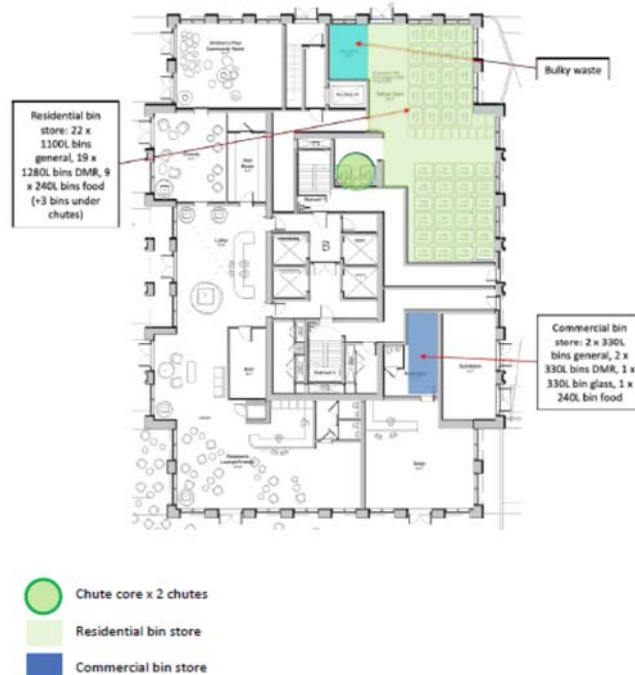


Figure 72- Layout of bin stores for Building B

### Delivery and servicing

- 8.203 The Proposed Development includes the provision of a dedicated loading bay on Lansdowne Road along the site frontage, which will accommodate the majority of delivery and servicing trips associated with the site.
- 8.204 The proposed bay is 30m in length, and is therefore suitable to accommodate two 10m Rigid vehicles operating independently of each other. This has been demonstrated with the tracking drawings.
- 8.205 The revised Transport Assessment demonstrates there is to be an expected up to 73 delivery/servicing vehicles arriving over the course of a day for the residential element of the scheme, with a maximum number of 13 vehicles arriving at the peak hour (10am

to 11am), although the majority of hours in the day will have 5 or less vehicles arriving. The non – residential uses are likely to be 5 trips daily.

- 8.206 Given this is a Build to Rent scheme, management systems will be implemented such as a concierge with mail room (significantly reducing dwell times) and an information pack for residents with regards to servicing and delivery arrangements. Full details would be subject to condition. The scheme would be acceptable in this regard.

#### Construction logistics

- 8.207 Given the scale of the development, a tailored condition requiring the submission of a detailed CLP is recommended to ensure that the construction phase of development does not result in undue impacts upon the surrounding highway network and adjoining occupiers.

#### Mitigation

- 8.208 Sustainable travel is a key policy consideration within policies SP8, DM29 and DM30 of the Croydon Local Plan. Given that the development would be car-free (aside from blue badge spaces) and considering the nature of the development, increased walking, cycling and public transport use is expected. To mitigate against this and improve connections for all transport modes, improvements to the highway network immediately surrounding the site in line with the Council's future vision for the area are to be secured. This would be secured through a S.106 financial contribution of £1,124,000 to sustainable transport improvements including the surface level crossing at Wellesley Road) and a S.278 highway works agreement. A contribution of £500,000 as requested by TfL, will also be secured via the S.106 legal agreement for bus and tram improvements /enhancements including other ancillary network improvement works.
- 8.209 The applicant has agreed to provision of a car club bay. The location will be secured through the negotiations on the legal agreement and discussions with the Council's Highways Team. Membership for future residents of the scheme to a car club operator for 3 years will be secured, as well as removing access for future residents to Controlled Parking Zone permits and season tickets for Council car parks.

