

To: Robert Naylor- Case Officer
Development Management
Development and Environment
6th Floor
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

From:
Monks Orchard Residents' Association
Planning

Email: robert.naylor@croydon.gov.uk
development.management@croydon.gov.uk

22nd April 2017
Emails: planning@mo-ra.co
chairman@mo-ra.co
hello@mo-ra.co

Reference: 17/00900/FUL
Validated: Wed 14 Sep 2016
Address: 67 Orchard Avenue Croydon CR0 7NE
Proposal: Demolition of the existing building. Erection of a terrace of 3 three bedroom houses with accommodation in the roof-space and formation of vehicular accesses onto Orchard Avenue. Erection of a detached two-bedroom bungalow at the rear and formation of vehicular access onto Woodland Way. Provision of associated parking, cycle and refuse storage for the whole development.
Ward: Shirley
Consultation close: 2nd May 2017

Dear Mr Naylor

Please accept this formal letter of objection to the proposal for demolition of existing building; erection of a terrace of 3, three bedroom houses with accommodation in the roof-space and formation of vehicular accesses onto Orchard Avenue. Erection of a detached two-bedroom bungalow at the rear and formation of vehicular access onto Woodland Way.

We should categorically state that we are **NOT** against development or re-development in this area, ^[1] but that we robustly object to developments that **do not reflect the character of the area** or meet the objectives as defined in the current adopted **Croydon Plan, The London Plan and the NPPF** as they relate to the "Shirley Place."

We, our members and local residents, request that the LPA ensure that the special character of the various "places" in Croydon are upheld in accordance with **current and proposed planning policies** to ensure that the existing and **proposed** services and infrastructure for these suburban settings are **NOT overwhelmed**.

We believe this is the fundamental reason for the Planning Policies.

[1] Ref: 16/0470/OUT & Ref: 16/0471/OUT - 10 The Glade; Ref: 16/0472/OUT & Ref: 16/0473/OUT - 8 The Glade; Ref: 15/04696/P & Ref: 16/00273/P - 41 Orchard Way. Ref: 16/05675/FUL – 1 Woodland Way. All these applications were given a Neutral Stance by MORA.

Parameters Relevant to the proposal:

From the applicant's documentation, the parameters of this proposal are:

Site Area:	660m ² = 0.066ha
Existing Dwellings:	1
Existing Occupants:	6 max
Existing Housing Density:	15.15units/ha
Existing Habitable Rooms:	6hr
Existing Residential Density:	90.91hr/ha
Existing Build footprint:	106m ²
Existing Amenity Area:	554m ²
Existing Amenity per person:	92.33m ²
Existing Post Code PTAL:	1a
Existing Address PTAL:	1b
Road Accident Profile:	3 (*)
Proposed Dwellings:	4
Proposed Occupants:	22
Proposed Housing Density:	60.60units/ha
Proposed Habitable Rooms:	15hr
Proposed Average hr/Unit:	4.04hr/Unit
Proposed Residential Density:	227.27hr/ha
Proposed Build footprint:	259.95m ²
Proposed Amenity Area:	400.05m ² (**)
Proposed Amenity area/person:	18.18m ²
PTAL	1b forecast to 2031

(*) 3 accidents involving six vehicles at this precise location.

(**) Including all car hardstanding and paved surfaces etc.

Character of the Locality:

This proposal is not significantly different from the refused proposal Ref: 16/04708/FUL and therefore this proposal should similarly be refuse on similar grounds.

From the above parameters, it can be seen that this proposed development will increase the **occupancy** from 6 to 22, an increase of **267%**. An increase in **Housing Density** from 15.15u/ha to 60.60u/ha, an increase of **300%** and an increase in **Residential Density** from 90.91hr/ha to 227.27hr/ha an increase of **150%**.

It is noted that the list of policies provided by the applicant in their **Design & Access Statement** at **Para 6.0 RELEVANT PLANNING POLICY**, the applicant **conveniently omits** to mention **The London Plan Policy 3.4 Optimising housing potential**, a policy which includes detailed guidance on **Housing and Residential Densities, i.e. The Character** appropriate for a locality depending on the 'setting' and the 'Public Transport Accessibility' (PTAL).

The **Croydon Local Plan** (CLP1) adopted 2013, does not give any **guidance** on the parameters to define the **character of an area** whereas the London Plan at **Policy 3.4** does provide **appropriate guidance** to **optimise housing** in relation to the defining parameters of a locality which determines the **character of an area**.

