

PART 6: Development Presentations

Item 6.1

1 DETAILS OF THE DEVELOPMENT

Ref: 16/05511/PRE
 Location: Land Adj To East Croydon Train Station, And Land At Cherry Orchard Road, Cherry Orchard Gardens, Billington Hill, Croydon
 Ward: Addiscombe
 Description: Erection of two 25 storey towers providing 168 residential units in each building on the Morello 2 site and a residential building (3-9 storeys) to provide 100 residential units on the Cherry Orchard Gardens site. Public realm area works
 Drawing Nos: Morello II document dated 9 March 2017
 Applicant: Menta Redrow (II) Ltd
 Agent: GL Hearn
 Case Officer: Mr White

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	0	0
Flats	175	218	43	0
Totals	175	218	43	0
Affordable Rented	0%			
Shared ownership	15% shared ownership pepper-potted with the Cherry Orchard Gardens site			

2 BACKGROUND

- 2.1 This proposed development is being reported to Planning Committee to enable Members to view it at an early stage and to comment accordingly. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 2.2 This is the first presentation to the Planning Committee.

3 PROPOSAL AND LOCATION DETAILS**Proposal**

- 3.1 The proposal is currently for the construction of a mixed use development comprising:
- Morello II site
- Two 25 storey towers;
 - High ceiling ground floor of retail, amenity entrances, front doors and servicing.
 - High ceiling first floor amenity hub
 - 23 storeys above comprising 168 units in each building.
 - 10% of units accessible.

- Two outdoor amenity areas, a public area between the towers and a 'family garden' to the north;
- There would be a ground level 'link' between the towers for servicing requirements (The applicants have stated that it is their intention that this be screened by the bridge steps and it is necessary that this be demonstrated as part of the development of the scheme);
- Underground parking and servicing to be provided via the link basement approval under LBC Ref 13/04413/P.

Cherry Orchard Gardens site

- One residential block over 3, 6 and 9 storeys comprising 100 residential units;
- 10% of unis accessible;
- Ground level outdoor areas to the side/rear comprising private and communal amenity space, narrow public space and parking.

Current Affordable Housing offer

- The provision of 15% affordable housing (shared ownership tenure) all based in the Cherry Orchard Gardens site.
- The above offer takes into account suggested Station Bridge and Network Rail related abnormal costs listed below and is also based on the Council foregoing a review mechanism.

Suggested Station facing abnormal costs

- Permanent staircase and lift enclosure within the red line boundary of the site;
- Public realm works up to the station stairs of a specification fit for a station entrance.
- A payment to the Council to provide the cost of a temporary link between the top of the stairs and the Network Rail bridge;
- Construction and fit out of a shared amenity space;
- Link basement;

Key changes from previous consents (subsequently commenced and extant)

- Site area - The previous planning permission included land owned by the applicant and Network Rail whereas the current proposal does not include Network Rail land. The Porter and Sorter land does not form part of these emerging proposals.

Morello II site

- The 54 storey residential tower has been reduced to 25 storeys
- The 16 storey hotel would be replaced with a predominantly 25 storey residential building.
- Single level basement beneath the towers would be removed. Use of a basement to the north of the site introduced.
- As part of the previous consent, a direct link to the pedestrian bridge over the railway was included. The bridge as built does not extend to the boundary of the land owned by the applicant. Hence, in order to complete the link at the appropriate level, the previous planning permission included development on Network Rail land. Publically accessible terraces were included (above Network Rail structures) which

were intended to connect to the bridge-link. A 'grand staircase' was included to connect the public realm to this terrace link.

- At present the proposal includes a staircase within the application site and the offer of a commuted sum for the construction of the remaining link to the bridge.
- The previous planning permission also indicated a terrace on the southernmost tower, to facilitate a future pedestrian links to Billinton Hill (as part of future improvements to and in the vicinity of East Croydon Station). Prior to Billinton Hill works being undertaken, the approved scheme proposed a temporary solution to deal with differences in levels, which included a lift and stair access to be provided for public use towards the southwest corner of the approved hotel.

Cherry Orchard Gardens site

- Retail and community uses removed from the Cherry Orchard Gardens site, building height reduced from the approved 4/10 storeys to 3/6/9 storeys.
- Public open space (320m²) on the corner of Cherry Orchard Road and Oval Road reduced.
- Decking level to the rear removed.
- Town houses on Oval Road removed.
- Affordable housing percentage increased from 10% to 15%. Tenure changed from 50/50 (affordable rent/shared ownership) to 100% shared ownership. As with the implemented consent, all affordable housing to be located on the Cherry Orchard Gardens site.