#### Travel Plan

- 8.210 In order to ensure that the identified modal shift is adequately supported, and barriers to uptake of more sustainable transport modes can be addressed, a draft travel plan has been submitted. This is acceptable has a draft and the full travel plan and monitoring for five years along with a financial contribution to allow this, is to be secured through a condition and in the S.106 legal agreement.
- 8.211 Officers have weighed up the competing material planning considerations including the significant benefit of the regeneration of this vacant site and have considered all of the above supporting information and other mitigation measures proposed. On balance, officers consider that the proposal is acceptable with regard to transport matters.

### **Environmental impact**

#### Air quality

- 8.212 The whole of Croydon Borough has been designated as an Air Quality Management Area and therefore a contribution is required towards local initiatives and projects in the air quality action plan which will improve air quality targets helping to improve air quality concentrations for existing and proposed sensitive receptors.

- 8.213 An Air Quality Assessment has been submitted which assesses the potential air quality impact of the proposed development and assess potential exposure of future residents to ambient pollution concentrations. In relation to construction activities, the assessment identifies medium risk of dust emissions during earthworks, construction activities and vehicle trackout. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter would be significantly reduced meaning that the residual effects by construction activities on air quality would be negligible. Similarly, the residual effects of emissions to air from construction vehicles and plant on local air quality will not be significant.
- 8.214 The proposed development is suitable for the proposed uses with respect to long-term and short-term air quality conditions, therefore no specific mitigation should be required for the protection of new occupants.
- 8.215 There are measures incorporated into the development design that will benefit local air quality e.g. car free development, promotion of sustainable travel via Travel Plan, provision of cycle parking, electric charging facilities, and new landscaping. The development is not anticipated to have an adverse residual effects on local air quality once operational and future residents are not anticipated to be exposed to poor air quality.
- 8.216 The results of the Air Quality Neutral Assessment show that the development is compliant with the building and transport emissions benchmarks for NOx and particulate matter and therefore the proposed development is air quality neutral.
- 8.217 The Council's Environment Consultant has raised no objection to this aspect of the proposal subject to securing a contribution (£80,600) and the recommendations within the air quality assessment being followed. These can be secured by S.106 and condition.

#### Contamination

- 8.218 Croydon Local Plan policies DM24.1 to DM24.3 relate to land contamination and development proposals located on or near potentially contaminated sites. Such sites need to be subjected to assessments and any issues of contamination discovered should be addressed appropriately through conditions. A suitable condition has been added.

#### Flooding and drainage

- 8.219 The site is located within in a surface water and ground water flood risk area and is also subject to critical drainage flooding and this is a major application a Flood Risk Assessment is required under Local Plan Policy SP6.4 and London Plan Policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage).
- 8.220 A Flood Risk Assessment and Drainage Strategy has been submitted. The report sets out a strategy for managing runoff from the various parts of the site in the form of landscaping, permeable paving, rainwater gardens and an attenuation tank. All surface water from the proposed development will continue to be discharged to a public surface water sewer at a controlled rate using the features described. Thames Water have confirmed that they have no objection to the proposal subject to conditions.
- 8.221 The Lead Local Flood Authority (LLFA) has reviewed the submitted information. They initially required further information which was supplied by the applicant and as such the LLFA have no objection to the proposed drainage strategy. The submitted strategy and overall approach meets with LLFA requirements and demonstrates that appropriate

SuDS measures have been considered and implemented where feasible. Adherence to the strategy shall be secured by condition.

### Noise

- 8.222 The agent of change policy (D13 of the London Plan) puts the responsibility for mitigating impacts from existing noise generating uses (in this case road traffic noise from Wellesley Road) on the proposed noise-sensitive development.
- 8.223 The application is accompanied by a Noise Assessment which indicates that the internal noise conditions for future residents will be acceptable provided that appropriate noise mitigation measures are put in place in the form of appropriately specified façade elements (i.e. insulation, glazing and ventilation). The report outlines appropriate noise level limits for any fixed / mechanical plant and commercial operations that may be introduced as part of the development and that suitable conditions should be incorporated to ensure a commensurate level of protection for both existing receptors and those that would be introduced as part of the scheme. As such it is recommended that compliance with the measures identified in the report and details of any plant and machinery be secured by condition.
- 8.224 As a large-scale development, the construction phase would involve very large-scale operations and construction time is likely to be elongated. As the potential for significant adverse environmental effects during this phase is large, a Construction Environmental Management Plan are to be secured by a condition, to ensure adequate control of noise, dust and pollution from construction and demolition activities, and to minimise highway impacts during the construction phase.
- 8.225 The Environmental Health Officer has reviewed the submitted noise assessment, and raises no objections, stating that the recommendations are appropriate and should be secured by condition.

