

27 November 2013

# Whitgift shopping centre, Croydon

in the London Borough of Croydon

planning application no.12/02542/P & 12/02543/CA

## Strategic planning application stage II referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

## The proposal

The overall scheme includes an outline application and a conservation area consent application;

- The outline planning application seeks permission for the part refurbishment and part redevelopment of the application site to create a retail-led mixed use development including a new shopping centre, leisure facilities, restaurants and cafes, and 400-600 residential units of mixed tenure. The matters of appearance, landscaping, layout, scale and access (save for details of vehicular external access to/from the site) are set as reserved matters.
- The conservation area consent application seeks permission for the demolition and changes to the fabric of buildings located in the Central Croydon Conservation Area.

## The applicant

The applicant is the Croydon Partnership, a joint venture between **Hammerson and Westfield**.

## Strategic issues

The proposed development is much welcomed and will be transformational in its support for the regeneration of Croydon Town Centre and its retail offer as a Metropolitan Centre. The delivery of this application complements the Mayor's planning policy objective set out in the London Plan and the adopted Croydon OAPF. The issues raised at the consultation stage relating to housing, design, access and inclusive design, child play space, transport, noise and air quality have been addressed. A considerable amount of work has been undertaken on transport assessment and mitigation and this is considered to be robust. The form of mitigation provided is also considered to be appropriate. TfL is a party to the section 106 agreement. Car and cycle parking standards are not in accordance with the London Plan but on balance are acceptable.

## The Council's decision

In this instance Croydon Council has resolved to grant permission.

## Recommendation

That Croydon Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

## Context

1 On 20 February 2013 the Mayor of London received documents from Croydon Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses.

2 Application is referable under Categories 1A, 1B, 1C, 3F of the Schedule to the Order 2008:

- *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”*
- *“Development which comprises or includes the erection of a building ... more than 30 metres high and is outside the City of London.”*
- *“Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.”*

3 On 22 March 2013 the Mayor considered planning report PDU/3003b/01, and subsequently advised Croydon Council that the application complied with some but not with other policies in the London Plan.

4 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 25 November 2013 Croydon Council decided that it was minded to grant planning. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Croydon Council under Article 6 to refuse the application or issue a direction to Croydon Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 9 December 2013 to notify the Council of his decision and to issue any direction.

5 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

6 The decision on this case, and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## Update

7 At the consultation stage Croydon Council was advised that the significant redevelopment proposal in the Croydon Opportunity Area was strongly supported. Croydon Council was also advised that given the scale and outline nature of the application the proposal also raised a number of strategic planning issues that need to be resolved to comply with the London Plan. These issues are detailed below.

### Affordable Housing

8 At the consultation stage the housing offer (affordable housing and housing mix) had not been finalised. Information was outstanding on the quantum of affordable housing, a detailed financial viability study and how onsite and offsite affordable housing will be secured.

9 Since then the applicant has committed to, and the S106 agreement secures, 15% affordable housing (10% onsite and 5% offsite). Of the 10% onsite contribution 60% will be social or affordable rent units and 40% will be intermediate units. A financial appraisal was also submitted. The initial findings of the independent assessment support that the proposal is providing the maximum reasonable amount of affordable housing.

#### 10 Housing Choice

11 At the consultation stage the applicant had committed in the design guide to provide 5% all housing with three bedrooms. However, as the quantum of affordable housing had not been set it was not possible to determine whether this met the Mayor's standard for 42% of social rented homes to have 3 bedrooms or more. The range of one and two bed units was also outstanding.

12 The applicant does not now intend to fix the proposed mix of units until the Reserved Matters application. Croydon Council supports this decision. Compliance of the proposal on this issue will therefore be determined in the Reserved Matters application.

#### Housing Quality

13 At the consultation stage the applicant was asked to include a minimum floor to ceiling height for residential units in the design guide to ensure the highest standards of design for the east facing single aspect units onto Wellesley Road.

14 Since then the applicant has included additional text in the design guide to ensure these units have a minimum floor to ceiling height of 2.5m.

#### Child Play Space

15 At the consultation stage the proposal did not provide sufficient child play space to meet the predicted child yield (between 72 and 102) for the proposal when calculated using Appendix B of the Mayor's SPG 'Providing for children and young people's play strategy'.

16 Since then the applicant has revised the Development Specification and Framework to reflect a provision of up to 1,020 sq.m. of child play space to accommodate up to 102 children. The design guide also states "An appropriate area allocated to children's play and a range of play facilities sufficient to meet the Mayor's standards. A playable landscape will provide for both formal and informal play opportunities in both the public and private realm".

#### Urban design

17 At the consultation stage the applicant was asked to amend the design guide to more carefully manage the treatment of the west facing elevation of the residential buildings visible in the setting of the Grade I listed Almshouse; and also to provide a strategy for how the area of residential development proposed along Wellesley Road could be used and treated whilst the first phase of the development comes forward.

18 Since then the applicant has amended the design guide to recognise the need for a sympathetic treatment of the western facing elevation with respect to the Almshouse building and the meanwhile use and design treatment of the elevation and roof space of the building onto Wellesley Road.

#### Access and Inclusive design

19 At the consultation stage confirmation on the number of Blue Badge Parking Spaces and the DDA compliant drop spaces was requested. Since then the applicant has confirmed the proposal will provide 30 blue badge spaces. Their location and the location of the DDA compliant drop off points will be submitted and checked for compliance as part of the Reserved Matters application.

#### Air Quality

20 At the consultation stage the applicant was provided with a technical note detailing the additional information required, particularly on the modelling method used for the submitted air quality assessment.

21 In May 2013 the applicant submitted an updated air quality assessment. To address the outstanding concerns Croydon Council was asked to include a condition to ensure the proposed strategy would meet the requirements set out in policy 7.14 of the London Plan. The details of which are included in proposed condition 81.

#### Noise

22 At the consultation stage the applicant was asked to provide an additional noise survey to adequately characterise the noise climate around the proposed development site.

23 In May 2013 the applicant provided an updated noise survey. Since then the GLA, Croydon Council and the applicant have worked together to draft a series of conditions to mitigate any outstanding noise issues.

### **Transport for London's comments**

24 At the consultation stage TfL provided comments on public realm improvements, highway impacts, car parking, the impact of construction on Tramlink infrastructure, improvements to bus stops, cycle measures and taxi facilities. TfL have been working in close partnership with the council and the applicant to agree the transport assessment and mitigation which is now considered acceptable. TfL is now satisfied that on balance the application is in accordance with the London Plan and acceptable in transport terms. To ensure that TfL's position is protected TfL is a signatory to the section 106 agreement and will be consulted on a range of planning conditions. The section 106 has been progressed to TfL's satisfaction for the purposes of the council's resolution to grant and in order for the Mayor to be content at Stage 2 for the council to determine the outline application.

#### Vehicular access arrangements

25 TfL requested that confirmation should be provided that re-profiling of the Wellesley Road is technically feasible. This information has now been provided and demonstrates that the principle of re-profiling is acceptable, subject to detailed design. TfL also raised concerns over the new right turn from Wellesley Road into Poplar Walk and the potential impact on tram operations. Following further modelling work and given the proposed mitigation measures to the tram network (see Tramlink section below), TfL is now satisfied that this can be managed at the detailed design issues that will need to be addressed at the section 278 stage.

#### Traffic modelling

26 Extensive further SATURN and VISSIM modelling work has been undertaken by the applicants, and which has been thoroughly audited, and TfL is now satisfied that the models are acceptable and fit for purpose for assessing the impacts of the proposed development and will be used to inform the detailed design stage.

27 Whilst the models indicate that the development will generate a significant amount of additional traffic and lead to increased congestion, TfL is satisfied that the impacts are acceptable, subject to mitigation measures set out below and further detailed modelling and design being carried out as part of the section 278 process

### Highways

28 As a result of the increased traffic levels from both this development and the wider growth forecast in the Croydon Opportunity Area Planning Framework (OAPF), a number of junctions both within the town centre and the wider area will require mitigation.

29 Improvements to Wellesley Road and the Park Lane gyratory, including the new accesses to the development, will be delivered by the applicant through section 278 agreements with the Council and TfL.

30 In respect of the strategic highways network, the proposals have been considered in the context of the OAPF which identifies that the highway network is approaching capacity both within the Croydon Opportunity Area (COA) and at key junctions on the A23 and A232, for which TfL is the highway authority. On this basis the impacts associated with the development are not on their own considered to have an unacceptable impact on operation of the A23 and A232. The importance of implementing improvements in such locations is highlighted in the OAPF due to the increased demand forecast as a result of growth within the COA.

31 TfL and the Council have agreed to make provision for funding and implementation of new strategic highways infrastructure in order to assist in accommodating growth in the COA generally. £25 million has been allocated by TfL towards the A23/A232 corridor, with £20 million also being committed by Croydon Council. Other funding will be sought by TfL and the council from other development as appropriate.

32 The transport assessment also identifies a number of other junctions on the local highway network within the town centre that are likely to require improvements, along with traffic management measures. A section 106 contribution of £2.5 million has been secured towards these improvements, and further detailed modelling will be required to identify the exact nature of the works, to be delivered by the Council in partnership with TfL.

33 Should this application be granted, this does not discharge the requirements under the Traffic Management Act 2004. Formal notifications and approval may be needed for both permanent and temporary highway works. This is particularly important given the scale of the development and proximity to TfL networks.

34 It is also important to ensure that Tramlink operations are protected and that all works to the highway which have an impact are approved as appropriate at detailed stage, including construction management.