Density

Scheme	Number of habitable rooms per hectare	Number of dwellings per hectare
Previous consent	1489	616
Proposal	1610	597

Site and Surroundings

- 3.2 The application comprises 2 irregular shaped areas of land on opposing sides of Cherry Orchard Road.
- 3.3 The area located on the western side of Cherry Orchard Road and referred to as Morello 2 (0.42 hectares), consists of a cleared site that was formally occupied by a 7 storey 1970's long term vacant office building (Amy Johnson House). Part of the site is currently occupied by a temporary marketing suite associated with the neighbouring Galaxy House development.
- 3.4 To the south of this is the 2 storey Porter and Sorter Public House (not included within the application site) and Billinton Hill. Beyond this is a 6/7 storey 1960's Royal Mail Sorting Office, Addiscombe Road (NLA Tower roundabout), a 24 storey office building and a bus station. Billinton Hill provides access to the Royal Mail Sorting Office, a taxi rank and a drop off point to East Croydon Railway Station. East Croydon Railway Station is a large single storey modern glass and steel structure located to the

southwest of the application site on the opposite side of Billinton Hill. In front of it is a tram-stop. To the west the site is Network Rail land, including a bridge link which is been in place for approximately 2-3 years, with the eastern end closed off – facing onto the application site.

- 3.5 Further to the west of the station and Network Rail land is Ruskin Square, where development has commenced and is progressing at a pace pursuant to previous outline planning permissions and subsequent reserved matters. To the north-west, on the opposite side of the of the railway land are commercial and residential uses in Lansdowne Road.
- 3.6 To the north of this part of the site and opposite the second application area is the substantially completed Galaxy House development which comprises residential apartments – undertaken by the developers engaging in the current pre application process.
- 3.7 To the east are three 1960's office buildings. Beyond these are residential areas characterised by two storey late Victorian terraced houses.
- 3.8 The second element of this pre application process involves the triangular-shaped site to the north-east of Morello 2, situated on the eastern side of Cherry Orchard Road (0.31 hectares). It has a secondary frontage onto Oval Road. The site has been cleared but was formally occupied by three 4 storey Edwardian residential buildings. To the north-east of this area are a variety of buildings used for food processing. To the south and east are mainly 2 storey Victorian terraced houses beyond which is Oval Primary School. On the corner of Oval Road and Cherry Orchard Road is a small area of public space containing mature trees.
- 3.9 The area to the east of the application site is a Controlled Parking Zone. The public highway within the vicinity of the application is subject to single and double yellow line parking restrictions. There are taxi bays in Cherry Orchard Road which is a London Distributor Road. The NLA Tower within close proximity is Locally Listed.

3.10 Designations

Morello 2

Within the Opportunity Area (Central Croydon is designated as an Opportunity Area in the London Plan)

Within the Croydon Metropolitan Area

Within the area covered by the East Croydon Masterplan 2011.

Cherry Orchard Gardens

Within the Opportunity Area (Central Croydon is designated as an Opportunity Area in the London Plan)

Within the area covered by the East Croydon Masterplan 2011.

Planning History

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

Morello Site

10/03466/DT – Request for screening and scoping opinion for the erection of a mixed use development comprising residential, hotel, office, retail, community uses and associated car parking.

Environmental Impact Assessment required and scoping approved. November 2010.

11/00981/P - Demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm Highway works, formation of vehicular accesses and new car and cycle parking.

Permission Granted November 2011.

13/04410/P - Demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm Highway works, formation of vehicular accesses and new car and cycle parking. (without compliance with condition 31 - to allow amendments to approved ground floor and basement access - attached to planning permission 11/00981/P).

Permission Granted July 2014. Implemented.

This application was made under S.73 of the Town and Country Planning Act 1990, to vary condition 31 of approved application 11/00981/P. The application sought consent to carry out minor material amendments to the planning permission approved under 11/00981/P by omitting three floors of basement and taking access from the adjacent basement approved under planning permission LBC Ref 13/04413/P (see below). The proposal resulted in a reduction of 65 parking bays – with an overall 100 bay car parking provision (3 blue badge) within the Plot A/B site, as opposed to the consented 165. However, when the Morello development is able to access parking spaces within the Morello Link Basement (approved under LBC Ref 13/04413/P) it is proposed that the Morello 2 site would have access to 150 spaces (an overall reduction of 15 from that originally approved). The application was supported by a viability assessment which set out what impact the alternative basement arrangement would have on scheme viability.

14/00696/DT - Non material amendment to reword conditions to allow commencement prior to discharging some conditions.

Approved 20 March 2014

14/00479/RES - Discharge of condition 12 (abstraction source protection).

Approved - part discharged March 2014

14/03657/LE - Lawful commencement of development approved under application reference 13/04410/P for the demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings

comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm Highway works, formation of vehicular accesses and new car and cycle parking. (without compliance with condition 31 - to allow amendments to approved ground floor and basement access - attached to planning permission 11/00981/P).
Certificate of Lawfulness Granted in September 2014.

16/04233/FUL – Temporary planning permission granted for the erection of a single storey pavilion for temporary use as a sales and marketing suite with associated parking, landscaping for a temporary period – **Planning permission granted 22/12/16**

Galaxy House site

13/01399/DT Application for an environmental screening opinion for the redevelopment of the site for approximately 290 flats in four buildings.
EIA not required.

13/02294/P - Demolition of existing building and erection of two buildings of 4 - 19 stories to provide 290 flats and basement parking.
Permission Granted. October 2013. Not implemented.