### Light pollution

- 8.226 External lighting is proposed around the development, but a final scheme has not been developed. Whilst the principle of this is acceptable, light from the proposed illuminations can cause a nuisance to local residents and as such further details indicating proposed light specifications, spread and lux levels is required, these details can be secured by condition.

### Microclimate

- 8.227 Croydon Local Plan Policy SP4.6 states that tall buildings will be required to minimise their environmental impacts. 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 micro-climate conditions on new and existing amenity spaces. In particular, new tall buildings in the Croydon Opportunity Area will need to show how their designs do not have a negative impact on wind (downdrafts and wind tunnelling), aligning with Policy D9 of the London Plan 2021.
- 8.228 The applicant submitted a wind report in support of the application that assesses the impact of the proposal on nearby and surrounding land. As a result of amendments to the scheme, a revised wind report was received during the course of the planning application. This has been independently reviewed by the Council's Independent Wind Consultant, GIA.

- 8.229 The methodology adopted for the study predicts air flow patterns and wind velocities around the proposed development, using wind data from the nearest suitable meteorological station and the recommended comfort and safety standards (the Lawson Criteria). This defines the type of activities for which the wind conditions would be safe and comfortable. To ensure a robust assessment has been carried out a 1:300 scale wind tunnel test was also performed on the original scheme. Further, Computational Fluid Dynamics (CFD) has also been carried out on the revision to the scheme. The methodology has been accepted by GIA.
- 8.230 The results of the baseline comfort and safety assessments show that generally, the site and its immediate surrounding areas are suitable and safe for the intended use. There are several additional mitigation measures in the proposed scheme in terms of canopies, screens and other design features.
- 8.231 These mitigation measures also include a totem on Lansdowne Road. The design detail will be subject to a condition and will tie in with the public art strategy. Whilst the Council's Place Making Team have raised concerns with regards to the location of the totem (being on an important east to west route), officers consider this, on balance, to be appropriate given the tree planting and location away from pedestrian routes. The landscaping in the centre of the site provides shelter for the mixed amenity and seating areas. It will be important that the landscaping and design features are consistent with that which were modelled in the wind study. This is subject to detailed landscaping and wind mitigation conditions and further testing, if required.
- 8.232 The wind safety and comfort assessment results of the proposed balconies and terraces shows that the large majority of receptors would be comfortable and safe during the whole year, however the communal terrace on Building A would experience windier conditions in exceedance of the safety criteria without appropriate mitigation in place including at summer testing. This was tested without hard hardscape features or soft landscape and so there are many solutions through landscape for mitigation, the situation presented was worst case scenario. Mitigation of this area is subject to detailed conditions required to bring the wind conditions within the recommended threshold for safety and comfort.
- 8.233 There are unsuitable wind conditions at the entrance to Building B (for the retail unit on Lansdowne Road) and therefore this requires mitigating. GIA have recommended that the delivery of which should be secured by an appropriately worded planning condition. The applicant has suggested that recessing of the entrance is a simple solution within the current façade when the unit is fitted out. Full details would be subject to a condition.
- 8.234 There is an off-site bench on Lansdowne Road which is made unsuitable for sitting by the inclusion of the proposed development. GIA have stated that they would expect that any proposal of this sort of scale to have a similar impact on these locations. The proposed scheme offers significant additional seating in the public realm when compared to what there is now, and therefore mitigation for this bench is provided on site in the new square.