### Pedestrians and public realm

35 The proposals will significantly enhance the pedestrian and public realm environments both around and within the site. It has also been confirmed that the main east-west route through the site, linking Wellesley Road with North End, will be open to the public at all times. The majority of these works are secured by planning conditions with a requirement to discuss and agree details with TfL. This is welcomed by TfL.

36 The highway proposals and transport assessment incorporates two new crossings on Wellesley that are to be delivered through the Connected Croydon programme, and TfL is continuing to work with the Council and the applicant to achieve the optimum solution, however the outline application provides adequate provision for pedestrians. Whilst the proposals also allow for a third crossing of Wellesley Road at Sydenham Road, this is optional and not committed and a decision on whether it will be delivered will be made at the detailed design stage as part of the section 278 agreement.

#### Car Parking

37 With regard to car parking, TfL previously raised concerns with the proposed level of retail parking for the scheme. 3,500 spaces have been applied for, but it has now been agreed with the applicant that the full amount will only be available for 20 days a year and that it will be restricted to 3140 spaces at all other times (unless it can be demonstrated through monitoring and review that more than 3140 spaces more than 20 days a year is acceptable).

38 Whilst this is in excess of the standards set out in the London Plan, the proposed level is in conformity with the recommendation in the Croydon Opportunity Area Planning Framework (OAPF) for the Retail Core (as defined in the OAPF), and is therefore considered to be acceptable in accordance with London Plan policy 6.13 including Table 6.2. A Car Parking Management Plan, to include blue badge and electric vehicles and to monitor operation of the car parks, must be prepared by the developer and approved in consultation with TfL.

#### Croydon Tramlink

39 TfL previously raised concerns about the potential impact on the tram network, both in terms of operation and additional passengers. A significant amount of further work has been undertaken by TfL to assess these impacts, and a number of mitigation measures have been developed and tested by TfL.

40 The preferred improvement option is a new section of tram track known as the Dingwall Loop. This would allow trams to travel along Dingwall Road and Sydenham Road from East Croydon station, before rejoining Wellesley Road. It would also include a new tram stop on Sydenham Road. This layout would allow a more efficient tram service to be run, effectively providing the additional passenger capacity required without the need to purchase new trams. It would also provide additional resilience to the tram network during busy traffic periods. This scheme is likely to require a Transport and Works Act Order (TWAo) and this will be progressed by TfL. A secondary option of providing additional trams has also been tested and would provide an equivalent level of mitigation without the need for a TWAo.

41 The estimated cost of these works is £20 million. A section 106 contribution of £15 million has been secured through the section 106 agreement, with the remaining £5 million being provided through the Mayors Regeneration Fund as the tram improvements will bring greater benefits to the COA over and above the development scheme.

42 In addition, improvements to the tram stops on George Street and Wellesley Road are required to accommodate the additional passenger demand. The improvements to George Street will be delivered as part of the Connected Croydon programme, whilst the Wellesley Road stop will be provided as part of the section 278 works to be carried out by the applicants and is secured by planning condition, it is not directly funded through the section 106.

43 As previously noted Tramlink operations must be protected and all works to the highway which have an impact on Tramlink will require separate approvals.

#### Buses

44 TfL currently estimates that four routes will require frequency increases (routes 60, 109, 166 and 250) in order to accommodate the additional demand generated by the development. In order to accommodate the additional buses there will also be a requirement for additional bus standing space, to be provided at the new Wandle Road standing facility or at locations to be agreed between TfL and the council through discussions about delivery of infrastructure for the wider COA.

45 All bus stops that will serve the development will also be upgraded to ensure that they meet current standards. The stops adjacent to the site on Wellesley Road will be upgraded as part of the section 278 works, and those at West Croydon bus station will be enhanced as part of the planned TfL improvement scheme. Other key stops that are not included in these areas will also be upgraded through section 106 contributions.

46 A total section 106 contribution of £10 million has been secured towards these improvements, with £500k ring fenced for standing and £100k for stops.

### Cycling

47 As previously requested, the Travel Plan will include the provision of a Cycle Hub within the development and the submission of a Cycle Strategy to cover all elements of cycling within the development. These have been secured by condition.

48 The proposed layout for Wellesley Road includes northbound cycle lanes between the two proposed access points, but it is TfL's view is that it will be very difficult to safely incorporate cyclists given the new access points and conflicts with bus and tram infrastructure. Discussions with the Council are required to identify suitable cycle routes within the town centre, in conjunction with the Connected Croydon and Connect 2 objectives and proposals. In addition the council are bidding separately for cycle funding through the Mayors Cycling Vision to secure wider cycling benefits in the COA.

49 TfL wishes to ensure that construction vehicles are fitted with cycle specific safety equipment, including side-bars, blind spot mirrors and detection equipment to reduce the risk of collisions on the Capital's roads. TfL requests that these requirements are secured by the Council with details to be submitted for approval prior to commencement.

### Cycle Parking

50 An initial 300 cycle parking spaces will be provided for the retail use, with an additional 156 to be provided when the demand arises, in line with the standards set out in the London Plan. These will be positioned in various locations around the site, including within the public realm and in the basement. Demand will be monitored through the Cycle Strategy as part of the Travel Plan, with additional spaces being provided once 90% of the initial allocation becomes occupied at peak times.

51 Cycle parking for the residential element of the scheme will also be provided in line with London Plan standards as set out in policy 6.13 including Table 6.3, with further details to be submitted prior to the commencement of that phase of the development.

### Taxis and Coaches

52 TfL previously raised concerns about the taxi and coach provision included within the proposals. As requested, taxi and coach strategies will both be secured by condition and approved in consultation with TfL. A dedicated taxi pick-up and drop-off facility will also be provided within the site as part of the section 278 agreement.

### Travel plan

53 Separate Travel Plans covering the retail and residential elements of the scheme will be secured by condition. In addition, funding of £1.625 million is included in the section 106 agreement for sustainable transport measures, including messaging and signage, monitoring and surveys and other initiatives to be agreed with the Council and TfL.

#### Freight and servicing

54 A Delivery and Servicing Plan (DSP) has been secured by condition, and the commitments to reduce peak hour servicing, delivery booking systems and a responsible procurement process are welcomed.

#### Construction

55 A Construction Logistics Plan (CLP) has been secured by condition. Due to the complex nature of the build out and potential impacts on pedestrians, trams, buses and traffic, TfL requests that further detailed discussions on construction arrangements are undertaken as early as possible and all relevant approvals sought and agreed in advance with TfL. In particular, more detailed discussions are required on the phasing and timing of construction impacts, particularly given the intensive scale of change on Wellesley Road, having regard to tram, bus, pedestrian and cycling movement.

#### Mitigation

56 TfL is a party to the section 106 agreement, and the applicant is required to reimburse TfL's reasonable legal fees as well as provide support for progressing detailed approvals. A collaborative approach to agreeing mitigation and the section 106 agreement has been established between the parties.

57 As discussed in the sections above, there are a wide range of mitigation measures that have been secured, including:

58 Section 278 highway and public realm works, including Wellesley Road and Park Lane gyratory and other works as secured by condition (estimated at £18m)

- £15 million contribution towards tram network improvements
- £10 million contribution towards bus services, stops and stands
- £2.5 million contribution towards local highway improvements and traffic management measures
- £1.625 million for sustainable transport measures
- Travel Plan, DSP and CLP secured by condition
- Car park management strategy
- Cycle strategy
- Taxi and coach strategies

#### Community Infrastructure Levy

59 In accordance with London Plan policy 8.9, the Mayor has agreed his CIL charging schedule. The levy will apply to developments consented on or after 1 April 2012, and will be collected by London boroughs once development commences. This application is liable to pay a CIL charge, the cost of which in Croydon is £20 per square metre. This is in addition to the other mitigation measures discussed above. The total Mayoral CIL payment at estimated at £2.5m.

60 With regard to the Borough CIL, the amount to be collected is not yet known (but estimated to be £7.5m) due to the nature of the parameter plans (minimum and maximum floorspace scenarios) the CIL calculations and uncertainty about whether or not the development will have been occupied at the time of implementation. It should be noted that this

could have a significant effect on the availability of funding for other mitigation measures discussed above and further clarification on this issue to be provided as soon as possible.

61 Regardless of the CIL requirements, TfL remains of the view that all mitigation can be secured through conventional section 106 mechanisms, as they are necessary and appropriate to mitigate the impact of this significant development and its impacts (in accordance with s123 of the CIL Regulations).

## Summary

62 TfL is satisfied that the impacts of the proposed development will not have an unacceptable impact on the local or strategic transport networks on the basis of the measures proposed, subject to securing appropriate planning conditions and section 106 obligations as discussed with the Council and the applicant.

## Other comments

63 English Heritage Archaeology, English Heritage Listed Building, Environment Agency, Civil Aviation Authority, Aerodrome safeguarding Gatwick Airport, London City Airport, Thames Water, London Fire and Emergency Planning Authority and Crime Prevention Design Advisor raise no objection subject to the inclusion of conditions and informatives. All of which have been incorporated by Croydon Council.

64 Natural England, Heathrow Airport Safeguarding, National Air Traffic Services, Ministry of Defence, Reigate and Banstead Council and the Bromley Council raise no objection.

65 Tandridge District Council objection to impact the proposal will have on public transport in and around Croydon. Sutton Council enquires why no retail impact assessment has been carried out.

66 Croydon Council also received 7 letters of objection, including objections from the owner of the Whitgift and Allders multi-storey car parks, the Whitgift Trust, Minerva and Legal and General and 1 letter of support. The Mid Croydon Conservation Area Advisory Panel object to the proposal. MP Gavin Barwell supports the proposal.