14/03092/P Erection of two buildings ranging from 9 to 19 storeys comprising 290 flats (1-3 bedroom); formation of access from Cherry Orchard Road and provision of associated parking and landscaping (without compliance with conditions 3 - details of rear elevation materials & 29 - development to be in accordance with approved drawings- attached to planning permission 13/02294/P also the provision of additional 7 flats).
Permission Granted July 2014. Under construction – and substantially completed.

13/04413/P - Construction of link basement. The basement would provide 50 parking spaces (2 blue badge) and servicing facilities. The proposal would link the consented Galaxy House basement to the Morello site, allowing access to the basement level to be taken. The parking proposed is solely for residents of the Morello scheme.
Permission Granted. July 2014. Implemented.

East Croydon Railway Station

10/03845/P Erection of a pedestrian bridge over the railway immediately to the west of the application site. The bridge is designed to function both as a pedestrian link between east Croydon and central Croydon and as a direct access to the platforms at East Croydon Railway Station.
Permission Granted in March 2011. Implemented.

Pre-application – Place Review Panel Engagement

The pre-application scheme, albeit a slightly earlier version, has recently been considered by Croydon's Place Review Panel. The main points are summarised as follows;

- It is accepted that a significant quantum and scale of development would be acceptable for both the part of the site located to the west of Cherry Orchard Road and the part of the site located to the east of Cherry Orchard Road (as per the adopted East Croydon Masterplan and as has been permitted in a consented scheme for the site).
- It is considered that the scale and bulk of some elements of the scheme as currently proposed – particularly the bulk and height of the element on the east of Cherry Orchard Road and the bulk (not necessarily the height) of the proposed towers - is too large and could have a negative and unduly imposing visual impact.
- The Panel were clear that this scheme must deliver the critical link to the station bridge and were surprised that this did not form part of the scheme presented.
- Further work is required to provide high quality, well defined public realm lined with active uses, high quality residential amenity space and a high standard of residential accommodation.
- The scheme is clearly still at an early stage of design development and is yet to develop a strong design narrative. Several sketch drawings had been included in the presentation which were not particularly clear, meaning it was sometimes difficult for the Panel to ascertain exactly what was being proposed and there was some inconsistency between the drawings.

Whilst the drawings have moved on slightly as part of the discussions however further work is required to address the points and the comments raised are feeding in to the pre-application discussions.

4 RELEVANT PLANNING POLICIES AND GUIDANCE

- 4.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.
- 4.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:
 - Promoting sustainable transport;
 - Delivering a wide choice of high quality homes;
 - Requiring good design.

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

4.4 Consolidated London Plan 2015 (LP):

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

Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable Development

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

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

- UD1 High Quality and Sustainable Design
- UD2 Layout and siting of new development
- UD3 Scale and Design of new buildings
- UD6 Safety and Security and New Development
- UD7 New Development and Access for All
- UD8 Protecting residential amenity
- UD13 Parking Design and Layout
- UD14 Landscaping
- UD15 Refuse and Recycling Storage
- UD16 Public Art
- NC4 Woodland, Trees and Hedgerows
- EP1 - EP3 Pollution
- EP5 - EP7 Water - Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- H3 Housing Sites
- H4 Dwelling mix on large sites

Supplementary Planning Guidance

- London Housing SPG March 2016
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Sustainable Design and Construction SPG

- Draft SPG - Affordable Housing & Viability (November 2016)
- Croydon Opportunity Area Planning Framework (adopted by the Mayor and Croydon)
- East Croydon Masterplan
- SPG Note 3 – Designing for Community Safety
- SPG Note 10 – Designing for Accessibility
- SPG Note 12 – Landscape Design
- SPG Note 15 – Renewable Energy
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

4.5 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

5 MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning issues raised by the development that the committee should be aware of are:

1. Principle of the proposed development
2. Townscape and Design
3. Acceptability of Proposed Housing typology and Living Conditions for Future Occupiers
4. The impact on adjacent occupiers
5. The acceptability of the living conditions provided for future occupiers
6. The impact on highway and parking conditions in the locality
7. The environmental impact and sustainability of the development
8. Other planning matters

Principle of the proposed development

5.2 The site has an extant consent (LBC Ref 13/04410/P) and is an allocated site within the Croydon Local Plan: Detailed Policies and Proposals (Policy DM40.5 / site 138) for a mixed use development comprising residential, offices, restaurant/café, hotel and community facilities. The principle of the proposed mixed use land use, including residential, is therefore acceptable.

5.3 At the present time, it is not clear what the ground floor retail might comprise. The site is outside of the Primary Shopping Area and should the commercial floorspace be proposed for and occupied by A1 uses, the applicant would need to submit and satisfy a sequential assessment to justify such a provision. Should the provision be A3 (food and drink uses, such provision would be and in accordance with the development plan as a main town centre use within a town centre. The first floor 'amenity hub' does not appear to have any retail uses shown within this area and therefore this fluid open commercial/amenity space would be acceptable in principle as a suitable town centre use in this location.

