

Units 1-5, 500 Purley Way, Croydon

in the London Borough of Croydon

planning application no.11/00979/P

Strategic planning application stage 1 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

A hybrid application seeking:

- Detailed planning permission for the demolition of retail units 1, 1a, 2 and 3; the erection of a three-storey building with gross floor area of 7,210 sq.m. for use within class A1 (retail) and the provision of associated parking, landscaping, access and highway improvements.
- Outline planning permission for the demolition of units 1 and 4, and the erection of a building with a gross floor area of 10,219 sq.m. for use as a bulky goods retail warehouse.

The applicant

The applicant is **Optimisation Development Ltd** (for Morrison Supermarkets Plc) and the architect is **Smith Design Associates**.

Strategic issues

The key issues for consideration are **land use policy** and the **principle of development; retail and town centre uses**; economic development, **regeneration** and **employment**; urban **design** and architectural quality; **inclusive access, transport**, climate change mitigation (**energy**) and adaptation (including **flood risk**); and the impacts of the development on **biodiversity**, ambient **noise** and **air quality**.

Recommendation

That Croydon Council be advised that while the application is generally acceptable in strategic planning terms, it does not comply with the London Plan for the reasons set out in paragraph of 93 of this report; but that the possible remedies set out in paragraph 95 could address those deficiencies.

Context

1 On 8 April 2011, 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 19 May 2011 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.

2 The application is referable under Categories 1B and 3F of the Schedule to the Order 2008:

1B- "*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—(c) outside Central London and with a total floorspace of more than 15,000 square metres.*"

3F- "*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 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; or allow the Council to determine it itself, unless otherwise advised.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 4.57-hectare application site is located on the west side of the A23 Purley Way and forms part of the Fiveways Retail Park, which is situated approximately 1.5 km south-west of Croydon (metropolitan) town centre.

6 The site is bounded on the north by the West Croydon to Sutton section of a railway line operated by Southern Railway and from which it is separated by a buffer of mature trees subject to a Tree Preservation Order; on the west by a playing field and residential properties on both sides of Goldalming Avenue; on the south by residential properties to the north of Stafford Road and on the east by the 'Fiveways Corner' road interchange between Purley Way, Stafford Road and Denning Avenue.

7 The site comprises three retail and one employment units built in the 1980s/90s and occupied as follows:

- Units 1 and 1a -Homebase and a presently vacant '*What!!! Home & Leisure*' store respectively.
- Unit 2- a Furniture Village store.
- Unit 3- a World of Sofas store.
- Units 4 and 4a -subdivided into two employment units and occupied by VOW Europe Ltd and Oyez Straker respectively.

8 The application boundary, however, excludes a smaller parcel of land that abuts the south-east corner of the site and the western edge of Purley Way. The latter is within the control of the applicant, but reserved for a phase 3 development under the terms of a separate planning application.

9 The surrounding area is predominantly residential in character, but is interspersed with large enclaves of retail, employment and other commercial development.

10 In terms of accessibility, the site is adjacent to 'Fiveways Corner' and is bounded to the south by Stafford Road, which is a borough road. Purley Way forms part of the Transport for London Road Network (TLRN). The A232 Croydon Road is also part of the TLRN and is located

less than 200 metres north from the application site. Waddon railway station is within an acceptable walking distance, being located approximately 250 metres away from the main entrance to the site and offering regular services to both central London and Surrey. The site is also served by a number of bus routes, with the nearest stops located on Stafford Road and Purley Way. As such, it has been demonstrated that the site records a public transport accessibility level (PTAL) of 3-4, on a scale of 1-6, where 6 is classed as excellent.

Details of the proposal

11 The application proposes demolition of the existing four units on site and a phased redevelopment to deliver a foodstore with a gross floor area of 7,210 sq.m. (3,399 sq.m. net), associated parking, landscaping, access and highway improvements (phase 1, detailed proposal); and a retail warehouse with a gross total of 10,219 sq.m. for the flexible sale of bulky goods (phase 2, outline proposal), with all matters except access arrangements reserved for future consideration.