67 Support for the proposal relate to the need for redevelopment and the rejuvenation of Croydon town centre and the compliance of the proposal with the Croydon masterplan.

68 CABE commend the design team for the clarity of the masterplan but make a few comments and suggestions to be taken on board as the project progresses.

69 The objections relate to:-

- Concern over how the land required will be assembled. How the interests of the individual land owners will be taken into consideration. How the process will be managed and the implications of land assembly on the proposed development timetable.
- Development cannot commence without the compulsory purchase of land. Landowners do not believe the necessary tests of public interest have been met to allow a compulsory purchase order.
- Objection has been raised over how Croydon Council consulted on the application and additional material submitted. Inadequate time to consider and respond to additional environmental information submitted by the council. A resolution to approve would be legally unsafe and could result in a legal challenge against the local authority.

- The need for a more comprehensive approach to the redevelopment of Croydon Town Centre. How the proposal will affect and connect to the existing Centrale development. The need to include units along North End. The proposal will sever to North End from the proposal.
- The application does not comply with National Planning Policy. The lack of a sequential test and retail impact assessment. The effect on existing businesses and the impact upon the vitality and viability of the town centre.
- The application does not comply with the Croydon Opportunity Area Planning Framework.
- The level of detail in the Environmental Statement.
- The outline nature of the application. Especially the lack of detail on design, landscaping and lighting. The timings of the application. The application is premature and requires more detail.
- Impact of a 24 hour pedestrian route through the proposal.
- Need to demolish the tower blocks along Wellesley Road. Possibility to reclad and reuse.
- Objection to the demolition of buildings on North End and George Street.
- Concern over the selection of viewpoints for the townscape and visual assessment. The impact on the listed Almshouse building and the Conservation Area. Impact of proposals to the Grammer School Yard and George Street on the Conservation Area. Loss of character to North End and George Street.
- Insufficient detail, assessment and mitigation of noise, vibration, air quality, light pollution and solar glare issues.
- Failure to secure maximum reasonable amount of affordable housing.
- The need for an additional cinema and a bowling alley.
- The proposed use of the Alders Building. It would be better occupied by another large department store.
- Concern over the transportation and highway aspects of the proposal.
- Deficiencies in the traffic modelling and proposed impacts of the development. Requests for additional information traffic data. Inadequacy of the transport assessment.
- Underestimation of the peak hour trip generations and retail trips. Inaccuracies in transport assessment between tables and text.
- Concern over insufficient parking provision. Concern over the methodology and justification for parking strategy.
- Additional pedestrian crossings and road changes will cause congestion and tailbacks.
- Congestion in general and on George Street, Wellesley Road and Poplar Walk.
- Impact of proposal on buses, Tramlink, cycling, lorries and taxis.

- Failure to set out the amount of Community Infrastructure Levy to be raised from the development.
- Inconsistency between parameter and illustrative plans.

## **Response to consultation**

70 Issues relating to the principle of development, uses, design, affordable housing, transport, air quality and noise have been addressed in both this and the previous Mayor's stage I report.

71 Matters relating to the application process, public consultation and reconsultation have been addressed by Croydon Council in its committee and addendum committee report.

## **Article 7: Direction that the Mayor is to be the local planning authority**

72 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

## **Legal considerations**

73 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

## **Financial considerations**

74 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*Costs Awards in Appeals and Other Planning Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

75 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

76 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

## **Conclusion**

77 The proposed development is much welcomed and will be transformational in its support for the regeneration of Croydon Town Centre and its retail offer as one of London's key Metropolitan Centres and a south London opportunity area. The delivery of this application complements the Mayor's planning policy objective set out in the London Plan and the adopted Croydon OAPF. The issues raised at the consultation stage relating to housing, design, access and inclusive design, child play space, transport, noise and air quality have been addressed. A considerable amount of work has been undertaken on transport assessment and mitigation and this is considered to be robust. The form of mitigation provided is also considered to be appropriate. TfL is a party to the section 106 agreement. Car and cycle parking standards are not in accordance with the London Plan but on balance are acceptable.

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for further information, contact Development & Projects:

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planning report PDU/3003b/01

22 March 2012

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## The proposal

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- The outline planning application seeks permission for the part refurbishment and part redevelopment of the application site to create a retail-led mixed use development including a new shopping centre, leisure facilities, restaurants and cafes, and 400-600 residential units of mixed tenure. The matters of appearance, landscaping, layout, scale and access (save for details of vehicular external access to/from the site) are set as reserved matters.
- The conservation area consent application seeks permission for the demolition and changes to the fabric of buildings located in the Central Croydon Conservation Area

## The applicant

The applicant is the Croydon Partnership, a Joint Venture between **Hammerson and Westfield**

## Strategic issues

This is a significant redevelopment proposal in the Croydon Town Centre opportunity area. The scheme raises a number of strategic planning issues. London Plan policies on; **land use** (opportunity areas, strategic office locations, town centres), **housing, play space, transport and parking, energy and climate change, urban design, access and inclusive design, air quality and noise** are all relevant to this application.

## Recommendation

That Croydon Council be advised of the strategic importance this scheme and its contribution to the regeneration of the Croydon Town Centre. Overall this is a high quality scheme that will meet many London Plan aspirations. However, there are policy issues summarised in paragraph 143 that need to be resolved.

## Context

78 On 20 February 2013 the Mayor of London received documents from Croydon Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 26 March 2013 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

79 Application is referable under Categories 1A, 1B, 1C, 3F of the Schedule to the Order 2008:

- *"Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."*
- *"Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres."*
- *"Development which comprises or includes the erection of a building ... more than 30 metres high and is outside the City of London."*
- *"Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use."*

80 Once Croydon Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

81 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case. The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

82 The application site is 6.99 hectares in size. The site is located in the retail core (as identified in the Croydon Opportunity Area Planning Framework OAPF) of the Croydon Town Centre. The site is bound to the north by Poplar Walk and the Grade I listed St. Michaels Church, to the east by Wellesley Road, to the west by North End and to the south by George Street.

83 Wellesley Road forms part of the Strategic Road Network (SRN) and the nearest part of the Transport for London Road Network (TLRN) is the A232 (Park Lane gyratory), approximately 300 metres to the south. Importantly the A23 Purley Way, part of the TLRN, is the main town centre distributor road and is approximately 1km from the site.

84 The site currently houses the Whitgift shopping centre, the Alders department store (which closed in September 2012), a series of office buildings that are largely vacant, and 2,142 associated car parking spaces in three separate car parks (1,059 Whitgift car park; 583 Alders car park; and 500 Bank car park).

Existing Use	Sqm GEA
Whitgift Shopping Centre	81,112
Allders	46,956
<b>Total Retail</b>	<b>128,068</b>
Centre Tower and Blocks A-C & E	37,929
Link House	2,250
London Road	1,706
<b>Total Office</b>	<b>41,885</b>

Fig 1: Existing floor space figures

85 The shopping centre was first built in the mid 1960' and has been added to throughout the 1970's and 1980's in a largely ad hoc way. The retail area is arranged over three floors and the office buildings range in height from 10 to 24-storeys (Centre Tower).

86 The application site has a public accessibility transport level of 6b, which is the highest access rating. The site is in close proximity to East Croydon Station, West Croydon Station (with the East London Overground), Croydon Tramlink and a range of bus services.

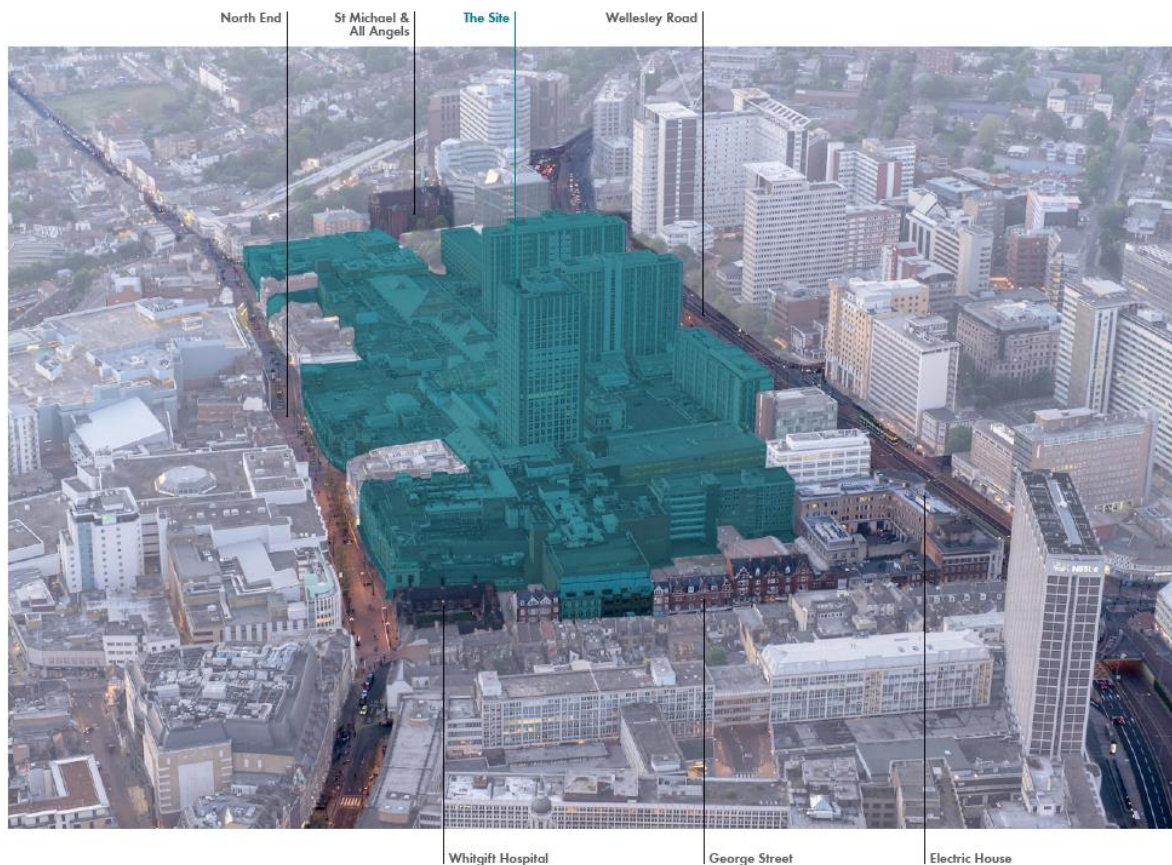


Fig 2: aerial image of the application site

## Details of the proposal

87 The scheme is comprised of two applications.

88 An outline application for part refurbishment and redevelopment to create a retail-led mixed use development with shopping centre, leisure, restaurants, cafes, and 400-600 residential units of mixed tenure. Appearance, landscaping, layout, scale and access are reserved matters.