- 5.4 The ground floor uses would need to deliver interesting and active street frontages, which is considered essential to the overall attractiveness and success of the development, particularly uses fronting onto areas of public realm. Subject to a satisfactory sequential assessment, this could include a reasonable proportion of supporting retail uses. All other town centre uses are acceptable in this location without the need for a sequential test.

Townscape and Design

- 5.5 The relevant policies and the Masterplan 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 station, nearby towers and the extent consent, there is an expectation for tall buildings to come forward. However, each should be judged on its own merits and be subject to detailed visual and environmental impact assessment, good design quality and other planning considerations.
- 5.6 The Masterplan has been structured to allow a series of interventions or components to interlock and deliver stepped change. It demonstrates an understanding of the development economics and development cycles. Each component in the Masterplan could be delivered independently or collectively. Either way, the components can be assembled and delivered as and when the key players have secured funding and market demand exists to build.
- 5.7 The following objectives of the Masterplan are relevant to the current proposals:
1. The delivery of a direct east-west connection from Wellesley Road across the railway to Cherry Orchard Road.
 2. The delivery of two landmark tall buildings on the western side of Cherry Orchard Road. The buildings should signify the importance of the new entrance to East Croydon Station and connection to CMC.
 3. The transformation of Cherry Orchard “Road” to a civil “street” that can be enjoyed by pedestrians and cyclists as well as cars. With greenery through for example Cherry Trees on Cherry Orchard Road within the zones released by reducing carriageway widths in line with Manual for Streets.
 4. The relocation of the existing taxi drop off and ‘Kiss & Ride’.
 5. Additional tree planting (subject to utilities and the tramway OHL)

Connectivity

- 5.8 One of the fundamental objectives for any development of this site is making a connection to the East Croydon station bridge (via steps and a lift) in accordance with the adopted East Croydon Masterplan. There is an absolute requirement that the scheme delivers a physical link (steps and lift) (component EC9 of the masterplan) to connect to the eastern end of the East Croydon Railway Station bridge, to open the 24 hour footbridge and a new gate line to the station.
- 5.9 Although omitted on initial pre-application iterations, the development now proposes a bridge link which is to be broadly welcomed. However, the details of the link and its intended delivery as part of this development is somewhat conceptual at present and the details and intended delivery need to be further developed (working alongside other developer partners – including Network Rail). The various mechanisms by which officers can be made confident that the link will be delivered need to be resolved by

the developer and progressed as part of this proposed development. At present, the applicant is proposing to deliver the steps and lift within their site but without progressing the bridging link across Network Rail land to connect to the existing bridge itself. The applicant has proposed a financial contribution, payable to the Council, so that the link can be delivered at a later date which might well leave the intended link to the station bridge re-resolved for the foreseeable future. There does therefore remain a degree of uncertainty as to how the actual physical connection to the existing bridge and associated opening of the public footbridge/new station gate-line will be delivered. Officers are of the view that the physical delivery of the bridge link (whether it be temporary or permanent) needs to be delivered as part of the redevelopment of Morello 2. Notwithstanding this, the new connection will need to be mindful of possible future scenarios associated with any future East Croydon Railway Station development.

Morello II

Scale Height Massing

- 5.10 The consented scheme and adopted East Croydon Masterplan establishes the principle for tall buildings on this site. However there are concerns regarding the proposed bulk and mass of the towers and their lack of slenderness. This is a function of having 8 flats per floor at 25 storeys.
- 5.11 The concern has been that in some views, the towers will read as slab-like and in addition, will coalesce to create a potential wall of development. Of particular concern are the views along Cherry Orchard Road from The Glamorgan and from the main concourse at Billinton Hill.
- 5.12 Officers support the concept of two buildings of similar height, but are concerned about the buildings looking too similar – further affecting the extent of coalescence. To aid progression in relation to the former, it will be important to test completely varied (but complementary) options in terms of the two towers, including the development of a completely different architectural/façade treatment for each tower. This could be a way to develop more distinct characters for the two buildings as well as mitigate against the appearance of a ‘wall of development’. Making the towers taller or/and filling their footprints at lower levels and then becoming more narrow toward the top, would be acceptable to aid slenderness.
- 5.13 Notwithstanding the above, there is a preference to see fewer units per core on towers of this height above the established plinth height/shoulder-height of surrounding context buildings, to increase building slenderness, views of sky between towers, to reduce their overshadowing impact and to limit the extent of tower coalescence. It would be beneficial to test increasing heights slightly to reduce the number of units per core and improve slenderness and bulk.

Layout

- 5.14 The broad principle of two blocks with a public space and relationship to the station bridge between them is supported and follows on from components EC9, EC17 and EC18 of the Masterplan. Space is also shown for the physical connection (lift and steps – component EC9) to the station bridge. Discussions are yet to be held with Network Rail, but will be imperative to the successful integration and deliver of this via this scheme.