The London Plan Policy 3.4 defines the character of an area by using the 'setting' of the locality (central, Urban and **Suburban**); the **Public Transport Accessibility Level (PTAL)** and the **Housing and Residential Densities** in relation to the **site area**, to define the **appropriateness of a proposed development to exemplify the character** of a locality.

It is understood that **The London Plan** is applicable to Croydon as Croydon is an Outer London Borough. Where there is conflict between the London Plan and a borough's local plan, the most recent plan has the most weight ^[2].

The London Plan SPG Para 2.3 States:

*"When planning decisions are made, the policies set out in the **development plan have to be applied unless there are planning reasons why they should not be**. The London Plan also sets out the policies the Mayor will apply in dealing with the planning applications that he sees (see section 3 of this document). **Where there is a conflict between the London Plan and a borough local plan, it is the policy in the most recently published or adopted plan that should be given greater weight.**"*

The current version of the **London Plan** as adopted in **2015**, and published in **2016** and would have greater weight than Croydon's current Local Plan **adopted in 2013**.

The reason for optimising development is to ensure that "London's constrained land supply means it is **essential** that the London Plan sets out strategic density policy **to guide development** in the capital (**Croydon is an Outer London Borough**) in terms of 'Sustainable Residential Quality' (SRQ). ^[3] This is a broad concept which includes density but integrates it with wider environmental, transport and social objectives. This approach to **sustainable development and density** resonates closely with the **NPPF 85. Policy 3.4 and the SRQ matrix** have been refined and tested at EIP's over a **decade**. As expressed in the London Plan the concept is particularly concerned to ensure that **the quality of housing output is not compromised by the need to make the most efficient use of land.**"

Sustainability is meaningful as if this concept of optimising development is **NOT** observed, precedents are set which allows **cumulative developments of increased Housing and Residential Densities** into which the local infrastructure and services are not planned or provided, and eventually cannot cope – this is the philosophy of Planning Policy which if ignored causes significant future problems on the capacity of services, traffic congestion and infrastructure unless major expensive council planned infrastructure re-development is envisaged. Ignoring these policies now will cause major problems in the future. We are already experiencing this situation in the Shirley and Ashburton neighbourhoods.

[2] **London Planning Statement SPG, paragraph 2.3 on page 8, available here:**
<https://www.london.gov.uk/file/17421/download?token=CWYGICN>

Copy and paste into your search browser.

[3] **Reference London Plan – Housing Supplementary Planning Guidance (March 2016) - Paragraph 1.3.7.**

The London Plan at **Policy 3.4** states that developments should **optimise** housing output for different types of location within the **relevant density ranges** shown in **Table 3.2**. It also states "**Development proposals which compromise this policy should be resisted.**"

The **Housing Supplementary Planning Guidance (SPG) March 2016** provides further guidance on reasons which may be used to provide **higher or lower densities** than those defined in **Table 3.2**. These reasons are specifically in areas "**designated for intensification**" or in areas where "**Public Transport Accessibility Level**" is planned to be **increased**. See: **The London Plan Housing SPG 2016 Para 1.3.7** and "**Applying the Density Matrix**" **paras 1.3.8 to 1.3.11**. **Neither is the case for this location**. Guidance on considering whether schemes should be **above or below** the ranges in the density matrix is provided in **Housing SPG paras 1.3.50 to 1.3.55**. However, if there are **no sustainable reasons for lower or higher ranges, the ranges shown in Table 3.2 should be adhered to**. If not, there is no reason to have defined these density ranges and **therefore if ignored, the policy is worthless**.

The **table 3.2** below shows the values **appropriate to the locality** in **BLUE** ^[4] and the values **pertaining to the proposed developments** in **RED**. ^[4] (See: **Appendix A** for detailed calculations).

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)			
	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)
Setting	0 to 1 (1b ≈1.33) ^[4]	2 to 3 (PTAL 2.81) ^[4]	4 to 6
Suburban	150–200 hr/ha (≈183.25 hr/ha)	150–250 hr/ha (227.27hr/ha)	200–350 hr/ha
3.8–4.6 hr/unit (4.04 hr/ha)	35–55 u/ha (≈48.3 u/ha)	35–65 u/ha (60.60units/ha)	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8–4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha

Notes to Table 3.2: Appropriate density ranges are related to setting in terms of location, existing building form and massing, and the index of public transport accessibility (PTAL). The setting can be defined as:

- **suburban** – areas with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys. (**i.e. Shirley Residential is suburban**).