### **Sustainable Design and construction**

- 8.235 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 residential development over 10 units to achieve the London Plan requirements or National Technical Standards (2015) for energy performance (whichever is higher). In line with the London Plan (2021), new dwellings in major development should be Zero

Carbon with a minimum on-site reduction of at least 35% beyond Building Regulations Part L (2013), with any shortfall to be offset through a financial contribution.

- 8.236 A 70% carbon emission reduction would be achieved through the use of passive and energy efficiency measures compared to part L of the Building Regulations, exceeding the 35% minimum required by the GLA. The proposed development's energy demand has been reduced through the implementation of energy efficiency measures such as high standards of fabric thermal performance, airtight construction, heat recovery systems, low energy lighting and controls and on-site PV renewable technologies. Given the mixed-use nature of the scheme The BREEAM pre-assessment has been completed for the development. The results from the submitted pre- assessment demonstrate that a BREEAM Excellent rating could be achieved. This would be subject to condition.
- 8.237 The remaining regulated CO2 emissions shortfall would be covered by a carbon offset payment £703,526 (which would be secured through the S.106 agreement along with 'Be Seen' clauses).
- 8.238 Sustainable design and construction measures have been designed in where feasible, including measures to address overheating within the homes. An overheating analysis has also been undertaken, with some mitigation measures proposed. These matters are to be secured by condition. In addition to the prevention of overheating, high energy efficiency and fabric performance, the dwellings will also have a water consumption limit of 110 litres/person/day using water efficiency fittings and secured by condition.
- 8.239 A whole-life cycle carbon assessment and circular economy statement has been provided to capture the developments carbon impact, demonstrating how waste will be minimised, and which actions will be taken to reduce life-cycle carbon emissions, in accordance with Policy SI 2 and SI 7 of the London Plan (2021).
- 8.240 The GLA have responded to the application at Stage 1 (and further discussions have taken place since) and explained that the assessments provide results that generally align with the GLA benchmarks, and on that basis, officers are satisfied that the building's whole lifecycle environmental impacts have been considered. The GLA have requested further clarification which the applicant will be asked to provide ahead of the Stage 2 referral; and given that the assessment is a "planning application stage" assessment, a condition is recommended requiring additional detail when the exact building materials and equipment have been specified.
- 8.241 The Council's Sustainable Development and Energy officer has reviewed the application and raised no concerns or objection subject to appropriate conditions and legal obligations.

## **Other Planning Issues**

### Archaeology

- 8.242 The application site is not located within an Archaeological Priority Area however given sites proximity to archaeological finds and/or remains in the wider CMC English Heritage were consulted regarding this application. London Plan Policy H1 and Croydon Local Plan Policy DM18 concerns development proposals on Archaeological Sites. Historic England have reviewed all evidence available to them and stated that having considered the applicant's submitted archaeological desk base assessment report, it is recommended that interest is ongoing but there is limited archaeological potential associated with the site and that can be secured by condition. The development, therefore considered acceptable in this regard, subject to condition.

## Telecommunications and aircraft

- 8.243 London Plan Policy D9 states that tall buildings, including their construction, should not interfere with aviation, navigation, or telecommunication. A Television/Radio Signal Survey and Reception Impact Assessment has been provided. The assessment confirms that the development may cause reception issues for properties / receptors immediately southwest and northwest of the site. However, a S106 legal agreement clause is recommended to ensure that any potential adverse impact is mitigated at the applicants cost.
- 8.244 Tall buildings also have the potential to pose hazards to aircraft, and for this reason aviation bodies within this region have been consulted. None have raised objections, subject to the imposition of conditions and informatives, and the development is therefore considered acceptable in this regard.