89 The outline application includes 12 parameter plans and a design guide that secures the quality of the treatment of the built environment at the reserved matters stage. The parameter plans set;

- The red line boundary of the site
- Vehicular and pedestrian access and circulation
- Demolition and retained facades and buildings
- Building lines
- Maximum and minimum building heights
- Lower ground excavation
- Lower ground floor, ground floor and upper floor uses
- Amenity space and roof plan

90 The outline application proposes the following floorspace changes;

Use (Use Class)	Existing Floorspace (Sq M)	Proposed Floorspace (Sq M)				
		Retained	Demolished	New	TOTAL	Net Additional
Retail & Related Uses (Use Class A1 – A5)	128,068	34,977	93,091	101,574	136,551	8,483
Leisure (Use Class D2)	-	-	-	16,428	16,428	16,428
Residential (Use Class C3)	-	-	-	32,512 - 48,924	32,512 - 48,924	32,512 - 48,924
Community (Use Class D1)	-	-	-	1,135	1,135	1,135
Office (Use Class B1)	41,885	0	41,885	1,921	1,921	-39,964
Car Parking	Unknown	Unknown	-	64,704	64,704	Unknown
Malls	Unknown	Unknown	-	18,684	18,684	Unknown
Back of House Facilities	Unknown	Unknown	-	19,575	19,575	Unknown

*Fig 3: Existing, retained and proposed floorspace figures across all uses*

91 Secondly, a conservation area consent application seeks permission for the demolition and changes to the fabric of buildings located in the Central Croydon Conservation Area, this includes;

- Demolition and new buildings at no. 42-56 (even) North End
- Demolition and new building at no. 7 George Street
- Retention of the façade of no. 5 George Street and demolition of the body of the building
- Retention of the façade of no. 9a George Street and demolition of the body of the building
- Retention of the façade of no. 2-30 North End and demolition of the body of the building
- Demolition of parts of the rear extension at no. 34 North End and 135-137 Whitgift centre



Fig 4: Illustrative model showing an indicative layout looking east from Old Town

## Case history

92 There is no relevant strategic planning application history for this site.

## Strategic planning issues and relevant policies and guidance

93 The relevant issues and corresponding policies are as follows:

- Land use *London Plan; the Mayor's Economic Development Strategy*
- Housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; Housing Strategy; draft Revised Housing Strategy; Providing for Children and Young People's Play and Informal Recreation SPG; draft Providing for Children and Young People's Play and Informal Recreation SPG;*
- Affordable housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; draft Affordable Housing SPG; Housing Strategy; draft Revised Housing Strategy*
- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Transport and parking *London Plan; the Mayor's Transport Strategy; Land for Transport Functions SPG,*
- Noise *London Plan; the Mayor's Ambient Noise Strategy;*
- Air quality *London Plan; the Mayor's Air Quality Strategy;*

- Energy and climate change *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*

94 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Croydon replacement UDP 2006, and the submitted Croydon Council Core Strategy 2012 as approved by the Planning Inspector (due for formal Council adoption in April 2013) and the 2011 London Plan.

95 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- The Croydon Opportunity Area Planning Framework (adopted January 2013)
- The draft Revised Early Minor Alteration to the London Plan

## **Land use**

### Opportunity areas

96 In line with the London Plan's desire to further develop London's world city status, London Plan policy 2.13 and annex 1 identify Croydon as an opportunity area with the capacity to accommodate 7,500 new jobs and 10,000 new homes.

97 Based on this, the GLA, TfL and Croydon Council worked together to prepare a detailed Opportunity Area Planning Framework (OAPF) for the Croydon Metropolitan Town Centre and its environs. This OAPF was adopted by the Mayor in January 2013, and its main objectives are to;

- Support the development of 7,300 homes
- Plan the delivery of the social infrastructure necessary to accommodate 17,000 residents
- Promote the redevelopment and renewal of the Retail core
- Plan for the revival of prominent high streets
- Encourage the location of new office/commercial space around New Town and East Croydon
- Plan for and enable the delivery of new and improved streets and amenity spaces
- Promote high quality architecture and built form
- Ensure enhanced transport and parking capacity

### Strategic Outer London Development Centres

98 London Plan policy 2.16 identifies Croydon as a strategic office location.

99 The OAPF expands on this London Plan policy. The OAPF supports the development of 95,000 sqm of new office space in the Town Centre and specifically promotes the location of this new and refurbished office space in the New Town and East Croydon character area (as identified by the Croydon OAPF). This character area has the strongest office market fundamentals and can support new and existing office space. The OAPF demonstrates that there is sufficient capacity in this character area to accommodate this level of office development.

100 The OAPF also promotes the removal of redundant office space from other locations in the town centre. This application proposes the demolition and loss of approximately 39,000 sqm. of existing office space from within the Retail Core, which is outside the New Town and East Croydon character area, and so this approach is acceptable.

## Town Centre and Retail Impact Assessments

101 London Plan policy 2.15 on Town Centres promotes a town centre first approach for large new shopping centres. The Mayor's draft Town Centres SPG (which is now out for public consultation) expands on this policy and states that an impact assessment may be required where such a proposal is "likely to give rise to adverse impacts".

102 In this instance the proposed level of retail and leisure development proposed in this application is supported by Croydon Council's submitted Core Strategy. The Core Strategy specifically promotes a qualitative and quantitative increase in retail floorspace in the Town Centre. In support of this Croydon Council produced a retail study (2009) identifying a capacity of up to 50,000 sqm for new retail floorspace in the Town Centre. This was accepted by the Planning Inspector at the Croydon Core Strategy examination in public in 2012. On this basis it is not considered necessary to request an Impact Assessment for this application.

## Conclusion

103 The proposed mixed use scheme is welcomed and will support the regeneration of the Croydon Town Centre. The delivery of this application complements the Mayor's planning policy objectives as set out in the London Plan, the adopted Croydon OAPF and the soon to be adopted Croydon Core Strategy. The provision of residential, the quantum and quality of retail and leisure floorspace, and the proposed reduction in office floorspace are all fully supported (subject to the resolution of the transport issues set out in the transport section of this report).

## **Housing**

104 The application proposes the development of between 400 and 600 new residential units. The final housing offer (affordable housing and housing mix) has not yet been finalised, and further information is required before this application is referred back to the Mayor.

105 The inclusion of housing in this mixed use retail-led development is in line with London Plan opportunity area policy and with the adopted Croydon OAPF 2013.

## Affordable housing

106 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be included within the 60%.

107 While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

108 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit or other recognised appraisal methodology is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation.

109 Croydon Council's submitted Core Strategy, which was to be found sound by the Planning Inspector at Examination in Public and is due for formal adoption by the Council in April 2013, sets a town centre affordable housing target of 15% (including a minimum of 10% onsite and 5% offsite).

110 The applicant has noted their aspiration to deliver 15% affordable housing (10% onsite and 5% offsite), however, at the time of writing this report the applicant has not submitted a detailed breakdown of the proposed housing offer, nor has the applicant provided a detailed financial appraisal. Before this application is referred back to the Mayor it will be necessary to finalise the housing offer and to agree; a detailed viability assessment; the level of affordable housing; and how onsite and offsite affordable will be secured.

111 Croydon Council has appointed an independent consultant to review the submitted viability work and it has been agreed with the Council and the applicant that the GLA will be a full party to all affordable housing viability discussions. There are likely to be significant transport mitigation requirements and the Mayor considers transport to be a priority in this instance, see paragraphs 65 to 123.

#### Housing choice

112 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms.

113 As set out in paragraphs 31 and 32 it has not yet been possible to review the proposed mix and type of affordable housing. It will be necessary to resolve this issue before the application is returned to the Mayor following Croydon Council's decision.

114 In line with London Plan policy 3.8 on Housing choice and with the objectives of the Croydon OAPF the applicant has committed to the provision of 5% three bed housing as part of this application, which is acceptable. This provision is secured as part of the design guide and so will be included as part of the section 106. In addition, the applicant should commit to range of one and two bed units as part this application for inclusion in the design guide.

#### Housing quality

115 London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. The Mayor will produce a new Housing SPG (a draft of which was put before the London Plan EIP), on the implementation of Policy 3.5 for all housing tenures, drawing on his London Housing Design Guide, paragraphs 3.37 –3.39 provides further guidance on indicators of quality that the proposed SPG will cover.