[4] See Appendix A for methodology of obtaining the Housing and Residential Densities and the appropriate PTAL's.

- **urban** - areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes.
- **central** - areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.

As there are no stated reasons for any deviating from the density values stated in Table 3.2 (i.e. the location is not within a designated “intensification” area or that the PTAL forecast for the location is NOT planned to be increased beyond 1b up to 2031), the proposed development should acknowledge these reasons and be within the ranges as defined in Table 3.2. (i.e. those displayed in **BLUE)**

With a **Housing Density at 60.60 u/ha** and **Residential Density at 227.27hr/ha**, this proposal is more appropriate for a **suburban setting** with an equivalent numerical **PTAL of 2.81^[5]** rather than that of **PTAL 1b**.

For development proposals at this suburban location (setting) at **PTAL 1b**, the **Housing Density should approximate to 48.3u/ha** (in the range 35 to 55u/ha) and the **Residential Density should approximate to 183.25hr/ha** (in the range 150 to 200hr/ha) to meet the guidance of **London Plan Policy 3.4 Table 3.2** Sustainable Residential Quality (SRQ) Density Matrix (habitable rooms and dwellings per hectare). (see Appendix A).

After querying this with the **Senior Strategic Planner – London Plan – GLA**, we have been informed that for any deviation from the ranges stated in the **Density Matrix Table 3.2**:

“The applicant will need to justify why their development has a higher or lower density than the applicable range for that site in the density matrix.”

Elliot Kemp MRTPI
Senior Strategic Planner
London Plan
Greater London Authority
City Hall, The Queens Walk, London SE1 2AA

Tel: +44 (0)20 7983 4908
Email: elliott.kemp@london.gov.uk

As the applicant **has not provided any ‘justification’** for deviating from the **London Plan Density Matrix** appropriate ranges, **this is a clear indication that this proposal is an over-development for this locality and should therefore be refused.**

It is noted that the list of policies in the applicant’s Design and Access Statement **omits** this very relevant **London Plan Policy 3.4 - Optimising housing potential**, in the list of relevant planning policies appertaining to the proposed development. **taking into account local context and character, the design principles in London Plan Chapter 7 and public transport capacity** it is clear that this application should be refused.

[5] Average of PTAL 2.85 and PTAL 2.77 See Appendix A.

Local character

London Plan Policy 7.4 Local character

Policy

Strategic

A Development should have regard to the **form, function, and structure of an area**, place or street and the **scale, mass and orientation of surrounding buildings**. It should **improve** an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an **enhanced character for the future function of the area**.

Planning decisions:

B Buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the **pattern and grain of the existing spaces and streets** in orientation, **scale, proportion and mass**
- b) contributes to a **positive relationship between the urban structure** and natural landscape features, including the underlying landform and topography of an area
- c) is human in scale, ensuring **buildings create a positive relationship with street level activity** and people feel comfortable with their surroundings
- d) allows **existing buildings** and structures that make a **positive contribution to the character of a place to influence the future character of the area**
- e) is informed by the surrounding historic environment.

The proposal does not reflect the pattern and grain of the existing spaces in scale, proportion and mass or contributes to a positive relationship with the suburban area or contribute positively to the character of the area and is therefore in contravention with the London Plan Policy 7.4 A and B a), b), c) and d). Therefore, this application should be refused.

Parking Provision and allocation

For development proposals at this **suburban** location of **PTAL 1b**, the **Housing Density should approximate to 48.3 u/ha** and the **Residential Density should approximate to 183.25 hr/ha** to meet the guidance of **London Plan Policy 3.4 Table 3.2 Sustainable Residential Quality (SRQ) density matrix** (habitable rooms and dwellings per hectare).