## Designing out crime

- 8.245 London Plan (2021) Policy D11 requires development proposals to include measures to design out crime that, in proportion to the risk, deter terrorism and help mitigate its effects. Croydon Local Plan (2018) Policy DM10.8 requires proposals to provide places which are safe for all users.
- 8.246 No objection has been raised by the Designing Out Crime Officer and they do suggest that the scheme incorporate the aims and principles of Secured by Design to reduce opportunities for criminal activity. This is subject to a condition.
- 8.247 It is noted that the inclusion of the through-route is seen as a benefit of the redevelopment of this site, improving pedestrian permeability through to Canterbury House, which is an aim of the OAPF. It will be required that provision of the route be secured via a Section 106 agreement. However, its implementation which will be dependent upon a future redevelopment of Canterbury or agreement with neighbouring landowners. Were the route to be realised in the future, a condition/ the s106 would be appropriately worded to ensure the gate is opened between 7am and 10pm. This is agreed with the designing out crime officer. The development is considered acceptable in this regard.

## Employment and training

- 8.248 As required by SP3.14 of the Croydon Local Plan and E11 of the London Plan, developers will be required to produce a Local Employment and Training Strategy (LETS) for the Construction Phase and/or End-use Phase as appropriate, outlining the approach they will take to delivering employment, training and apprenticeship outcomes and engagement with schools and education providers for the development.
- 8.249 In order to ensure that the benefits of the proposed development (including those required to mitigate the harm caused) reach local residents who may be impacted directly or indirectly by the proposal's impacts, a skills, training and employment strategy (both operational and construction phases) will be secured through the S106 legal agreement. The legal agreement will secure contributions of £645,000 for the construction phase and an operational phase contribution of £35,741.
- 8.250 In addition, at the construction phase, the legal agreement will secure 24 work placements (at London Living Wage) and an apprenticeship in lieu payment of £85,000. Given the construction methods (being modular) in this circumstance, this is acceptable. The legal agreement will also secure apprenticeships at the operational phase and 34%

of the jobs created will be filled by Croydon residents. This has been agreed with the applicant.

## Health

- 8.251 DM16 of the Croydon Local Plan seeks to ensure promotion of healthy communities through the planning system. A Health Impact Assessment (HIA) was submitted to assess and identify the potential positive and negative impacts and likely effects of the proposed development on health and wellbeing in accordance with the National Planning Policy Framework, the London Plan 2021, and the Croydon Local Plan 2018.
- 8.252 The HIA identified that local practices are currently operating above the recommended capacity level of 1 GP to 1,800 patients at a combined ratio of 1 GP to 2,953 patients. Therefore, the addition of a further 1,493 residents from the Proposed Development would increase this ratio to 1 GP to 3,019 patients which is above the recommended ratio. This works on the assumption that all residents are new to the area. Notwithstanding, the facilities are still accepting new patients which indicates that there is a degree of capacity available to meet new resident needs. The NHS has assessed the HIA and scheme as a whole and identified that a contribution of £130,000 would be required in this case to reconfigure and upgrade existing facilities to provide capacity to meet the increased demand. This is secured through the legal agreement.
- 8.253 The scheme provides a mixed use scheme, with co working office space, retail and a mix of private and affordable housing accommodation of 1, 2 and 3 bedrooms. All dwellings have level access and 10% are wheelchair adaptable. The development is suitable for a wide range of occupants including older people, those with reduced mobility and families with young children. The proposal provides a good quality of accommodation for future occupiers. It provides external and internal communal facilities for future residents (children's play space, hard and soft landscaping, a gym, resident's lounge, cycle storage).
- 8.254 The development will improve and enhance the existing landscape by creating green amenity spaces, children's play space, public realm and routes through the site, additional soft landscaping and biodiversity enhancements.
- 8.255 The development is energy efficient and incorporates renewable energy. The Energy Strategy has been structured in accordance with the GLA's energy hierarchy. Whilst the site is located in area with poor air quality, submitted information shows how the scheme will incorporate measures to ensure that the development has negligible impact on air quality. The development is car free with the exception of 5 blue badge parking spaces. The proposal prioritises walking and cycling and the site is centrally located in easy access to public transport and amenities. Best practice will be adhered to during construction to ensure noise and emissions during the construction phase are minimised as far as possible.
- 8.256 Taking all of the above into account, it is considered that the proposed development will contribute towards positive health outcomes within the population with the provision of new homes and co working office space, supported by improved public realm and residential amenity spaces.
- 8.257 Planning obligations and conditions are recommended to secure measures to avoid any potential for unacceptable health impacts, for example implementation of appropriate air quality mitigation measures during construction and the contribution to reconfigure and upgrade existing facilities to provide capacity to meet the increased demand on the healthcare system in the area. The development is also liable for the Mayoral Community Infrastructure Levy (CIL) payment to ensure that development



contributes to meeting the need for physical and social infrastructure, including educational and healthcare facilities.