- 5.15 Whilst the principle of the two towers being similar in layout and design is not necessarily objectionable, early design had the same footprint and design with one tower rotated through 90 degrees. Concerns were expressed in relation to its simplistic appearance and that the towers needed to better relate to the surrounding townscape (when the form is extruded) public realm and future station deck level. The current iteration has two identical footprints, mirrored to form similar towers. The mirroring does allow for the tallest elements of each building to be furthest apart which helps with the visual appearance. Whilst the layout does allow for visible separation between the buildings in some views there are other views where a wall of development occurs. Further design work is required so that the complete townscape impacts of this layout can be judged. Officers have requested dynamic views to test the impacts. Nonetheless the proposal that has exactly parallel towers does help to create a strong 'gateway' development. As identified above the issue of slenderness and bulk has still not been addressed and these concerns should be tackled in tandem.
- 5.16 The layout of the towers should be designed cognisant of the potential future station development to the west. On this basis the footprint of the southern tower should be extended to meet the western boundary with Network Rail land – as per the consented scheme and guidelines for component EC18 so that a future station deck could meet the building; this edge will need to be designed to positively address the station-side in existing and potential future arrangements.
- 5.17 The southern tower should be positioned so as to enable sufficient widening of Billinton Hill for future two-way working (including ensuring that the building is sufficiently set away from the corner to enable vehicular movements and good visibility) and to provide a sufficient footway on the northern side of Billinton Hill.
- 5.18 The scheme has developed at the lower level to include a flexible triple height space with 'community' and commercial /retail/ hospitality/flexible workspace uses in these spaces. Whilst this is supported in principle, the concept of 'green' interior/semi-exterior spaces, detailed design and final programme will need to be developed further.
- 5.19 Whilst the space between the southern-most Galaxy House block and the northern proposed tower is proposed to be set aside as a 'family garden', the area is also proposed to contain a vehicular access and standalone structures. Further clarification in relation to this is required, bearing in mind that this area should positively contribute to the public realm.

Appearance

- 5.20 Whilst it is too early to comment on architectural expression, it is clear that the highest standard of design on these prominent sites is expected. During recent discussions the subject of bolt on balconies on the two tower façades looking onto the new public square was raised. Officers stated a strong preference for integrated balconies which are a more usable private amenity space, particularly at height. There was discussion about the possible merit of the bolt on balconies breaking up a monotonous façade and provide more interior space. However, much design development and testing is required to ensure these are actually usable spaces of the highest design and material quality. There is also a concern about the need for a lot of other required components e.g. wind shielding, rain cover etc. and the possible cumulative impact on the façade.

Cherry Orchard Gardens

Scale Height Massing

- 5.21 Although the site is technically outside the tall buildings area, officers are broadly comfortable with the proposed heights indicated (3, 6 and 9 storeys). It is expected that the scheme will be thoroughly tested to assess the impact, particularly given the relationship with the smaller scale residential character of Oval Road and Addiscombe beyond more generally.
- 5.22 At this stage only a 3D sketch, ground floor/site layout plan and description have been provided. Officers have therefore been unable to fully assess the impacts on the local townscape.

Layout

- 5.23 Initial proposals indicated a layout that was not well related to the street and would have created a number of 'in-between' spaces in view of the awkward stepped building line. The proposals now show a single curved block that steps up in height from 3 storeys on either edge, through 6 storeys to 9 in the middle. Whilst this is supported in principle, no material/verified views have been presented to allow officers to assess the effects of the massing and bulk on the neighbouring townscape and residential amenities.
- 5.24 The proposed ground floor is shown as flatted accommodation. The preference would be for duplex units, so that private outdoor spaces could be provided (first floor level). Regardless of the housing type, all units should have front doors to the street and with bedrooms and living rooms to the rear and bathrooms and kitchens to the street frontage. Alternatively an area of defensible space could be introduced to the front which would be especially needed in the event of flats on the ground floor. Large, street-facing lobbies for the residential floors above would be welcomed on the Cherry Orchard Road frontage along with shared internal amenity spaces and potentially other uses (community uses for instance as recommended in East Croydon Masterplan component EC19) to help create an active and open character at the base of the building
- 5.25 Overall officers welcome the prospect of setting the main bulk of development away from the smaller scale properties on Oval Road.
- 5.26 It is also positive that there is no built form proposed along Oval Road (compared to the extant scheme), creating a welcomed break in built form. In addition, the previous raised amenity deck has been replaced with amenity space at ground floor level. Whilst this introduces a simplified design solution, this ground level space might be worked too hard to the detriment of the scheme as a whole (being set aside for private/communal amenity space and parking). This space should primarily be used to provide green space, amenity space, play space and any other functions very sensitively integrated following a 'landscape first' principle.
- 5.27 As part of the implemented permission, a pocket park was included at the corner of Oval Road to offset the loss of the existing trees. Whilst the scheme is now proposing a narrow publicly accessible garden, this does not appear to be particularly useable and needs to be developed further to ensure that it is inviting and positive place for the local community (rather than a left over space).