London Plan Guidance - Planning decisions

C **The maximum standards set out in Table 6.2** (below) in the Parking Addendum to London Plan chapter 6 **should be the basis for considering planning applications** (also see Policy 2.8), informed by **policy and guidance** on their application for housing in parts of **Outer London with low public transport accessibility (generally PTALs 0-1)**. **Therefore, recognising these policies, the parking provision for this proposed development is woefully inadequate.**

RESIDENTIAL CAR PARKING STANDARDS

Table 6.2 Car parking standards

Parking for residential development						
	PTAL 0 to 1 183.25 hr/ha		PTAL 2 to 4		PTAL 5 to 6	
	150-200 hr/ha	Parking provision	150-250 hr/ha	Parking provision	200-350 hr/ha	Parking provision
Suburban						
3.8-4.6 hr/unit	35-55 u/ha	48.3 u/ha	35-65 u/ha	Up to 1.5 spaces per unit	45-90 u/ha	Up to one space per unit
3.1-3.7 hr/unit	40-65 u/ha	Up to 2 spaces per unit	40-80 u/ha	Up to 1.5 spaces per unit	55-115 u/ha	Up to one space per unit
2.7-3.0 hr/unit	50-75 u/ha		50-95 u/ha	Up to one space per unit	70-130 u/ha	Up to one space per unit
Urban	150-250 hr/ha		200-450 hr/ha		200-700 hr/ha	
3.8-4.6 hr/unit	35-65 u/ha	Up to 1.5 spaces per unit	45-120 u/ha	Up to 1.5 spaces per unit	45-185 u/ha	Up to one space per unit
3.1-3.7 hr/unit	40-80 u/ha	Up to 1.5 spaces per unit	55-145 u/ha	Up to one space per unit	55-225 u/ha	Up to one space per unit
2.7-3.0 hr/unit	50-95 u/ha	Up to one space per unit	70-170 u/ha	Up to one space per unit	70-260 u/ha	Up to one space per unit
Central	150-300 hr/ha		300-650 hr/ha		650-1100 hr/ha	
3.8-4.6 hr/unit	35-90 u/ha	Up to 1.5 spaces per unit	65-170 u/ha	Up to one space per unit	140-290 u/ha	Up to one space per unit
3.1-3.7 hr/unit	40-100 u/ha	Up to one space per unit	80-210 u/ha	Up to one space per unit	175-355 u/ha	Up to one space per unit
2.7-3.0 hr/unit	50-110 u/ha	Up to one space per unit	100-240 u/ha	Up to one space per unit	215-405 u/ha	Up to one space per unit

Maximum residential parking standards			
number of beds	4 or more	3	1-2
parking spaces	up to 2 per unit	up to 1.5 per unit	less than 1 per unit

Notes:
 All developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 space per unit
 Adequate parking spaces for disabled people must be provided preferably on-site³
 20 per cent of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future.
 In outer London areas with low PTAL (generally PTALs 0-1), boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures.

Using the appropriate parameters of **183.25 hr/ha** and **48.3 u/ha** at **PTAL 1b**, the parking provision as defined by the **London Plan Table 6.2 Residential Parking Standards**, clearly shows the allocations should be **"up to 2 spaces per Unit"** with the recommended note that "in Outer London Areas with Low PTAL (generally 0-1), **Boroughs should consider higher levels of provision**, especially to address **"overspill"** parking pressures." The **PTAL for 67 Orchard Avenue** is **1b** and forecast to remain at **1b until 2031**.

A single parking space allocation for each dwelling will therefore result in overspill parking pressures, (Croydon Council cannot legislate to prevent car ownership) into Orchard Avenue, a very busy Class C feeder road, causing traffic congestion. Orchard Avenue is insufficiently wide to allow three car widths and tolerance for safety, such that overtaking a stationary vehicle would require traffic hold up to await a break in the traffic flow to allow overtaking of a stationary vehicle. This "wait" creates a back-up of vehicles behind the waiting vehicle which significantly adds to inconvenient congestion due to a single parked vehicle.

Orchard Avenue is a **Class C feeder link road** between the **A232** and the **A222** and as such carries a high volume of traffic, especially during the morning and evening rush hours and during the school run. There are two local schools in Orchard Way close to this site - Orchard Way Primary (with approximately 215 pupils) at an approximate distance of **≈415m** from the proposed development and Edenham High School ^[6] (with approximately 1,200 pupils) at an approximate **≈475m** distance from the proposed development.