116 The application includes parameter plans that set the broad location of new housing (along Wellesley Road) and the general massing and the height of the new residential buildings. The application also includes a design guide that secures quality of design and treatment of the scheme at the reserved matters stage. The parameter plans and the design guide are secured as part of the section 106. The design guide includes a section on residential design standards, which specifically commit to designing the scheme to achieve;

- Mayor's London Housing Supplementary Planning Guidance (SPG)
- The Mayor's housing space standards in London Plan table 3.3

- Lifetime Homes standards
- Code for Sustainable Homes level 4
- Balconies that are fully integrated within the formal composition of the building
- Provision of winter gardens as noise mitigation measures for units below 7-storeys
- A tower floor-plate that is no wider than 625 sqm (i.e. no more than 9 units per core)
- Environmental mitigation measures for residential units facing Wellesley Road

117 The scheme will include some single aspect east facing units that will overlook Wellesley Road. This design arrangement is not contrary to the design policy or the standards in the Housing SPG. These units are part of a design approach that wraps the proposed blank elevations of the new car park and so this design approach will add significant enhance this prominent public facing elevation. Nonetheless, it is still important that these east facing single aspect units secure the highest standards of design, and so in addition to the information already secured as part of the design guide, it is recommended the design guide be updated to include specific mention for the need to secure the Mayors Housing SPG floor to ceiling height targets for these units.

### Conclusion

118 The inclusion of housing in this mixed use retail-led development is in line with London Plan opportunity area policy and with the adopted Croydon OAPF 2013.

119 It has not been possible to carry out a detailed review of the proposed housing offer as limited information has been provided. The applicant must; provide a detailed viability assessment for review; commit to providing affordable housing in line with Croydon Council's adopted policy of 15% (with an explanation of how any offsite affordable is to be secured); commit to a level of three bed social rented units as per paragraph 34 of this report.

120 The applicant should also include; a range of one and two units for all tenure types; and also a minimum floor to ceiling requirement in the design guide for the single aspect east facing onto Wellesley Road.

### **Children's play space**

121 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." The methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site.

122 The applicant has provided a landscape strategy that includes illustrative detail on where, and what type of play space could be incorporated at the detailed design stage. This illustrative information is welcomed. However, there are some concerns about the predicted child yield which the applicant has only identified as 66 children.

123 As set out in paragraph 26 of this report the final housing offer has not been finalised. At this stage the application proposes a range of between 400 and 600 units, with 5% three bed housing, and an aspiration to achieve 15% affordable housing (10% onsite and 5% offsite). Based on these housing assumptions and applying the formulae in appendix B of the London Plan SPG 'Providing for Children and Young People's Play and Informal Recreation' it is predicted that this scheme could accommodate between 72 and 102 children. This level of child play space is not reflected in the submitted landscape strategy. An accurate range of children living in this scheme should be agreed and secured as part of the design guide.

## Conclusion

124 The applicant should agree to provide a level of child play space in line with appendix B of the SPG and this quantity and quality of play space should be secured as part of the design guide.

## **Urban design**

125 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

126 The application proposes a new mixed-use shopping centre in the Croydon Town Centre. The scheme is well designed and arranged to provide a high quality retail and leisure destination with good quality residential space.



Illustrative scheme model, viewed from the south-east

*Fig 4: Illustrative model showing indicative layout looking north-west from East Croydon*

127 The proposed design arrangement will deliver a significant improvement to the layout and quality of the Croydon Town Centre. The applicant has worked closely with the GLA and Croydon Council design officers to propose a scheme that successfully integrates itself into the surrounding town centre. The proposal includes a series of new routes and spaces that will improve permeability and connectivity across the town, making it easier for people to move between locations. Of particular merit is the new 24 hour accessible route that will improve connections from Lansdowne Road through the Whitgift centre and Drummond Road and on into Old Town. The proposed arrangement of routes and spaces is in line with the public realm strategy of the OAPF.

128 The applicant has worked hard to improve the quality and setting of the streets around the edge of the site, in particular North End, Wellesley Road, Poplar Walk and George Street. This scheme presents a fantastic opportunity to significantly improve the quality of these key town centre routes. Improving these routes fits well to the Mayors regeneration investment in the town centres public realm, and the Council's Connected Croydon Programme. Work is now underway to determine which elements of the public realm improvements will be secured as part section 106 and this will need to be agreed before the application is referred back to the Mayor.

129 The application does not propose any alterations to the internal layout or elevations of the multi-storey car park on the northern part of the site closest to Green Park House. It is disappointing that the multi-storey car park will not be upgraded and it is considered a lost opportunity to enhance the setting of the Grade 1 listed St Michaels church. However, the applicant does have an aspiration to redevelop this car park as part of a phase 2 scheme. In this regard, it can be accepted that the short term works to the car park would not be required.

130 The application locates the tallest buildings along the busier, wider Wellesley Road edge. The buildings along this edge vary in height from 45m to 105m (circa 15 to 35 storeys). As you move west across the site the height of the new buildings reduces closer to the sensitive heritage locations in the Central Croydon Conservation Area particularly along North End, George Street and Poplar Walk, with building heights in these areas only marginally taller or comparable to existing buildings. This general approach is in line with the urban design principles of the OAPF.

131 To further articulate the massing arrangement the applicant has provided a detailed visual assessment of the scheme. The number and location of these visuals was agreed with the GLA and Croydon Council prior to submission. These visuals demonstrate how the proposed building heights and massing respond well to their surrounding context and how the proposed buildings would successfully mediate between the busy, Wellesley Road and the finer grain, heritage sensitive streets of North End, George Street and Poplar Walk.

132 However, there is one concern, in the view from the top of Crown Hill looking north east over the Grade 1 listed Almshouse. It is understood that this view shows the maximum permitted height of the residential buildings along Wellesley Road and that this scale of development could not be built out in full as the quantum of residential floorspace sought in the planning application would not allow for the four residential towers fronting Wellesley Road to be built up to the maximum. Also, it is recognised that the massing of the wire line shown in the illustrative scheme would enhance the setting of the Almshouse compared to the existing situation. Nonetheless given the sensitivity of the Grade 1 listed building it is recommended that applicant add additional wording to the Design Guidelines that specifically recognise the importance of the west facing elevation of the residential development and its potential impact on the setting of the Almshouse.

133 The parameter plans and the design code will secure a sufficiently high standard of residential design. The illustrative scheme demonstrates one way in which the residential component could be developed, which is welcomed. It may be that the residential component of this application does not come forward at the same time as the mixed-use shopping centre. In that case the applicant is requested to provide a strategy setting out how this space would be managed over the course of the scheme and what measures (i.e. meanwhile uses, accessible amenity space etc...) would be implement to ensure this part of the site contributes positively to the Town Centre and Wellesley Road. This strategy would need to be agreed and secured as part of the section 106 before the application is referred back to the Mayor.

## Conclusion

134 The application proposes a new mixed use shopping centre in the Croydon Town Centre. The scheme is well designed and arranged to provide a high quality retail and leisure destination

with good quality residential space. The applicant is required to secure additional wording in the design guide to more carefully manage the treatment of the west facing elevation of the residential buildings visible in the setting of the Grade 1 listed Almshouse; and also to provide a strategy for how the area of residential development proposed along Wellesley could be used and treated if a residential use does not come forward at the same time as the retail development.

## **Access and inclusive design**

135 As set out in the urban design section of this report, this scheme will deliver significant improvements to the public realm in the Croydon Town Centre and these improvements will be designed to be fully accessible.

136 There is a 4 metre level change across the site from Wellesley Road to North End. The design of the scheme, is such that internal and external routes across the site will be designed with gradients of no more than 1:20. On the new 24 hour route through the site there will be a large new set of public steps to deal with the level change and this route will be 24 hour accessible with access to managed public lifts.

### Residential

137 The applicant has indicated that 100% of units would be designed to meet 'Lifetime Homes' standards and that 10% of units are provided as wheelchair accessible units. These requirements should be secured by condition.

### Blue badge car parking

138 In line with London Plan policy the provision of a wheelchair accessible unit should be accompanied with a blue badge car parking bay. A policy compliant scheme would range between 40 and 60 blue badge spaces, dependent on the final agreed quantum of residential.

139 However, this is a highly accessible location with direct access to an accessible train station and so a lower level of accessible car parking may be acceptable. The applicant should clarify what level of residential accessible car parking is proposed and indicate where this would be located. This level of blue badge parking should be secured by condition.

140 The applicant should confirm where the blue badge DDA compliant drop off space for the residential space would be located.

### Conclusion

141 The overall layout and proposed treatment of the scheme, secured as part of the design guide and parameter plans, will deliver an accessible mixed-use shopping destination in the Croydon Town Centre. However, there are still some outstanding issues relating to the number of blue badge accessible parking for residents and the location of DDA compliant drop off points.

## **Transport and parking**

142 The site has a public transport accessibility level (PTAL) of 6b on a scale of 1 to 6 where 6 is most accessible. Wellesley Road is part of the Strategic Road Network SRN). The site lies within 150m of West Croydon station, providing mainline rail and London Overground services. East Croydon station is approximately 400 metres to the east of the site, providing frequent mainline rail services to central London and regional stations such as Gatwick Airport and Brighton. Croydon

Tramlink stops are situated at Wellesley Road, George Street and West Croydon bus station; serving Wimbledon, New Addington, Beckenham Junction and Elmers End. The site is also served by a large number of bus routes, which can be accessed on Wellesley Road, and from East and West Croydon bus stations and from Poplar Walk.

143 A number of pre-application meetings have been held with the applicants and the Council, commencing in April 2012. During this time TfL has sought to agree a complex and robust assessment methodology with the applicant in order to progress the design and layout of the development and its accesses together with other off site highway and public transport improvements. Discussions have also taken place regarding proposed mitigation and section 106 package.