Acceptability of Proposed Housing typology and Living Conditions for Future Occupiers

- 5.28 The Council seeks to secure the provision of family housing and has an aspiration for 20% of all new homes within the Croydon Opportunity Area to have three or more bedrooms. This site is located within the 'New Town and East Croydon' area where a minimum of 10% is sought.
- 5.29 The submitted document states that both the Towers and the Cherry Orchard Garden building would accommodate 40%, 50% and 10% of 1 bed, 2 bed and 3 bed units respectively. However, since production of this document the applicant has advised that the mix might be modified; indicating that they are experiencing issues with supplying 3 bed rooms in this location and the numbers are more likely to be 5% 3 beds, with a greater proportion of 2 bed 4 person units than 2 bed 3 person and 1 bed homes. The different sets of figures fall either side of the acceptable threshold.
- 5.30 By way of comparison the housing tenure mix for the residential tower of the extant scheme includes studios and less 3 beds and is shown as follows;

Studio	44 (10%)
1 bed	222 (52%)
2 bed	142 (33%)
3 bed	16 (4%)
Total	424
NB. The tenure in relation to building 'D' was reserved until closer to its construction date	

Affordable Housing

- 5.31 Given the anticipated forthcoming changes to policy in terms of affordable housing a brief comparison table of current and post adoption (albeit this has not gone through examination yet) requirements within this area is useful and as follows;

Current Policy Affordable housing	Post-adoption Local Plan Policy Affordable housing
<p>Affordable: 50% on-site subject to viability (60:40 split between affordable rent and intermediate products unless we have agreement from a Registered Provider that this split is not practical in this location).</p> <p>Any provision less than 50% must be justified by a viability report which will be independently assessed at the cost of the applicant. There is a minimum requirement of 10% on site with the remainder up to 50% being provided either on a donor site, via a commuted</p>	<p>Affordable: 50% on-site subject to viability (60:40 split between affordable rent and intermediate products unless we have agreement from a Registered Provider that this split is not practical in this location).</p> <p>Any provision less than 50% must be justified by a viability report which will be independently assessed at the cost of the applicant. There is a minimum requirement of affordable housing to be provided either as:</p>

<p>sum, or through a review mechanism (in that order of preference).</p>	<p>30% affordable housing on the same site as the proposed development; or</p> <p>15% affordable housing on the same site as the proposed development if the site is in the Croydon Opportunity Area, plus the equivalent of 15% affordable housing on a donor site provided 30% on-site provision is not viable and the donor site is located within either the Croydon Opportunity Area or one of the neighbouring Places of Addiscombe, Broad Green & Selhurst, South Croydon or Waddon; or</p> <p>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 quartile¹ and there is no suitable donor site.</p> <p>Less than 15% - application will be refused.</p>
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¹ Upper quartile construction costs will be compared against comparable development types in London (for example, a tall tower would be compared against other tall towers no matter what the height; and a high density urban block of flats would be compared against other high density urban block of flats). Abnormal costs can be excluded. In the case of this scheme costs associated with the construction of the bridge across the railway and any loss of units caused by having to accommodate future redevelopment of East Croydon station would be considered to be abnormal costs.

- 5.32 As highlighted in section 3, the site benefits from an extant planning permission under LBC Ref 13/04410/P with a material start on site having commenced. The extant scheme incorporated a minimum of 120 habitable rooms of affordable housing (which are to be located within building 'D' of the permission on the corner of Cherry Orchard Road and Oval Road). This equated to a 10% (5% affordable rent and 5% shared ownership housing) provision of affordable housing. A review mechanism was also secured by way of a Section 106 Agreement.
- 5.33 A draft viability report with high level analysis has been submitted alongside the current proposals

- 5.34 Based on the applicant's draft viability information, the applicant has argued that scheme cannot currently provide more than 15% affordable housing (100% shared ownership). Even with this level of affordable housing, the applicant's appraisals indicate that the residual land value is significantly lower than the benchmark land value adopted in the previous assessment undertaken at the time of the previous application. Viability discussions are on-going and officers are focussed on the need to deliver maximum reasonable levels of affordable housing. The emerging London Mayor Affordable Housing SPG will become a stronger material consideration as it moves towards final adoption by the London Mayor and it is critical that this development will need to be referred to the London mayor for interrogation and consideration.
- 5.35 The applicant's assessment includes suggested abnormal costs including 'station facing' development; clear space in the public realm and therefore need for a basement; a permanent staircase and lift enclosure within the red line boundary of the site; enhanced public realm works up to the station stairs of a specification fit for a station entrance; a temporary link between the top of the stairs and Network Rail land (due to the unknown future requirements of development at Croydon Rail Station). In order to understand how much affordable housing could be provided on the site in lieu of the suggested station related 'abnormal' infrastructure costs, a hypothetical appraisal exercise was undertaken by the applicant.
- 5.36 If these abnormal costs were taken out of the viability appraisal, the applicant has argued that the scheme could provide 35% affordable housing (60% rent, 40% intermediate) and deliver the same residual land value as the scheme which includes the abnormal costs. These abnormal costs therefore equates to circa 20% affordable housing with a policy compliant tenure mix.
- 5.37 In terms of any abnormal costs, the presence of these would normally be expected to influence the land value; the applicant would have been aware of any abnormal costs prior to purchasing the site. Officers do not agree that these costs are abnormal and should not influence the land value – and are requirements of the development as detailed in the East Croydon Masterplan and captured by the previous grants of planning permission. Thus, it should not be assumed that abnormal costs will be offset at the expense of compliance with the Development Plan. Site-specific abnormal costs need to be supported by robust evidence and further information is required on this matter.
- 5.38 Notwithstanding the above a number of assumptions have been made by the applicant in relation to the initial viability information and further exercise and these need to be fully evidenced at application stage. Officers have instructed a firm of independent viability consultant to further interrogate assumptions and arrive at a robust affordable housing position. It is inevitable that the London Mayor will also be wanting to properly interrogate the viability position a specifically the form and quantum of affordable housing offered at application stage.
- 5.39 Consideration of the significance of the suggested 'abnormal costs' and the overall viability position is still ongoing alongside the applicants request to forego a review mechanism following recognition of the importance of the "station related" works – including the current suggested in-lieu payment to the Council – to cover the temporary link between application site and the bridge link (over Network Rail land).