12 The following table illustrates the proposed allocation of floorspace within the scheme:

proposed use	gross floor area sq.m	net floor area sq.m.
Morrisons foodstore	7,210	convenience goods 2,719 (80%) comparison goods 680 (20%)
Sub total	7,210	3,399
Retail warehousing	6,503	-
Replacement 'Furniture Village' (including mezzanine floor)	3,716	-
Sub total	10,219	-
Total	17,429	-

13 An overall total of 429 car parking spaces would be provided to serve the development. The provision would comprise 424 standard spaces, 23 disabled user spaces and 22 parent & child spaces. Parking for the foodstore would be contained at lower ground level, entirely within the envelope of that building. Provision would also be made for motorcycle and bicycle parking, with dedicated taxi pick-up and drop-off points.

14 Servicing of the premises would take place to the rear of the retail units via a service road running along the northern boundary of the site. The latter would ensure complete segregation between delivery vehicles and customer vehicles.

Case history

15 The site has a protracted history of appeal decisions. Its current status is as follows:

- Units 1 and 1a- Implemented pursuant to permission granted on appeal in October 1987, with no restrictions on the category of goods that could be sold.
- Unit 2- Implemented pursuant to permission granted in October 1991 and restricted to the sale of non-food items.
- Unit 3- Implemented pursuant to permission granted in November 1992 and restricted to the sale of non-food items.

16 Outline permission was granted on appeal in August 2002 for a comprehensive redevelopment of the site to provide a single-storey retail warehouse (9,710 sq.m.) with outdoor garden centre (2,323 sq.m.), bulk open storage (2,323sq.m.), two non-food retail units (2,323 sq.m. and 929 sq.m. respectively) and a total of 566 car parking spaces. Reserved matters pursuant to the outline permission were approved in June 2003, allowing an increase in size of the retail warehouse to 11,514 sq.m., an outdoor garden centre (2,252 sq.m.), bulk open storage (1,599 sq. m.), a non-food retail warehouse (1,858 sq.m.) and associated car parking, to be occupied by Furniture Village. The applicant maintained and the Inspector agreed, that the material commencement of works on site constituted effective implementation of the scheme and that, therefore, the planning permission was still extant.

17 In August 2008, outline permission was granted on appeal against non-determination within the prescribed period, of an application for the erection of a two-storey retail warehouse (17,596 sq.m. gross; 12, 886 sq.m. net) and 549 car parking spaces; including an integrated non-food retail unit (1,858 sq.m.) and an internal mezzanine (1,719 sq.m.) for the relocation of Furniture Village. That permission remains extant. Condition 7 of the Inspector's decision states that the premises shall only be used for the sale of bulky comparison goods.

Strategic planning issues and relevant policies and guidance

18 The relevant issues and corresponding policies are as follows:

- Retail/town centre uses *London Plan; PPG13, PPS4*
- Economic development & Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Employment *London Plan; PPS4; Industrial Capacity SPG*
- Urban design *London Plan; PPS1*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Transport/parking *London Plan; the Mayor's Transport Strategy; PPG13; Land for Transport Functions SPG*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Air quality *London Plan; the Mayor's Air Quality Strategy; draft replacement air quality strategy; PPS23*
- Ambient noise *London Plan; the Mayor's Ambient Noise Strategy; PPG2*

19 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 2006 Croydon Replacement Unitary Development Plan (as amended by GOL Direction Schedule in July 2009) and the London Plan (Consolidated with Alterations since 2004).

20 The following are material considerations:

- The draft replacement London Plan, published in October 2009 for consultation.

- The Croydon Draft Infrastructure Delivery Plan, published for consultation in September 2010.
- Towards a preferred Core Strategy for Croydon- supplement published for consultation September–October 2010.

Land use policy and the principle of development

21 The application site has no specific land use designation on Croydon's Replacement UDP proposals map, though the Purley Way area is identified in the London Plan and its emerging draft replacement as a preferred industrial location. Paragraphs 12.29 and 12.30 of the replacement UDP do, however, acknowledge that Fiveways and other retail parks are an established part of the retail provision of the borough and the sub-region generally.