### Environmental Impact Assessment

8.258 An EIA Screening Opinion (22/05177/ENV) was issued prior to the submission of the planning application. The development was not considered to require an EIA, taking account of its location, nature, scale and characteristics.

### **Conclusions**

8.259 The amended scheme before you for consideration has been born out of multiple meetings and negotiations with the applicant team following on from advice from key stakeholders, including PRP and Planning Committee.

8.260 The proposed development would introduce a significant amount of new housing, including affordable residential units, and in an area appropriate for a tall building. The proposed development would be well designed, provide active frontages delivering significant improvements to the public realm, regenerating a vacant and brownfield site within the Croydon Metropolitan Centre. Overall, there would be a good standard of accommodation for new residents. Wind conditions would be safeguarded with mitigation, to be secured by condition. With conditions and mitigation, the proposal would be sustainable and acceptable in terms of its impact on the highway network. Residual planning impacts would be adequately mitigated by the recommended s.106 obligations and planning conditions. Employment and training opportunities would be secured for residents of the Borough through the S.106 legal agreement.

8.261 There would be harm to the amenities of some surrounding occupiers, particularly in relation to daylight and sunlight impacts and some of the units for the scheme for daylight and sunlight does not meet all BRE criteria. In certain units this is to a significant degree. This weighs against the scheme. There would also be some harm (less than substantial) to designated heritage assets as a result of the overall height of the Towers at 50 and 31 storeys, but that harm is considered acceptable given the substantial public benefits being delivered by the scheme.

8.262 The public benefits of the scheme include:

- Regeneration of a derelict brownfield site in the OAPF and a site allocation
- Provision of 806 new homes (including 15% affordable, 11.4% three-bedroom family and 10.6% wheelchair accessible homes)
- Provision of co-working office space
- High quality design with active frontages and public art
- Public realm improvements (including pocket park, highway works and street tree planting) and delivering on the pedestrian north/south connection in the OAPF
- Contribution towards wider transport network improvements (particularly pedestrian and cyclist)
- Employment benefits from construction and operational phases

8.263 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in

planning terms and in general conformity with the Development Plan, subject to the detailed recommendation set out in section 2 (RECOMMENDATION).

## APPENDIX 1: Drawing numbers

### Existing

GRS-LAN_HTA-A_DR_0001	Existing Location Plan	PL3
GRS-LAN_HTA-A_DR_0002	Existing Site Plan - Basement	PL3
GRS-LAN_HTA-A_DR_0003	Existing Site Plan	PL3
GRS-LAN_HTA-A_DR_0010	Existing Lansdowne Road Elevation	PL3
GRS-LAN_HTA-A_DR_0011	Existing Wellesley Road Elevation	PL3
GRS-LAN_HTA-A_DR_0020	Existing Site Section: North-West	PL3
GRS-LAN_HTA-A_DR_0021	Existing Site Section: South-East (A)	PL3
GRS-LAN_HTA-A_DR_0022	1:500 A1 Existing Site Section: South-East (B)	PL3