[6] Edenham High oversubscribed

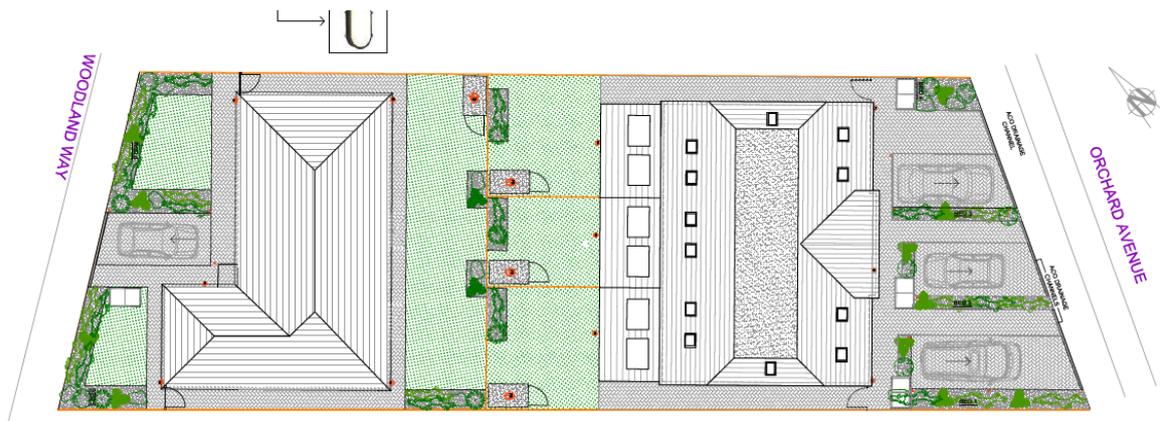


Fig 1 Whole Site Layout

To provide a single parking space for each unit which requires either **entering in a forward gear and exiting in a reverse (or vice versa) into a busy Class C feeder road with no visibility splays** and high levels of **pedestrians and children** travelling en-route to local schools etc., is **unacceptable** in terms of **parking provision requirement** and is **exceedingly dangerous**. The whole site illustration (Fig 1) shows Unit 1 and Unit 3 vehicles had reversed into the parking space and Unit 2 vehicle entered the parking space in a forward direction. We understand these are only illustrations but it clearly shows there are **no visibility splays** to ensure the driver can clearly see whether it is **safe to exit from these parking spaces into a busy feeder road**, whether they originally drove into the parking space in a reversed direction or, even worse, if in a forward direction. **The parking provision is inadequate and dangerous.**

There have been major accidents at this very location in recent years [7] and the existing property allowed access and exit in a forward gear so there was minimum possibility of accidents as a result of exiting the site from the existing premises.

Similarly, for the Bungalow, access to parking on Woodland Way which also has **no visibility splays** for checking whether it is safe to exit from the parking space, if entered in a forward or reverse mode.

It is also noted that there are no **Disabled Parking** allocations within this proposed development.

Croydon Parking provision for Housing Units is **very low** by comparison with other outer London Boroughs, **which contributes to the very high level of congestion on Croydon's roads. (see Appendix B)**

Residents of Unit 2 of the Terraced Block would need to **carry any Cycles through the house (via lounge and kitchen)** for access to the **Bike Store in the rear garden**. This is a very **unhygienic situation** as the tyres and wheels could have travelled through any number of disgusting mess.

[7] See <http://www.crashmap.co.uk/>

Appropriate adopted CLP1 (2013) and UDP (Saved) Policies:

Urban Design

SP3 "The Council will require a high standard of design in all development, ensuring that it **complements nearby buildings** ... "

The proposed development is in contravention of **UDP SP3** as the development **does not reflect the Housing or Residential densities** appropriate for the locality and does **not complement nearby buildings**.

Layout and Siting of New Development:

UD2 Development proposals will be permitted provided they:

- (i) Reinforce and respect the existing development pattern, plot and building frontage widths, where they contribute to local character;
- (ii) Address the street to provide active frontages;
- (iv) Are based on a series of spaces defined by buildings;

The proposed development is in contravention of **UDP UD2** as the proposed development does not reinforce or **respect the existing development pattern of dwellings**, plots and **dwelling widths** or **contribute to local character**.

Scale and Design of New Buildings

UD3 Development proposals will be permitted provided they:

- (i) Respect the **height and proportions** of surrounding buildings which play an important role in determining the character of the street.
- (ii) Accommodate **higher densities in areas of good accessibility to public transport** and access to services. High density residential development within these areas should achieve the highest possible standard of environmental benefits to ensure cost effective, comfortable and quality homes with relatively low utility costs.
- (iii) Where appropriate, incorporate roof designs to create visual interest.