22 As the planning history indicates, retail warehouses have existed on the site and other parts of the Purley Way corridor for several years, with some of the old established uses consolidated by express planning permission from the Council or the Planning Inspectorate on appeal. With regard to the application site, two of those permissions remain extant.

23 The application site is, nonetheless, evidently in an out-of-centre location, where the national planning policy PPS4: *'Planning for Sustainable Economic Growth'* requires applications for retail development to be subjected to sequential location and retail impact assessments. The policy statement adds (at EC17) that planning permission should be refused where the applicant has not demonstrated compliance with the requirements of the sequential approach, or there is clear evidence that the proposal is likely to lead to significant adverse impact.

24 Similarly, London Plan policies 3D.1 and 3D.2 encourage retail and other related uses in town centres, while discouraging them outside town centres. The latter requires borough DPD policies to manage existing out or edge of centre retail and other service provision in line with the sequential approach, seeking to reduce car dependency and traffic generation, and to improve public transport access in order to promote more sustainable forms of development. This approach is also supported in policy 4.7 of the draft replacement London Plan.

25 With regard to the long-term aspirations for the site, Croydon Council has indicated in its Core Strategy consultation supplement, that it will seek to establish mixed-use developments on existing large retail sites along the Purley Way. Furthermore, in order to support the growth in homes planned up to 2031 for Waddon, the Council will investigate the potential of establishing two new local centres at Fiveways and the proposed Valley Park.

Retail and town centre impact

26 London Plan policies 3D.1 and 3D.2 encourage retail and other related uses in town centres, while discouraging them outside town centres. The latter requires borough DPD policies to manage existing out or edge of centre retail and other service provision in line with the sequential approach, seeking to reduce car dependency and traffic generation, and to improve public transport access in order to promote more sustainable forms of development. This approach is also supported in policy 4.7 of the draft replacement London Plan.

27 In principle, the existing units 1 and 1a of Fiveways Retail Park have an unfettered retail permission to accommodate a 5,210 sq.m. foodstore similar to Morrisons. In line with national guidance, however, the site selection for the proposed foodstore was initiated with a sequential preference for locations in or on easily accessible edge of established town centres, and on sites or buildings that are suitable, viable and available for the proposed development. The search included

sites in and around the Croydon metropolitan centre, the district centre of Purley and a number of sites in Wallington and Carshalton in the neighbouring borough of Sutton.

28 Despite a plausible demonstration of flexibility in its approach to scale, formatting, disaggregation and car parking provision, the assessment concluded that there were no alternative sites that could accommodate the foodstore proposed in this application. In particular, the applicant has pointed to its extensive offer of convenience items, the significant amount of in-store food preparation areas, the subsequent need for extensive back-up storage and freezer space, and the requirement for off-road servicing and delivery. The appeal decisions of 2002 and 2008 further affirmed the Council's UDP acknowledgement that six retail parks, including Fiveways, were an established part of the retail provision of the borough.

29 With regard to the potential impact of trade diversion from existing stores and its effect on the vitality and viability of existing shopping centres, the applicant's assessment is that the proposed foodstore is likely to compete with similarly large stores for the main shopping trolley of customers within the catchment area (defined as a five minute off-peak drive-time isochrone), and not for the shopping baskets of smaller 'top-up' stores.

30 The local market is dominated by a large Sainsbury's and Asda on the Purley Way Retail Park and a Tesco Extra on Purley Road. For convenience goods, those stores are said to be overtrading at present and, therefore, capable of comfortably absorbing the forecast trade diversion towards the Morrisons store. The comparison goods offer of the store (20% of the net trading area) is intended to be complementary to the convenience offer and, therefore, unlikely to have a significant effect on comparison good retailers. The introduction of the Morrisons store would thereby enhance consumer choice and healthy competition for local people as encouraged in PPS4.

31 Furthermore, health checks on the vitality and viability of Croydon metropolitan centre, Purley Town centre and the district centres of Wallington and Carshalton provided no evidence that any of those centres were vulnerable to competition from the proposed Morrisons store.