### Proposed Site

GRS-LAN_HTA-A_DR_0100	Proposed Location Plan	PL3
GRS-LAN_HTA-A_DR_0101	Proposed Site Plan	PL3
GRS-LAN_HTA-A_DR_0110	Proposed Lansdowne Road Elevation	PL3
GRS-LAN_HTA-A_DR_0111	Proposed Wellesley Road Elevation	PL3
GRS-LAN_HTA-A_DR_0120	Proposed Site Section: North-West	PL3
GRS-LAN_HTA-A_DR_0121	Proposed Site Section: South-East (A)	PL3
GRS-LAN_HTA-A_DR_0122	Proposed Site Section: South-East (B)	PL3
GRS-LAN_HTA-A_DR_0200	Proposed Plan - Basement	PL3
GRS-LAN_HTA-A_DR_0201	Proposed Plan - Level 00	PL3
GRS-LAN_HTA-A_DR_0202	Proposed Plan - Level 01	PL3
GRS-LAN_HTA-A_DR_0203	Proposed Plan - Level 02	PL3
GRS-LAN_HTA-A_DR_0204	Proposed Plan - Level 03	PL3
GRS-LAN_HTA-A_DR_0205	Proposed Plan - Typical Residential Levels - Lower (No Balcony)	PL3
GRS-LAN_HTA-A_DR_0206	Proposed Plan - Typical Residential Levels - Lower (Balcony)	PL3
GRS-LAN_HTA-A_DR_0227	Proposed Plan - Typical Residential Levels - Middle (No Balcony)	PL3
GRS-LAN_HTA-A_DR_0228	Proposed Plan - Typical Residential Levels - Middle (Balcony Variation 1)	PL3
GRS-LAN_HTA-A_DR_0230	Proposed Plan - Typical Residential Levels - Middle (Balcony Variation 2)	PL3
GRS-LAN_HTA-A_DR_0231	Proposed Plan - Building B Amenity Level	PL3
GRS-LAN_HTA-A_DR_0232	Proposed Plan - Building B Roof Plant	PL3
GRS-LAN_HTA-A_DR_0240	Proposed Plan - Typical Residential Levels - Crown (Balcony)	PL3
GRS-LAN_HTA-A_DR_0241	Proposed Plan - Typical Residential Levels - Crown (No Balcony)	PL3
GRS-LAN_HTA-A_DR_0250	Proposed Plan - Building A Amenity Level	PL3
GRS-LAN_HTA-A_DR_0251	Proposed Plan - Building A Roof Plant	PL3
GRS-LAN_HTA-A_DR_0252	Proposed Plan - Roof Level	PL3
GRS-LAN_HTA-A_DR_0260	Proposed Ground Elevation - Building A North	PL3
GRS-LAN_HTA-A_DR_0261	Proposed Ground Elevation - Building A East	PL3
GRS-LAN_HTA-A_DR_0262	Proposed Ground Elevation - Building A South	PL3
GRS-LAN_HTA-A_DR_0263	Proposed Ground Elevation - Building A West	PL3
GRS-LAN_HTA-A_DR_0264	Proposed Ground Elevation - Building B North	PL3
GRS-LAN_HTA-A_DR_0265	Proposed Ground Elevation - Building B East	PL3
GRS-LAN_HTA-A_DR_0266	Proposed Ground Elevation - Building B South	PL3