The proposed development is in contravention of **UDP UD3** as the proposal does not respect the **height and proportions** of surrounding buildings (dwellings) or **respect the character of the area**.

The area is a **suburban** setting of **Low PTAL 1b** and is therefore **inappropriate** for such an increase in **housing or residential densities**. (See also London Plan Policy 3.4 Policy above).

The **roof form** does not **respect surrounding properties**, and the proportions of the proposed 3 storey Terraced Houses do not do not reflect the proportions of surrounding **detached and semi-detached dwellings**. There are no **Terraced properties** in this part of Shirley.

Safety and Security

UD6 The Council will require that issues of **safety** and security are an intrinsic consideration in the detailed design and layout of buildings and the spaces around them.

Para 4.37 States: Whilst supporting the general design policies in this chapter, all new development **should be designed** with issues **of safety** and security as a consideration from the outset.

The parking provision is **unsafe** as there are **no visibility splays** to allow the driver, who had previously entered in either a forward or reversed gear into the parking space, to exit and **ensure safety** of pedestrians or children on scooters etc., are not put in danger by the exiting of the vehicle from the parked position across the footway and into the highway. This application should be refused.

Inclusive Design

UD7 The Council will expect development proposals to be designed with **ease of access** for **all users as a prime consideration**, such as level or ramped access provision, and for internal space and layout to be designed to meet requirements relating to aspects of **disability** such as wheelchair use and sensory impairment.

The Parking Access is considered **dangerous**. There are no specific **Disabled Parking** provisions for this application.

Protecting Residential Amenity

UD8 The Council will have regard to the following factors when considering proposals for new residential development including extensions and alterations to existing buildings.

- (i) **Form and layout** of existing and adjacent buildings.
- (iii) **Amenity space** that **respects the character of the surrounding area** and provides an amenity area for residents.
- (iv) Residential amenity space that is considered as an integral part of the design of the overall development concept.

There would be **substantial loss** of garden and **amenity area and the proposal does not respect the character of surrounding area** compared to the locality and **surrounding properties and PTAL**.

The amenity space at **138.5m²** per occupant for an existing 4-person dwelling is reduced to **18.18m²** per occupant for the proposed development, **a reduction of ≈ 80%**. The amenity area for four dwellings and for **22 occupants** in total does not reflect the **amenity space** and **character** of the surrounding area.

The height and massing of the **3 Terraced Houses** would be **dominant in the area** compared to the two adjacent properties in Orchard Avenue and **over-bearing** to the property in Woodland Way. The appropriate **size and length of rear gardens does not reflect the character of the gardens** of properties in the surrounding area.

Parking Design and Layout

UD13 Car and cycle parking must be designed as an **integral part of a scheme** and not be allowed to **dominate or determine the urban form**, and should be **safe**, secure, efficient and **well designed**. **All parking** and service arrangements should be designed **to minimise** their **visual impact**.

The design of **parking area** should be considered as an integral part of the overall scheme, with detailed attention to **safety** and security, siting, **ease of access by users**, detailed design and materials and the inclusion of new areas of tree and shrub planting.

The parking provision consists of most of the frontage and is considered **inadequate and dangerous due to the exiting without any visual splays onto a busy class C Feeder Road. The parking provision cannot be considered an acceptable design.**

There is inadequate Parking Provision in a PTAL 1b locality for 22 occupants resulting in overspill on-street parking on a busy Class C feeder road and single decker Bus Route (367) .

Residents of Unit 2 of the Terraced Block would need to **carry any Cycles through the house** (via lounge and kitchen) for access to the **Bike Store in the rear garden.**

Supply of New Housing

H2 The Council will permit housing development within the existing built-up area **provided** this does not conflict with its **aim of respecting the character of residential areas** and there is no loss of other protected uses.

This proposed development does **NOT respect the Character of the area.**

The proposed Terraced accommodation units are cramped – would be like living in a 3 storey corridor completely at odds with the spacious accommodation of adjacent and surrounding properties.

Back land and Back Garden Development

H5 Residential development on back garden and backland sites will only be permitted where it **respects the character and protects the amenity of adjoining residential areas.** In particular:

- (i) Adequate provision should be made for **car parking and secure cycle parking** and **proper access for vehicles**, cycles and pedestrians;
- (ii) The form, layout, siting and site area **should respect the existing character** and maintain adequate separation between existing and new development;
- (iv) The cumulative impact of different schemes in an area does not **harm the visual amenity and residential character of the area;**

The proposed Bungalow is specifically “Back Garden Development” as the Bungalow is solely positioned on the existing rear garden of 67 Orchard Avenue rear garden land. Therefore this application should be refused.