Economic development, regeneration and employment benefits

32 In addition to modernising the existing dated buildings on the site, the proposed foodstore would create an estimated 300 permanent full and part-time jobs for the local population. The latter comprises a variety of managerial and other skilled positions (e.g. butchers, bakers, fishmongers).

33 In terms of targeted local recruitment, Morrisons works with local councils and agencies, such as Job Centre Plus, to recruit staff for new stores in the local area, thereby supporting disadvantaged groups and the long-term unemployed. Typically, therefore, 75% of employees live within a three mile radius of their store.

34 The applicant has offered to enter into a local labour agreement with Croydon Council and Job Centre Plus, to establish a local employment partnership aimed at assisting in the training and development of local skills and maximising the accessibility of newly created jobs to local people. If the Council were minded to grant permission for this development, the applicant's commitment could be secured under the terms of a legal agreement.

35 A further 100 employment opportunities would be created by the retail warehousing element of the scheme, as would the additional job opportunities arising from the various phases of construction.

Urban design

36 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.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, views, and the Blue Ribbon Network. The draft replacement London Plan reinforces these principles, with new development required to have regard to its context, and reinforce or enhance the character, legibility and permeability of the neighbourhood (policy 7.1).

37 The development would consolidate the current discrete site development and provide a stronger street frontage to the Fiveways intersection. Although not as successful in addressing the frontage as the previously approved scheme, the current scheme provides a supermarket entrance of significant scale that would be visible from Purley Way. A later stage of the proposal (not part of this application) will enable a building with a stronger frontage to be constructed. Additionally, although the overall layout is acceptable, a more effective use of space would have been to consolidate the site with all buildings on the Fiveways retail site (including the site currently occupied by 'Porcelanosa') to create a cohesive development extending alongside the railway line to Purley Way. Nonetheless the proposed layout appears to allow for the possibility of expansion onto this site in the future.

38 The proposal creates new routes through the site to existing residential areas and recreational grounds, in line with Croydon Council's aspirations for the development of the site. The path along the site's southern boundary would run alongside the customer car park for the site and would be landscaped. The path would likely form a route to the railway station for residents of the adjacent area; the Council should ensure that the area would be adequately maintained and lit.

39 The scale of the proposal is appropriate, with the massing concentrated alongside the railway corridor. No visualisations from adjoining residential areas have been provided; although there would be no strategic impact as a result of the scale and massing of this development, the Council should ensure that local and amenity views are not detrimentally affected.

40 The appearance of large-format retail stores is often problematic as they involve long, unbroken elevations. In particular, supermarket operators rarely desire windows except at entrances. The design of this store is reasonably effective, with the main elevational features facing the street, and the main entrance designed to be unambiguous. Materials are appropriate to the retail park setting, and the elevation that would be visible from the nearest homes would use some materials with a natural appearance, such as wood cladding.

41 Railway corridors are often important biodiversity chains within the urban landscape and the use of 'woodland zones' within the landscaping plans, together with appropriate tree and shrub species, is supported. However additional planting as part of the ultimate car parking layout would be supported as it would soften the appearance of this hard-landscaped space.

Inclusive design and access

42 Policy 4B.5 of the London Plan requires new developments to meet the highest standards of accessibility and inclusion (not just the minimum), and to ensure from the outset that the needs of all users of the scheme, including disabled and deaf people, older people, children and young people, have been considered throughout the design process. This, together with the Supplementary Planning Guidance 'Accessible London: achieving an inclusive environment', underpins the principles of inclusive design and aims to achieve an accessible and inclusive

environment across London. These policies are supported by policies 7.2 and 3.8 of the draft replacement London Plan.

43 Whilst a 'design and access' statement was submitted in support of the application, no references were made to the access issues other than the number of parking spaces to be allocated for disabled visitors and an illustration of a 'travelator' access to the foodstore trading floor on the accompanying application drawings.