144 The site is within the Croydon Opportunity Area (COA) and is the subject of an adopted Opportunity Area Planning Framework (OAPF) and associated transport study. The OAPF sets out the long term vision for transport in the COA, including parking, public transport and highway infrastructure over a 20 year period. It is critical that the proposed development, which reflects a considerable amount of retail floorspace in the COA does not saturate the existing transport network. The OAPF aims to ensure that transport infrastructure improvements are phased to occur concurrently with development and impact across the entire COA.

#### Trip generation

145 The trip generation and distribution methodology for all land uses has been discussed and agreed with TfL and the Council and is considered acceptable. The proposed development is forecast to generate 8 million additional trips per year to the town centre by all modes. Discussions on the impacts and mitigation measures are ongoing and are covered in more detail below.

#### Vehicular access arrangements

146 Access to a new multi-storey car park will be provided via a new signal controlled junction on Wellesley Road, allowing vehicles to enter and exit the site to and from the south. Providing access at this point requires the underpass to be re-profiled and both the applicant and the Council should confirm that this is technically feasible prior to determination. Access to the basement servicing area will also be taken at this point, although via a separate entrance. Servicing vehicles will not be able to exit at this point but instead via Poplar Walk at the northern end of the site.

147 Access to the northern car park will be provided from Poplar Walk via a new southbound right turn from Wellesley Road. Two exits from the car park will be provided onto Wellesley Road northbound. TfL has significant concerns over the new right turn from Wellesley Road and the potential impact on tram operations. Due to the short length of the right turn lane, there is potential for traffic to queue back from the stop line and block across the tram track, therefore causing delay. This will need to be assessed using TfL's VISSIM model and TfL will need to be satisfied the proposed layout is capable of being implemented.

#### Traffic modelling

148 The Transport Assessment includes ARCADY, LINSIG and TRANSYT analysis of the Wellesley Road corridor, St James's Road gyratory and Park Lane gyratory. However, these models are not considered adequate for assessing the impact of the proposed development of this scale and impact, particularly on the tram network, and it has therefore been agreed with the applicants that more detailed VISSIM modelling will be undertaken using models prepared by TfL (as referred

to in the Transport Assessment Supplementary Report); this work is currently ongoing and the applicant has agreed to set out a programme for completion of the modelling work.

149 It has been agreed with all parties that strategic SATURN modelling is required to assess the wider traffic impacts of the proposed development, and also to take into account the potential reassignment affects of the proposals for Wellesley Road and the significant amounts of additional traffic generated by the development, particularly on the wider TLRN. The flows generated by SATURN will feed into the VISSIM modelling as discussed above; this work is currently ongoing and the applicants and TfL have yet to agree the base and forecast models.

150 Due to the constrained timescales for making a decision on the application, an alternative approach to the VISSIM modelling has been suggested by the applicants. Whilst this is broadly acceptable to TfL, the traffic flows agreed to be run through VISSIM, will eventually need to be consistent with SATURN outputs. This will need to be confirmed prior to determination and will be essential for gaining formal approvals for highway works under the Traffic Management Act.

151 Should this application be granted planning permission, the developer and their representatives are reminded that this does not discharge the requirements under the Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase of the development. Given the scale of the development and its effects on the SRN and TLRN, TfL will need to progress the models to a more detailed stage to enable implementation and this is to be reflected in the post permission highway approvals framework, to be secured by Grampian style obligations.

#### Highways

152 Given the estimated level of traffic to be generated by the development (an additional 800 vehicles in the weekday peak and 1300 in the weekend peak) there will be significant impacts on a number of junctions surrounding the site, the Opportunity Area and on the wider network. As discussed above, the SATURN/ VISSIM modelling is underway and the results are not yet fully understood. This information will be required to inform any changes and to inform a decision on the scheme.

153 Operation of the A23 corridor (including the Fiveways, Purley Cross and Lombard roundabout junctions) is critical to TfL who are in the process of investigating potential options for this corridor, this work may not be concluded by the point of determination and as a result TfL will seek an appropriate contribution towards these improvements.

154 There are a number of other junctions, mainly on borough roads, that will potentially require mitigation. Confirmation of these junctions and the required works are pending the modelling being finalised. Technically the modelling needs to reach a satisfactory position prior to the determination of the application in order to establish the scale and form of junction improvements for the purposes of outline approval. In the absence it is likely that the applicants will need to commit to improvements at a number of junctions without fully knowing the detailed impacts through the section 106 and section 278 agreements, by agreeing scopes and undertaking further assessment and traffic monitoring in order to ascertain the impacts in more detail.

#### Pedestrians and public realm

155 The main pedestrian entrance from Wellesley Road will be opposite Lansdowne Road. This will be served by a new pedestrian crossing on Wellesley Road that is being delivered as part of the Council's Connected Croydon Programme and this will provide access to the main east-west route

through the site. It will also link to the new pedestrian footbridge at East Croydon Station. This proposal is strongly supported.

156 The illustrative information indicates the provision of another new crossing at Chapel Walk, opposite Sydenham Road. TfL supports the aspiration to improve the pedestrian and cycle environment. However, TfL is unsure of the potential impacts of this crossing on the tram and road network and further work is required prior to a planning decision.

157 Access from George Street will be via a new entrance close to the existing tram stop, and three entrances will be provided along North End. The primary access at North End Place will link to Wellesley Road and the Centrale shopping centre.

### Car parking

158 The application proposes 3,500 car parking spaces provided in two multi-storey car parks. The TA states that the site currently accommodates 2,142 spaces in three separate car parks. The proposals therefore result in an increase of 1358 spaces. There are a further 1,000 spaces found in Centrale, adjacent to the development site and accessed from Tamworth Road. This brings the total level of car parking the Retail Core area of the town centre to 4,500 spaces.

159 The adopted Croydon OAPF sets out two possible car parking scenarios for the Croydon Town. Scenario two is based on the assumption that there is a significant major new investment in the retail core. This scenario proposes that a total figure of 4,092 car parking could be acceptable if this could figure be robustly justified through detailed modelling work.

160 The applicants proposed level of car parking is in excess of London Plan policy 6.13 on Parking and the proposed car parking levels in scenario two of the Croydon OAPF. As previously discussed the impact of this additional traffic, including on operation of the tram network, is being tested through the SATURN/ VISSIM models. This work is ongoing and the subject of further discussions between the applicants and the Council.

161 The applicant proposes to provide electric vehicle charging points (EVCP) for 10% of car parking spaces, with 10% to have passive provision for future conversion. For residential units 20% active and 20% passive must be secured in accordance with London Plan policy 6.13, including Table 6.2. Furthermore adequate car parking for mobility impaired/ Blue Badge users in accordance with London Plan standards will also be required and incorporated into the development for all uses.

162 A Car Parking Management Strategy for both commercial and residential uses is also proposed. This Strategy is welcomed and should be secured as heads of terms prior to determination. The Strategy is required to include a range of measures and controls including:

- phased implementation of parking spaces
- parking restrictions
- variable messaging signage
- tram priority measures and signal optimisation
- phased implementation of EVCP's
- incentives for non car/ multiple car drivers (linked to travel plan)
- car club spaces
- Blue Badge spaces
- other remediation following ongoing monitoring of car usage and network performance

163 TfL welcomes the applicant's intention to provide two car club spaces on Belvedere Road, which should be secured through the s106 agreement. Appropriate measures to promote and increase the size of the car club should be included in the travel plan. The applicant should also offer free membership for residents, to be secured in the s106 agreement.

#### Croydon Tramlink

164 TfL is currently unable to comment fully on the impact of the proposals on the tram network until the VISSIM modelling is complete. However, there will be a need for significant mitigation measures due to the impact of the proposed development and scale and nature of access points onto Wellesley Road, which will result in conflict with Tram operation. It is expected that junction and access designs will be needed to fully assess this including an acceptable tram network and accesses designed appropriately so as not to have an unacceptable impact on tram operations and safety. The additional tram traffic is expected to be 450 additional tram trips in the PM and Saturday peaks (approximately 2500 additional all day) that would be generated by the development could also require additional trams to maintain the existing frequency, requiring capacity enhancements both on the trams and at stops and through modifications to the proposed layout of Wellesley Road (see Vehicular Access section above). Further discussions on these issues will be required once the modelling is complete.

165 One option is to move the southbound tram stop on Wellesley Road, however this requires further assessment and modelling including feasibility and scope of works. Once agreed TfL will seek a contribution or section 278 agreement, subject to Office of the Rail Regulator (ORR) approval for works. For these and other works to tram infrastructure and kit TfL is unable at this stage to confirm the overall cost to the applicant; further discussions with TfL and its suppliers is required.

166 Critically, the proposals will need to have undergone consultation with the Office of the Rail Regulator (ORR) who may require additional safety measures and satisfactory assurance processes to have been met in the submitted access junction designs. Any comments they have made will need to be considered prior to determination including inclusion of any Grampian style obligations and conditions.

#### National Rail

167 The proposed development is forecast to generate over 200 additional passengers using West Croydon station in the PM peak hour (approximately 1300 over the whole day) and nearly 300 in the Saturday peak hour (1600 over the whole day) which is a significant uplift. The main entrance to the station suffers congestion in the peak hours and on Saturdays because of its constrained size and design, despite the recent improvements that have been carried out. Croydon has developed a scheme (through the West Croydon Masterplan) to provide a replacement entrance on the corner of the London Road/Station Road junction that would provide much better access to the development, as well as relieving congestion. TfL therefore requests that a contribution towards this scheme is secured through the section 106 agreement.