- 5.40 Officers' opinion at this stage is that a review mechanism should be included within the offer, particularly as the tenure mix is not policy compliant (60:40 split between affordable rent and shared ownership). Moreover, the mix has moved further away from a policy compliant split (compared to the previous grant of planning permission which had a 50-50 tenure split as well as an agreed review mechanism). A review mechanism is used to provide a potential in-lieu payment should higher development values be realised towards following completion of the development and progressive sales of private sale units.
- 5.41 Council officers are also strongly of the view that any 'link' between the application site and the existing network rail bridge should be undertaken by the applicant and that the delivery of this should be at a centre point during construction of the buildings so as to guarantee its implementation.
- 5.42 The discussions will need to acknowledge the interplay between the cost of infrastructure and the capacity of the scheme to deliver a certain quantum and mix of affordable housing.

Density of Development

- 5.43 The site is within a central location with excellent public transport accessibility and should be able to accommodate between 650–1100 hr/ha habitable rooms per hectare (hrph) and up to 405 units per hectare. The guidance states that it is not appropriate to apply the density matrix mechanistically. The density is above the ranges within the London Plan matrix table, but of a similar amount to that of the implemented consent. However, these are very early figures and do not include the breakdown across both sites.

The Impact on Adjacent Occupiers

- 5.44 Since the previous permission was granted, the Morello/Galaxy site to the north has been constructed and the planning permission to redevelop the Royal mail Sorting Office is extant.
- 5.45 The submitted document does not have measurable plans and therefore it is not possible to give more definitive views on the scale of impact. Nonetheless, there is a reasonable level of separation between the proposed northern sited tower and the nearest block on the neighbouring Morello/Galaxy site, which should help mitigate against loss of privacy and overlooking.
- 5.46 There is a minimal distance between the southern tower and the neighbouring land to the south. The relationship between the Royal Mail Sorting Office site (component EC21 Royal Mail Site) would be relatively tight, although it is appreciated that the consented building is set back behind an ancillary car parking area for the Royal Mail (with facing flank windows secondary to the rooms they serve). Nonetheless further investigation and possibly floor layout changes, may be required to prevent any potential prejudice of development on this neighbouring site. It is appreciated that the proposed southern tower is in the location as indicated by the East Croydon Masterplan and that there is an implemented permission for a tower in this location (albeit for hotel use rather than residential).
- 5.47 Due to the height of the proposed residential block on Cherry Orchard Gardens, there would be overlooking into the gardens of adjacent properties. However, the Council

has previously granted planning permission for a building of similar form. It is also appreciated that the proposed building would not be in direct alignment with the rear of properties on the north side of Oval Road which would reduce impact. As the scheme further progresses, it would be useful to produce a comparative study, which could assess the effects of the emerging proposals (compared to the consented scheme) in terms of overlooking. Outlook and daylight/sunlight effects.

- 5.48 The previously approved raised decking area that covered the rear of the Cherry Orchard Gardens site and a separate residential block fronting Oval Road (adjacent to 51 Cherry Orchard Road) does not form part of these emerging proposals. In terms of outlook, this would improve the relationship with 51 Oval Road, compared to the consented scheme which should be welcomed.
- 5.49 The current proposal drops down in height towards Oval Road, finishing at 3 storeys which would reduce the impact on the outlook for the buildings 54-66 Oval Road, the extent planning permission had a 10 storey height towards the corner of Chery Orchard Road and Oval Road. In addition to the lesser form, within close proximity is an area of open space situated opposite the majority of these properties. Nonetheless, it would be useful to have comparative drawings/3D model to appreciate the difference between the implemented consent and current proposals and therefore a clearer understanding of the change in impact.
- 5.50 Any proposal should not prejudice the neighbouring employment site at 44-60 Cherry Orchard Road (known as the Meatpackers) or the potential for future development, as this site is also an allocated site for residential in the forthcoming Local plan.
- 5.51 Given the size and scale of the proposed buildings, a daylight and sunlight assessment based on the BRE guidelines will be required to clearly demonstrate that the effect of the development on adjoining occupiers will be acceptable. Whilst it is appreciated that there is an extent planning permission in place, which has a significantly taller tower compared to the emerging proposals, the introduction of new neighbouring buildings and changes to scheme, particularly on the Cherry Orchard Gardens site, makes the assessment essential.
- 5.52 Overall for a development of the proposed scale the direct impact on nearby residential occupiers is likely to be limited. This is due to the absence of any homes immediately to the west. However, further drawings and assessments are required for a full assessment.