44 More detailed information is required to cover such aspects as the variations in ground level across the site and how those changes could be overcome by disabled visitors; the type and size of toilet facilities to be provided for wheelchair users within the store; the sign-posting of places for visually impaired people; arrangements for the evacuation of disabled visitors during an emergency; and the provision of parking and electric charging facilities for mobility scooters within the development.

Transport for London's comments

45 The level of car parking proposed is unclear and needs to be clarified, as there are discrepancies within the transport assessment, with one section stating there would be 469 spaces while another states there would be 480. Notwithstanding this, it is disappointing that no justification has been provided for a level of car parking that exceeds the prevailing standards, even though TfL requested that this information be included at the pre-application stage. Given the congested nature of the surrounding highway network, TfL needs to ensure that the parking provision is well balanced and would, therefore, require an analysis of parking accumulation and average duration of stay, in order to inform and justify the parking provision proposed on site. It also appears that the level proposed for the first phase of development may be in excess of Croydon Council's maximum parking standards. Accordingly TfL strongly encourages an appropriate reduction.

46 As highlighted at the pre-application stage, electric vehicle charging points (EVCPs) should be provided in accordance with policy 6.13 '*Parking*' of the draft replacement London Plan, which states that 10% of all retail parking spaces must be for electric vehicles, with an additional 10% of spaces having passive provision. While TfL requests that a car parking management plan be secured for the site by condition, some further information should be provided at this stage on how the use of the car park for commuting purposes at Waddon railway station will be prevented.

47 The intention is to utilise the existing site access direct from the A23, with alterations proposed at the Fiveways junction to accommodate this. TfL is however very concerned that the proposals have been based on the current road layout, which is shortly due to change as a result of an emerging TfL scheme for the junction. TfL has provided detailed comments on this in its letter of 21 April 2011, highlighting the key issues that would need to be addressed in relation to the proposed highway design. TfL therefore welcomes further discussions on this subject as a matter of urgency, in order to come up with an appropriate design solution. This is crucial, as this matter will need to be satisfactorily addressed in order for the development to be considered acceptable from a highways perspective, and to be in accordance with policy 6.11 '*Smoothing traffic flow and tackling congestion*' of the draft replacement London Plan (DRLP).

48 While the methodology used for the trip generation exercise is considered acceptable, the results should be checked against suitable TRICS/TRAVL sites, in order to ensure that the use of only one survey is suitable. Similarly, modal split has been calculated based on survey data, and whilst this approach is accepted in principle, more information on how the survey was carried out needs to be provided for TfL to confirm its acceptability. As with the trip generation exercise, the

results of this survey must also be checked against data available in TRICS/TRAVL before being considered sufficiently robust.

49 While committed developments have been included in the impact assessment, which is supported, TfL considers that that the impact of the forthcoming Tesco application on the John Lewis site also needs to be included within the assessment as a sensitivity test. This is consistent with TfL's request for the Tesco pre-application to take the Morrison proposals into account.

50 TfL will only be able to provide feedback on the results of the modelling once issues relating to the junction layout; modal split and trip distribution as further detailed above have been resolved. In addition, while both TRANSYT and VISSIM models were provided to the applicant by TfL, only TRANSYT modelling has been undertaken. Given the nature of the issues at the Fiveways junction, TfL requests that VISSIM modelling should also be provided.

51 TfL has concerns over how the impact of the development on the highway network can be mitigated. Even if effective mitigation can be put in place at the Fiveways junction, other busy junctions along the A23 corridor are likely to be impacted as a result of this development. TfL has been collecting contributions from large scale developments along the Purley Way, with the intention of pooling these funds towards delivering a meaningful intervention, once enough money becomes available. TfL would therefore welcome further discussions with the borough and applicant on this matter, to discuss the nature and size of any contribution required. It should be noted however, that TfL would expect this development to provide a contribution in line with those previously agreed for other similarly sized schemes.