168 A similar level of increase is also forecast at East Croydon station, but it is considered that there is sufficient capacity to accommodate the additional demand, particularly when the new pedestrian bridge link is fully opened. The proposed development will benefit significantly from the newly constructed Network Rail station bridge link which will provide a direct link into Lansdowne Road, across the proposed pedestrian crossing and into the shopping centre access.

169 In TfL's view there will be more rail passenger trips than forecast in the transport assessment and this should be considered through future monitoring and should inform design and section 106 contributions at West Croydon station.

## Buses

170 The proposed development will generate a significant number of additional bus trips and additional capacity; including over 1300 in the weekday peak (approx 7500 daily) and over 1800 in the Saturday peak (approx 10,000 daily). TfL currently estimates that four routes will require frequency increases (routes 60, 109, 166 and 250) in order to accommodate the additional demand. Assuming an increase of one bus per hour on each route, this would require 13 additional buses at a cost of £220,000 per bus per year. This equates to £2.86 million per year or £14.3 million over five years (TfL secures contributions over five years as this is the length of the contracts with the bus operators). More detailed discussions are now taking place to agree a figure. Importantly this contribution is only 'pump priming' of services, the actual cost is much greater and would be partly subsidised by TfL and then recaptured through revenue over time.

171 In order to accommodate the additional services there will also be a requirement for additional bus standing space. It is currently estimated that two or three spaces will be required and further discussions with the applicants and the council are required to identify a suitable location. The land would need to be defined in the section 106 agreement (shown on a plan), and any obligation would have to restrict operation of new bus routes until such time as the space is actively available. Options currently include Wandle Road car park and Dingwall Road, however the location must reflect the routings of the additional services, any additional journey time and driver duty would need to be paid for by the developer and secured through the section 106 agreement.

172 All bus stops that will serve the development should be upgraded to ensure that they meet current standards. The stops adjacent to the site on Wellesley Road will be upgraded as part of the section 278 works, and those at West Croydon bus station will be enhanced as part of the proposed improvement scheme. Other key stops that are not included in these areas will need to be identified and contributions secured towards improvements. The average cost of upgrading a bus stop is approximately £10,000 and the total contribution will be confirmed once the stops have been identified.

173 There is also a need to ensure that the new access junctions and proposed crossings on Wellesley Road are designed to allow for safe movement and stopping of buses.

## Cycling

174 The proposed layout for Wellesley Road does not currently include any provision for cyclists, and TfL's view is that it will be very difficult to safely incorporate any significant facilities (without dismounting) given the new access points and conflicts with bus and tram infrastructure. A further discussion on cycle routes to and from the development is therefore required with the applicants and the Council to agree a strategy that will deliver safe, attractive routes and help to encourage cycling as far as possible. Croydon council will advise the applicant on how the proposed development can satisfy its Connected Croydon and Connect 2 cycling objectives.

175 In addition to standard cycling provision (see below) TfL recommends that a Cycle Hub is provided within the site. This could include a cycle shop, secure parking facilities and other measures to help encourage cycling both to the development and within the town centre as a whole. The applicant has agreed to investigate a subsidised rent for such a facility which should be provided in an accessible location.

176 A Cycling Strategy should be produced to include a range of measures to encourage cycling, and should be secured through the section 106 agreement. The Strategy must include a range of measures and controls including:

- cycle hub

- phased implementation of cycle parking spaces to meet London Plan standards (basement and publically available)
- locations for potential roll out of the Cycle Hire
- cycle routes and access points
- cycle vouchers for residents and incentives for shoppers (linked to travel plan)
- cycle safety measures

### Cycle Parking

177 The transport assessment includes a commitment to provide cycle parking in accordance with the London Plan. This currently includes 456 spaces for the retail uses, 600 (minimum) for the residential units and 8 for the office space.

178 The 456 spaces for retail uses are based on the London Plan standard of 1 per 300 sqm for A1 non-food retail. However, the proposals also include A3-A5 and leisure uses for which different standards apply, and the provision should therefore be broken down to ensure that the standards are met for each use. Sufficient staff parking spaces should also be provided within this allocation, and these should be safe and secure with shower and changing facilities available. Additional visitor parking will also be required in convenient safe and publically available locations.

179 For the residential use, the final total will need to be confirmed once the unit sizes are know. As acknowledged in the TA, 2 spaces will be required for each 3+ bed unit.

180 The applicants has indicated that the full retail cycle parking allocation will not be provided when the development opens. An initial amount will be provided based on forecast demand, which will then be monitored and increased if the demand arises. The applicants will need to demonstrate that there is sufficient space to provide the full allocation within the development site, both within the public realm for visitors and in secure locations for staff (to be shown on illustrative plans). This approach is considered acceptable and should be set out in more detail in a Cycle Strategy for the site, which should be secured through the section 106 agreement.

181 In summary, the applicant needs to undertake more work and develop a more comprehensive cycling strategy. The new shopping centre represents a unique opportunity to assist in delivery of the Mayors Cycling Strategy and to help meet the Mayors mode share targets for cycling. These changes are required in order to satisfy London Plan policies 6.1, 6.9 and 6.13 including Table 6.3.

### Taxis and Private Hire Vehicles (PHVs)

182 The development will generate a significant demand for taxi trips and there is a need for a large taxi rank, but there may also be a need for more than one taxi rank to serve different venues around the development.

183 A taxi rank is proposed at the eastern end of the existing Dingwall Avenue in 'Electric Square', which will directly serve the main department store in the development. Further details on the capacity and operation of this rank should be provided, and the applicants should liaise directly with TfL Taxi and Private Hire to ensure that the taxi rank is in the correct location and is well served by drivers. The potential need for additional ranks will also need to be discussed.

184 There is currently a taxi rank in Poplar Walk that serves Marks and Spencer. TfL therefore require confirmation that this particular rank will continue to be operational or if it will be moved as part of this application.

185 There does not seem to be any mention of PHVs within the documents but an area for set down/pick up for PHVs should also be provided. PHVs are not allowed to use taxi ranks and so any facilities provided should be suitably away from the taxi rank and in a such a position where passengers would not mistake the cars for 'taxis/black cabs' plying for hire as this could encourage passengers to use unbooked PHVs. Waiting restrictions need to be in place to ensure that PHVs and unlicensed vehicles do not stop and illegally ply for hire or prevent licensed PHVs which are operating lawfully from using the designated space. As with the taxi rank, the PHV area for picking-up and setting down-passengers should be located close to the entrance/exit with a step-free access route.

186 As with the taxi rank, the PHV set down/pick up point and its detailed design should be discussed in detail with TfL Taxi and Private Hire, including smaller details such as appropriate signage.

#### Coaches

187 No mention of coach parking is made within the application documents. The development is likely to generate a number of coach trips and appropriate arrangements for set down, pick up and parking will need to be in place in order to accommodate coaches, either using existing locations or by providing new facilities. Further information should therefore be provided.

#### Legible London

188 Legible London is TfL's preferred pedestrian wayfinding scheme and is already established in the area. The opportunity to include further mapping posts in the area / around the building, would benefit greatly the efficient movement of people through the new areas of public realm and orientate them to key destinations. It is understood that signs within the site will be delivered by the applicants, and those around the site will be delivered through Croydon's CIL.

#### Travel plan

189 TfL welcomes the provision of a framework travel plan covering the residential and retail/leisure uses, which includes objectives and measures to promote sustainable transport and has passed the ATTrBuTe assessment. In order to ensure that the application complies with London Plan policy 6.1 *Strategic approach* and 6.3 *Assessing effects of development on transport capacity*, TfL expects the final travel plan(s) to be secured through the section 106 agreement. Specific measures such as car club membership and cycle vouchers should also be secured through the section 106 agreement, as well as other measures which are befitting a 21<sup>st</sup> Century regionally significant shopping centre, based on the applicant experiences at other shopping centres.

190 TfL will expect the developer to rigorously monitor travel data and to propose both 'hard' and 'soft' measures to ensure that the mode share targets are achieved and exceeded. TfL would welcome the setting up of a travel centre in the store and appointment of a travel plan co-ordinator who will report to a "Transport Advisory Group" to be established through the section 106 agreement. This role should include monitoring performance of the surrounding highway network as well as travel patterns.

#### Freight and servicing

191 The inclusion of a Delivery and Servicing Plan (DSP) is welcomed. The commitments to reduce peak hour servicing, delivery booking systems and a responsible procurement process are considered to be acceptable. The full DSP should be secured through the section 106 agreement and linked to the Travel Plan. Good practice must also be passed on to occupiers of retail units.

192 The provision of a framework Construction Logistics Plan (CLP) is also welcomed. Due to the complex nature of the build and potential impacts on pedestrians, trams, buses and traffic, TfL requests that detailed discussions on construction arrangements are undertaken as early as possible, although acknowledges that a limited level of detail is available at this stage, more detailed information and further discussions are required on phasing and timing of impact, particularly given the intensive scale of change on Wellesley Road, having regard to tram, bus, pedestrian and cycling movement.

193 In order to ensure compliance with London Plan policy 6.14 *Freight*, both the servicing and construction management plans must be secured by appropriate planning conditions or through the section 106 agreement. Both should be submitted to TfL and the Council for approval.

### Mitigation

194 The applicant and Council have agreed that TfL must be a section 106 party, and the applicant has agreed to reimburse TfL's reasonable legal fees (to be secured in the heads of terms). A collaborative approach to agreeing mitigation and the section 106 agreement has been established between the parties.