The acceptability of the living conditions provided for future occupier

- 5.53 The Technical Housing Standards – Nationally Described Space Standard provides minimum floor area specifications for all new dwellings. The London Housing Supplementary Planning Guidance (SPG) provides minimum standards which should be met with regards to amenity space. The applicant is designing the scheme to meet all of these standards and to provide 10% of units as wheelchair user accessible/easily adaptable in line with policy. This is supported.
- 5.54 Whilst there are habitable rooms in each tower on the Morello 2 site facing each other, there is good degree of separation between the towers which would retain suitable outlook and privacy levels.

- 5.55 The ground floor layout and relationship with the amenity space to the rear on the Cherry Orchard Garden site is not sufficiently advanced for a full consideration. However, the applicant will need to be mindful that the ground floor units are not overlooked by users of the outdoor space. Internally, concerns have been raised in relation to the narrow, long corridor with no natural daylight – this would not be acceptable and needs to be more generous, providing daylight into the space with less units per core.
- 5.56 The applicant is seeking to provide the required play space provision to serve the development within two areas, one on each side of Cherry Orchard Road. This is supported.

The impact on highway and parking conditions in the locality

- 5.57 The site is located in an excellent location with the highest PTAL of 6b, being located adjacent to the East Croydon transport Interchange and Croydon Town Centre.
- 5.58 The submitted document states that approximately 135 car parking spaces will be provided overall between phases I and II, but the location and breakdown of blue badge parking/parking spaces/car club is not known. Given the accessibility of the site, the proposal should be car free with the exception of the provision of disabled parking and car club spaces. On the basis that 10% of the units will be mobility accessible the disabled parking provision should be 43 spaces across the scheme. Any car club spaces should be readily accessible by both future residents and members of the public.
- 5.59 For comparison purposes it is worth noting that on Buildings A and B (the two towers) previous granted planning permission, 10% of the 165 parking spaces were designated for blue badge holders and 10 spaces allocated for use by a car club. Pursuant to the same planning permission, Building D (the Cherry Orchard Garden site) the ground floor contained 24 parking spaces, 10% of which were for Blue Badge holders. The drawings for the 13/04410/P permission indicated 100 bays with 3 blue badge spaces. The 13/04413/P permission (link basement for use by the Morello development) shows 50 bays with 2 blue badge spaces. Although these percentages do not meet the 10% requirement, it is considered that this should be the percentage sought in this case, although it is appreciated that there are difficulties providing this at ground level given the need for open/clear spaces due to the station facing design and need for public realm and outdoor landscaping.
- 5.60 Electric Vehicle Charging Points and cycle parking should be provided in accordance with the standards set out in the London Plan.
- 5.61 A full application will need to be supported by a Transport Assessment with other documents including a Travel Plan, Delivery Service Plan, Waste Management Plan and Construction Logistics Plan being secured by condition.
- 5.62 It is not possible to comment further at this stage, however, given the implemented scheme there are no objections in principle to the proposed development subject to the issues raised above being satisfactorily covered in a full application.

Impact on Trees

- 5.63 Trees of value should be retained and where loss is unavoidable, they should be replaced with high quality trees in the correct location. Moreover, the loss of trees of

value should only be accepted where a development will bring significant regenerative benefits.

- 5.64 In terms of character and appearance of the area 4 London Plane trees located on the corner of Cherry Orchard and Oval Road make a significant contribution. These are not subject to a Tree Preservation Order. Whilst the proposed buildings on Cherry Orchard Road would result in the loss of these 4 trees which is regrettable, this needs to be weighed against replacement trees and new landscaping across both sites (although the final scheme is not known yet), the provision of new housing and regeneration benefits of the scheme. Moreover, the extant scheme allowed for these trees to be removed as part of the permission. A full arboriculture assessment will be needed in order to consider the loss and standard of replacement trees and green spaces, which could deliver extensive improvements across the sites, substantially improving the locality and setting of the street scene.

The environmental impact and sustainability of the development

- 5.65 New development should make the fullest contribution to minimising carbon dioxide emissions and should incorporate on site renewable energy generation. Zero carbon is sought for the 2016-2031 period. A detailed sustainability strategy has not yet been confirmed. In addition, the commercial space should be designed to achieve a rating of BREEAM 'Excellent'. The applicant should seek to meet the above policy requirements in this regard.
- 5.66 To future proof the development provision should be within the buildings to allow connection to any future Croydon District Heating Network.
- 5.67 Full discussions in relation to air quality, overheating, surface water drainage, micro climate, lighting impacts, electronic interference, flooding impacts and daylight/sunlight have yet to be held, but the developer is aware of the relevant policy requirements.

Other Planning Matters

- 5.68 Consideration will need to be given as to the requirement for any planning obligations required to mitigate the impact of the development.