52 While it is noted that a planning consent exists for the site, it was for a different use with a less significant trip generation, compared to the current proposal. TfL therefore recommends the Council should consider the s106 agreement independently from the previous agreement to ensure that what was previously secured is still appropriate to mitigate the impacts of this particular development, in accordance with policy 8.2 '*Planning obligations*', of the DRLP. This is particularly relevant given the emerging policies on '*smoothing traffic flow*', as it will need to be demonstrated that journey time reliability along the A23 corridor can be maintained in order for this development to be considered acceptable. Given the site location next to this important section of the TLRN, TfL also requests that, as with the consented B&Q scheme, it be made a co-signatory to any future s106 agreement in place for the site.

53 While TfL will provide further comments on the public transport impact once the trip generation comments provided above have been addressed, it would nevertheless request that the bus trip generation be also split by direction, in order to get a better understanding of the impact of the proposals on bus services. Based on the figures currently provided in the TA, TfL is concerned over the potential impact on Sunday services. TfL is currently undertaking surveys in the area, and these will need to inform any mitigation measures which may be required. TfL would therefore welcome further discussions on this matter in due course, in accordance with policy 6.7 '*Buses, bus transits, trams*', of the DRLP.

54 From the eight bus stops likely to be used by passengers travelling to/from the site, TfL has identified that five of them will require works to bring them up to current accessibility standards. Given that the development will generate additional demand for buses at these stops, a contribution of £50,000 is therefore sought towards the identified improvement works, which will involve raising kerb heights and introducing clearways.

55 TfL considers it very important that pedestrian access to the site be encouraged, particularly given the residential nature of the surrounding area, and would therefore strongly recommend, as discussed at the pre-application stage, that a detailed pedestrian audit be carried

out, to identify improvements that could be made to encourage trips on foot. TfL has also highlighted some specific concerns related to the pedestrian environment in its detailed letter, and these should therefore be addressed in accordance with policy 6.10 'Walking' of the DRLP.

56 Cycle parking is proposed in accordance with London Plan standards and is therefore considered acceptable, with the spaces located close to the individual store entrances, which is supported. TfL would also recommend that they are sheltered and covered by CCTV where possible, and that lockers and shower facilities are provided within each unit, in order to encourage staff to cycle to work.

57 Given the size of the proposed development, the quality of the submitted travel plan is very disappointing. Further information on what improvements are required are detailed in TfL's letter, and while a significantly improved travel plan will be required prior to any planning permission being granted, the revised travel plan should be secured, managed, monitored and enforced through the s106 agreement. Additionally, a construction logistics plan and delivery and servicing Plan should both be secured for the site by condition, in accordance with policy 6.14 'Freight' of the DRLP.

58 In summary, TfL has some serious concerns over the impact of the development on the surrounding highway network, and additional information, as further detailed above is therefore required before this development can be considered acceptable 'in principle', and in accordance with policies 6.7, 6.10, 6.11, 6.13 and 6.14 of the draft replacement London Plan. If an agreed way forward can be reached, s106 contributions are very likely to be required in order to mitigate the impact on Purley Way/Fiveways and on the bus network.

Climate change mitigation

59 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy. The policies set out ways in which developers must address mitigation of and adaptation to the effects of climate change. Chapter 5 of the draft replacement plan sets out the approach to climate change and requires developments to make the fullest contribution to minimizing carbon dioxide emissions.

Energy

60 Policies 4A.1 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve it.

Be Lean

Energy efficiency standards

61 For the detailed element of this application, i.e. Morrisons store, a range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Measures include heat loss parameter beyond the minimum backstop values required by building regulations, low energy lighting and controls and heat recovery from the refrigeration processes on-site.

62 This element of the scheme is estimated to achieve a reduction of 4.5 tonnes per annum (1.7%) in regulated CO₂ emissions compared to a 2010 Building Regulations compliant scheme.

63 The modelling for the detailed element of the application is welcomed, however, the applicant should, use the results of building regulations modelling for representative retail units in order to commit and demonstrate that the proposed energy efficiency measures would reduce carbon emissions beyond 2010 building regulations requirements for the outline element of the scheme, i.e. multiple retail units.

64 The overall carbon savings (outline and detailed) achieved on the basis of regulated energy should be re-submitted for this tier of the energy hierarchy

Be Clean

District heating

65 There are no district heating networks within the vicinity of the proposed development to which this scheme could connect to.