195 As discussed in the sections above, there are a wide range of potential mitigation measures that will need to be secured, but are the subject of further modelling, assessment and strategy, including but not limited to:

- Tram improvements: including new trams to meet demand, stop upgrades and infrastructure and safety and assurance processes and mechanisms
- Bus improvements: bus service enhancements, additional standing space and stop upgrades and agreed locations on Wellesley Road serving the shopping centre.
- Northern access junctions: further work and testing of northern access (Poplar Walk) and conflict with tram operations.
- Southern access junction: further work and testing of re-profiling of George Street underpass and operation of crossing facilities on Wellesley Road.
- Park Lane gyratory: Further assessment and approval of designs including public realm and pedestrian and cycle access.
- Highway improvements, both on Wellesley Road and on the wider network in particular A23 corridor (Five Ways, Lombard Roundabout and Purley Cross), other local junctions as identified by the Council.
- Subways: a strategy for an funding to improve, maintain or phase out the existing subways will be required.
- Cycle facilities and parking: accordance with London Plan standards and Cycling Strategy document (as defined above).
- Public realm improvements at junctions and on roads serving the application site (TfL endorse Croydon's public realm and urban design objectives)
- Taxi facilities and coach parking: confirmation of proposals and agreement by TfL
- Car parking: the level and provision of parking in accordance with London Plan standards, the Croydon OAPF and Car Parking Management Strategy (as defined above).
- Legible London signage: Both within the site and on main access points.
- Travel Planning, Delivery and Servicing Plan and Construction Logistics Plan (as defined above).

196 A monitoring and management strategy will also need to be developed and secured through the section 106 agreement, covering all of the proposed mitigation measures. Given the scale of development and critical nature of infrastructure, particularly on Wellesley Road, TfL requests that a 'post permission highway approvals framework' is developed in partnership with the

council and the applicant to deal with implementation/ delivery construction and traffic management act and formal notifications stages.

#### Community Infrastructure Levy

197 In accordance with London Plan policy 8.9, the Mayor has agreed his CIL charging schedule. The levy will apply to developments consented on or after 1 April 2012, and will be collected by London boroughs once development commences. This application is liable to pay a CIL charge, the cost of which in Croydon is £20 per square metre. This is in addition to the other mitigation measures discussed above.

198 With regard to the Borough CIL, the level of contribution is not yet known due to the nature of the CIL calculations and uncertainty about the number of existing buildings that will be in use when the planning permission is implemented. It is currently estimated that the CIL contribution could be between £2 million to £25 million, and it should be noted that this could have a significant effect on the availability of funding for other mitigation measures discussed above. Further clarification on this issue should be provided as soon as possible.

199 Regardless of the CIL requirements, TfL remains of the view that all transport mitigation can be secured through conventional section 106 mechanisms, as they are necessary and appropriate to mitigate the impact of this significant development and its impacts (in accordance with s123 of the CIL Regulations).

#### Conclusion

200 There are a number of key outstanding issues that will need to be addressed before TfL can be satisfied that the proposals are acceptable and must be satisfactorily addressed prior to the council determining the application. Notwithstanding this, the issues raised above are capable of being resolved by the applicant through further modelling, designs, planning conditions and section 106 obligations and post planning approvals processes.

## **Energy and climate change**

#### Energy efficiency standards

201 A range of passive design features and demand reduction measures are proposed that will reduce carbon dioxide emissions from the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with energy efficiency lighting. The demand for cooling will be minimised through the use of high performance glazing.

202 The development is estimated to achieve a reduction of 595 tonnes per annum (6%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development, as shown in the table below.

#### District heating

203 The applicant has carried out an investigation and there is currently no existing district heating network in the vicinity of the proposed development. Croydon Council does however have plans to install a district heating network across the Town Centre. The applicant has provided a commitment that this development will be designed to allow future connection to a district heating network should one become available. This should be secured as part of the section 106.

204 The applicant is proposing to install a site wide single energy centre located in the basement to provide heat for the whole scheme. For clarity, the applicant should confirm that all apartments and non-domestic building uses will be connected to the site heat network and this should be secured as part of the section 106 agreement.

#### Combined Heat and Power

205 The applicant is proposing to install a 2,450 kilowatt gas fired combined heat and power plan (CHP) as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO2 emissions of 1,874 tonnes per annum (20%) will be achieved through this second part of the energy hierarchy (see table below).

#### Renewable energy technologies

206 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 500 sqm of roof mounted photovoltaic panels and an illustrative roof plan has been provided.

207 A reduction in regulated carbon dioxide emissions of 17 tonnes per annum (0.2%) will be achieved through this third element of the energy hierarchy (see table below).

#### Climate change mitigation

208 The application includes a range of climate change mitigation measures secured as part of the design guide, including; green and brown roofs, sustainable urban drainage measures and winter gardens for the lower level residential units.

	Total residual regulated CO2 emissions	Regulated CO2 emissions reductions	
	(tonnes per annum)	(tonnes per annum)	(per cent)
Baseline i.e. 2010 Building Regulations	9,912		
Energy Efficiency	9,317	595	6
CHP	7,443	1,874	20
Renewable energy	7,426	17	0.2
<b>Total</b>		<b>2486</b>	<b>25</b>

*Table 3: Carbon Dioxide emission reductions from application of the energy hierarchy*

#### Conclusion

209 The proposed energy strategy is in line with current London Plan policies.

### **Air quality**

210 The air quality assessment that has been submitted as part of the application requires additional information, particularly on the modelling methodology. A technical note has been provided to the applicant setting out the specific requirements.

211 The GLA is currently updating the Best Practice Guidance on the control of dust and emissions from construction and demolition and this will be published for consultation in early spring 2013 as Supplementary Planning Guidance. A planning condition should be secured

requiring the applicant to meet the requirements of this SPG, particularly related to Non Road Mobile Machinery and to demonstrate how they would be achieved at reserved matters stage.

212 In addition, the GLA will be consulting on another SPG in spring 2013 that will set out the minimum emissions standards for CHP plants. A planning condition should be secured requiring the applicant to comply with these standards and to demonstrate how they would be achieved at reserved matters stage.

213 London Plan policy states that new development must be Air Quality Neutral (AQN). Guidance on AQN will be released in Spring 2013 as an SPG. A planning condition should be secured requiring the applicant to comply with these standards and to demonstrate how they would be achieved at reserved matters stage.

214 The Mayor recently announced a new £20M Mayor's Air Quality Fund (MAQF). This funding is available for local authorities and partners to bid for in order to deliver innovative, large scale infrastructure projects to improve air quality in London. It is suggested that applicant meet with the GLA and Croydon Council before the 12th April to discuss opportunities to access this funding to deliver best practice air quality measures as part of this development. More information about MAQF can be found at [www.london.gov.uk/mayorsairqualityfund](http://www.london.gov.uk/mayorsairqualityfund)

## **Noise**

215 In line with London Plan policy 7.15 the applicant should provide additional noise survey to adequately characterise the noise climate around the proposed development site. This updated noise survey should include more extensive predictions and modelling to describe the likely noise impact from the development itself.

216 In addition, suitable conditions be included to address the following issues;

- presence/absence & reasonably practical noise mitigation measures for balconies
- indoor ambient noise levels
- demolition and construction noise and vibration
- building services plant noise
- noise from commercial uses including car park and deliveries
- acoustic environment of open space and other external amenity spaces

## **Local planning authority's position**

217 The local authority is supportive of the principle of the proposed development and is reviewing the submitted application against existing local policies. Croydon Council are seeking to bring this application to a planning committee for determination in May 2013.

## **Legal considerations**

218 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the

application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

219 There are no financial considerations at this stage.

## Conclusion

220 London Plan policies on; land uses (opportunity areas, strategic office locations, town centres), housing, play space, transport and parking, energy and climate change, urban design, access and inclusive design, air quality and noise are all relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land uses:** The proposed land uses are strongly supported by existing London Plan policy and the adopted Croydon OAPF. The land uses will support the vitality needed to regenerate the town centre.
- **Housing:** The applicant is required to provide a detailed viability appraisal for review and has not set out a level of affordable housing; has not set out the level of three bed social rented housing to be provided; has not included a range of one and two bed units across all tenures. The applicant should provide this information for agreement before the application is returned to the Mayor.
- **Play space:** The application does not include an accurate range of child play space in line with the requirements of appendix B of the London Plan SPG on child play and this should be provided before the application is returned to the Mayor.
- **Urban design:** The overall urban design approach is of a high quality and will help to improve the overall character and perception of the Croydon Town Centre. The layout will ensure this scheme integrates well with its surroundings. It is disappointing that the northern most multi-storey car park will not be upgraded although it is understood that this is part of a longer term plan for this part of the site. The applicant has not yet provided a strategy for how the residential site would be used and treated in the short and medium term if residential did not come for at the same time as the retail development.
- **Access and inclusive design:** The overall layout and proposed treatment of the scheme that is secured as part of the design guide and parameter plans will deliver an accessible mixed-use shopping destination. There are still some outstanding issues relating to the number of blue badge accessible parking bays for residents and the location of DDA compliant drop off points.
- **Transport and parking:** There are a number of key outstanding issues as set out in paragraphs 65 to 122 that will need to be addressed before TfL can be satisfied that the proposal is acceptable and these issues must be satisfactorily addressed prior to determination.
- **Energy and climate change:** The proposed energy strategy is in line with London Plan policy.
- **Air quality:** The submitted air quality report needs further work to demonstrate how the scheme would meet London Plan policy 7.14

- **Noise:** The submitted noise assessment requires further detail and a set of conditions are required to successfully mitigate any potential future impacts as set out in paragraph 139.

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