GRS-LAN_HTA-A_DR_0267	Proposed Ground Elevation - Building B West	PL3
GRS-LAN_HTA-A_DR_0270	Proposed Section AA	PL3
GRS-LAN_HTA-A_DR_0271	Proposed Section BB	PL3
GRS-LAN_HTA-A_DR_0272	Proposed Section CC	PL3
GRS-LAN_HTA-A_DR_0273	Proposed Section DD	PL3
GRS-LAN_HTA-A_DR_0280	Proposed North Elevation	PL3
GRS-LAN_HTA-A_DR_0281	Proposed South Elevation	PL3
GRS-LAN_HTA-A_DR_0282	Proposed East Elevation - Building A	PL3
GRS-LAN_HTA-A_DR_0283	Proposed East Elevation - Building B	PL3
GRS-LAN_HTA-A_DR_0284	Proposed West Elevation - Building A	PL3
GRS-LAN_HTA-A_DR_0285	Proposed West Elevation - Building B	PL3
GRS-LAN_HTA-A_DR_0286	Proposed Street Elevation - West	PL3
GRS-LAN_HTA-A_DR_0287	Proposed Street Elevation - South	PL3
GRS-LAN_HTA-A_DR_0288	Proposed Street Elevation - North	PL3
GRS-LAN_HTA-A_DR_0290	Proposed Bay Study 01	PL3
GRS-LAN_HTA-A_DR_0291	Proposed Bay Study 02	PL3
GRS-LAN_HTA-A_DR_0292	Proposed Bay Study 03	PL3
GRS-LAN_HTA-A_DR_0293	Proposed Bay Study 04	PL3
GRS-LAN_HTA-A_DR_0294	Proposed Bay Study 05	PL3
GRS-LAN_HTA-A_DR_0295	Proposed Bay Study 06	PL3
GRS-LAN_HTA-A_DR_0300	Unit Plan - 1B1P T1	PL3
GRS-LAN_HTA-A_DR_0310	Unit Plan - 1B2P T1	PL3
GRS-LAN_HTA-A_DR_0311	Unit Plan - 1B2P T2	PL3
GRS-LAN_HTA-A_DR_0312	Unit Plan - 1B2P T3_AC	PL3
GRS-LAN_HTA-A_DR_0320	Unit Plan - 2B4P T1	PL3
GRS-LAN_HTA-A_DR_0321	Unit Plan - 2B3P T1_AC	PL3
GRS-LAN_HTA-A_DR_0330	Unit Plan - 3B5P T1	PL3
GRS-LAN_HTA-A_DR_0600	Typical Bay Detail Building A - South Façade	PL3
GRS-LAN_HTA-A_DR_0620	Typical Bay Detail Building B - West Façade	PL3
GRS-LAN_HTA-L_DR_0900	Landscape Illustrative Masterplan	PL3
GRS-LAN_HTA-L_DR_0901	Landscape General Arrangement	PL4
GRS-LAN_HTA-L_DR_0951	Site sections 1 of 5	PL3
GRS-LAN_HTA-L_DR_0952	Site sections 2 of 5	PL3
GRS-LAN_HTA-L_DR_0953	Site sections 3 of 5	PL3
GRS-LAN_HTA-L_DR_0954	Site sections 4 of 5	PL3
GRS-LAN_HTA-L_DR_0955	Site sections 5 of 5	PL3

### **GRS-LAN\_HTA-A\_SC\_0810 Schedule of Accommodation PL3**

## **APPENDIX 2: BRE 2022 Guidance**

### 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 “NSL test” (no sky line).

### Sunlight to existing buildings

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

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

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

### Daylight to new buildings

The vertical sky component (see above) may be used to calculate daylight into new buildings.

For daylight provision in buildings, BS EN 17037 provides two methodologies. One is based on target illuminances from daylight to be achieved over specified fractions of the reference plane for at least half of the daylight hours in a typical year. One of the methodologies that can be used to interrogate this data is Spatial Daylight Autonomy (sDA).

The Spatial Daylight Autonomy (sDA) seeks to establish how often each point of a room's task area sees illuminance levels at or above a specific threshold. BS EN 17037 sets out minimum illuminance levels (300lx) that should be exceeded over 50% of the space for more than half of the daylight hours in the year. The National Annex suggest targets comparable with the previous recommendations for Average Daylight Factor (ADF). The targets considered relevant for this application are:

- 100 lux for bedrooms
- 150 lux for living rooms
- 200 lux for living/kitchen/diners, kitchens, and studios.

Paragraph C17 of the BRE states that *“Where a room has a shared use, the highest target should apply. For example in a bed sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day. Local authorities could use discretion here. For example, the target for a living room could be used for a combined living/dining/kitchen area if the kitchens are not treated as habitable spaces, as it may avoid small separate kitchens in a design”*.

### Sunlight to new buildings

The BRE guidelines state that in general, a dwelling or non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit provided that:

- At least one main window faces within 90 degrees of due south, and
- a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March. This is assessed at the inside centre of the window(s); sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.

## 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.