66 The heating requirements of each of the elements of this application, i.e. Morrison store and other retail units would be provided separately.

67 For the Morrison store, heat recovery from the refrigeration process would be used to supply a part of the heating requirements. This approach is welcomed.

68 For the retail units the applicant should clarify what heating systems that would be used in order to ensure that carbon savings are maximised.

Combined heat and power

69 Combined heat and power is considered inadequate to supply this development and has subsequently not been adopted as part of the proposals. This approach is accepted.

Cooling

70 The applicant should clarify the manner by which cooling requirements of the proposed development would be reduced and how the remaining cooling needs would be met.

Be Green

Renewable energy technologies

71 Water source heat pumps are proposed to supply the heating requirements of the Morrison store. A reduction in regulated CO₂ emissions of 25 tonnes per annum (10.5%) would be achieved through this element.

72 For the retail units, either photovoltaic or air source heat pumps would be used as part of the commitment to using renewable energy on-site.

73 In line with the draft replacement London Plan, overall carbon savings of circa 25% beyond 2010 building regulations are expected for all planning applications where feasible.

74 Therefore, the applicant should re-assess the potential for increasing the contribution of renewable energy on-site, i.e. use of photovoltaic as part of the Morrison store proposals.

75 The carbon savings that would be achieved for the retail units should also be calculated.

Overview

76 In line with the comments above, the applicant should estimate the overall regulated carbon emissions of the development (detailed plus outline) for each of the tier of the element hierarchy and after the cumulative effect of energy efficiency measures and renewable energy has been taken into account.

Climate change adaptation

77 Developments are required to be adaptable to the climate they will face over their lifetime and address the five principles set out in policy 4A.9 of the London Plan. These are: to minimise overheating and contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including the application of sustainable drainage principles; minimise water use; and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls, and water conservation. Chapter 5 of the draft replacement London Plan considers climate change adaptation, specifically policies 5.9 through to policy 5.15.

Overheating/heat island effects

78 The applicant aims for an independently audited BREEAM rating of 'Very Good'. Specific measures include avoiding the need for cooling in most of the store and the use of ventilation systems that adjust their output depending on the number of people in the store.

Flood risk

79 The site is located in flood zone 1 on the indicative floodplain map produced by the Environment Agency and has a low probability (less than 1 in 1000) of flooding. As such the proposal satisfies the sequential test described of PPS 25, which aims to steer new developments to areas with the lowest risk of flooding.

Surface water run-off

80 Surface water run-off is currently discharged into deep bore soakaways within the site. However, as the site is located partly above a major aquifer, the reuse of these would be limited to the disposal of roof water, to reduce the risk of discharging contaminants into the groundwater.

81 The run-off from car parks, access roads and service yards would discharge into new, high-level soakaways that would maximise the distance between their base and the water table, thereby allowing attenuation and biodegradation of potential pollutants.

82 Foul discharge would be directed to the public foul sewer, subject to a formal agreement with Thames Water.

Water conservation measures

83 A rainwater harvesting system would be installed to reuse roof water run-off for such purposes as toilet flushing and plant watering in the garden centre.

Air quality

84 Given its location along the busy A23 Purley Way, the site may be subject to high levels of air pollution from traffic. The relevant policies to address this are London Plan policy 4A.19 and 7.14 of the draft replacement London Plan, which aim to promote sustainable design and

construction, and to ensure that, at the planning application stage, air quality is taken into account along with other material considerations.

85 The borough of Croydon is an Air Quality Management Zone. The key areas of concern arising from this proposal are: the impact on local residents of dust nuisance from demolition and construction activities, and from traffic generated by the proposed development. Whilst measures are proposed to mitigate the impact of demolition and construction, a more robust response is required in respect of traffic if these proposals are to be referred back to the Mayor.

Ambient noise

86 London Plan policy 4A.20 (and policy 7.15 of the draft replacement London Plan) requires development proposals to minimise the existing and potential impacts of noise on, from, in or within the vicinity of sites; and for major sources of noise to be separated from noise-sensitive developments wherever practicable.

87 The applicant acknowledges that some of the acoustically significant fixed plant would operate on a 24-hour basis and should, therefore, be adequately controlled to prevent disturbance to nearby residents. Consequently, the applicant proposes to ensure a night-time maximum of 38dB(A) measured outside the surrounding houses and a daytime maximum of 45dB(A) measured from the gardens of houses to the north and south of the site and 40db(A) for those to the west. If these levels are acceptable to the Council, they should be secured by planning condition if it is proposed to grant planning permission for the development.

88 With respect to night and daytime noise from unloading at the foodstore, the applicant has clarified that the separation distance, use of acoustic screening along the boundary fence/service yard wall and the application of Morrisons' Quiet Delivery System would ensure that residents to the north of the site are subjected to noise disturbance. The proposed layout of the site would also ensure that the existing similar noise to the west of the site would permanently cease. These measures should be secured by condition.

89 Finally, the noise report concludes that noise generated in the car parks and produced by goods vehicles entering and leaving the site would be similar in character, less frequent and at a lower level than that produced by the existing road traffic and activities within the vicinity of the site.

Local planning authority's position

90 Croydon Council officers are concerned that the exclusion of part of the land within the applicant's control would result in a piecemeal rather than comprehensive redevelopment of the locality and are also concerned about some transport and design aspects of the submitted scheme. At the time of writing, however, it could not be ascertained when the application would be reported to the Council's planning committee, or what the officers' recommendation was likely to be.

Legal considerations

91 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, 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

92 There are no financial considerations at this stage.

Conclusion

93 London Plan policies on land use, town centres/retail development, regeneration and employment, urban design, inclusive access, transport, energy, sustainable construction, noise and air quality are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Inclusive design and access:** No references are made in the submitted design and access statement of the measures proposed to facilitate use of the premises by people with disabilities, as required by London Plan policy 4B.5 and policies 7.2 and 3.8 of the draft replacement London Plan.
- **Transport:** In its present form, the proposed development does not comply with the transport policies of the London Plan (and the draft replacement London Plan) as explained in paragraphs 45 to 58 of this report, and is therefore likely to impact adversely on the surrounding highway network.
- **Energy:** Additional information is required to assess the robustness of the applicant's energy strategy and ensure full compliance with the London Plan energy policies, as highlighted in paragraphs 60 to 76 of this report.

94 On balance, the application does not comply with the London Plan.

95 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Inclusive design and access:** More detailed information is required to cover such aspects as the variations in ground level across the site and how those changes could be overcome by disabled visitors; the type and size of toilet facilities to be provided for wheelchair users within the store; the sign-posting of places for visually impaired people; arrangements for the evacuation of disabled visitors during an emergency; and the provision of parking and electric charging facilities for mobility scooters within the development.
- **Transport:** The applicant should clarify the discrepancy in the number of parking spaces and in any event, secure an overall reduction in provision; provide electric vehicle charging points in line with policy requirement; address TfL's concern over the access arrangements to the site; address the issues pertaining to the estimated trip generation, modal split and the assessment of cumulative impact; facilitate use of the proposed cycle parking provision by enclosure, CCTV surveillance and the provision of shower and locker facilities; carry out a detailed pedestrian audit; respond to the TfL request for a financial contribution toward the upgrade of five local bus stops; and submit a significantly improved travel plan, delivery and servicing plan and a construction logistics plan, as recommended in paragraphs 45 to 58 of this report.

- **Energy:** The applicant should apply building regulations modelling to the outline proposals, to ensure that energy efficiency measures would reduce carbon of the overall carbon savings (outline and detailed) to be achieved on the basis of regulated energy. For the retail warehouse units, the applicant should confirm what heating systems would be used to maximise carbon savings. Details should be provided as to how the cooling requirements would be reduced and the remaining cooling needs would be met. In addition, the applicant should re-assess the potential for increasing the contribution of renewable energy on-site for both the detailed (foodstore) and outline (retail warehouse) elements of the scheme.

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