The proposed development does **not respect the character or amenity of the area.**

The proposed development does not provide **adequate provision for car parking.**

The form especially height and massing and site area does not respect the existing character or maintain **adequate separation between** the existing and new proposed developments.

LONDON STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2013 Para 2.70 States:

*"Historically, some small site development has been delivered on garden land; though the NPPF is clear that garden land **should not be included in any windfall assumptions**, the 2009 SHLAA anticipated this national policy change. It included an amendment to the small site figures to reduce the small site capacity from garden land to take account for the then forthcoming 2011 London Plan which allowed boroughs, where the evidence justified it, **to introduce policies to restrict development on garden land.***

*This amendment **removed 90% of garden land sites from the small site trend assumption.** The rationale for not removing a 100% of this contribution is **that the measure used to identify garden land in the LDD is only a proxy measure.** Therefore, development that is not taking up garden land in a traditional sense (**it is part of a site that has an existing residential unit but is not 'garden' per se;**) will also be included in the garden land numbers. Using a 90% reduction rather than 100% reflects the fact that prevention of this sort of development is a matter for local policy and some is likely to continue.*

*However, **it is in keeping with the NPPF as it effectively removes any assumptions about capacity coming from garden land as a result of a windfall assumption.** Therefore, this approach was maintained in the **2013 SHLAA.**"*

Conclusions

We have provided **numerous and significant reasons to refuse this application.** The proposal would result in an **over-development** of the site, **excessive Housing and Residential Density for the locality** "setting" at a **PTAL of 1b**; out of keeping with the **character of the area** and detrimental to the spacious appearance of the street scene by reason of **cramped layout**, prominent siting with uncharacteristic 3 storeys and **uncharacteristic roof form** and would thereby **conflict with Planning Policies; SP3, UD2, UD3, UD6, UD7, UD8 UD13, H2, and H5**, of the **Croydon Replacement Unitary Development Plan** (The Croydon Plan). The proposal is also in **conflict with Policy 3.4, Policy 6.13, Policy 7.4 and 7.6 of the London Plan.**

In addition, the proposed development is for a windfall Garden Development which was excluded from the London Housing Strategic Housing Land Availability Assessment (SHLAA). The proposal provides **inadequate and unsafe** parking provision, which would result in **overspill to on-street parking** and **dangerous exits without visibility splays** onto a highly **dangerous**, high volume feeder road.

The proposed development would **significantly reduce the amenity space** for the occupants of the proposed dwellings for future generations and the **amenity space to**

the front of the proposed dwellings would be out of character with the frontages of surrounding properties, being mainly car parking hard standing and minimal garden space, uncharacteristic of the area.

There is absolutely **NO reason** that, with the appropriate use of **CAD Software**, a proposal could be designed to meet the parameters as specified in the **adopted Planning Policies**, rather than trying to squeeze in as much as possible into a restricted and inappropriate site area just to maximise profit but would wreck the character of the area. **This is the reason for the Planning Policies**; to mitigate against aggressive developers and maintain appropriate, acceptable proposals put before Planning Officers.

We therefore **strongly urge the LPA to robustly refuse this application** on the forgoing grounds as listed, **including any other relevant policies that we may have overlooked**. We urge a strong and decisive decision to ensure that in the event of any appeal, the inspectorate has **NO** justification for any subsequent appeal to be allowed.

Please register our submission on the on-line comments for this application as **Monks Orchard Residents' Association (Objects)**.

Please inform us of your recommendation and decision in due course.

Yours sincerely



Derek C. Ritson - I. Eng. M.I.E.T. (MORA Planning).



Sony Nair – Chairman, Monks Orchard Residents' Association.

On behalf of the Executive Committee, MORA members and local residents.

Cc:

Mr Pete Smith	Head of Development Management (LPA)
Gavin Barwell MP	Croydon Central
Steve O'Connell	GLA Member (Croydon & Sutton)
Cllr. Mike Fisher	Shirley Ward Councillor
Cllr. Richard Chatterjee	Shirley Ward Councillor
Cllr. Sue Bennett	Shirley Ward Councillor

Bcc:

MORA Executive Committee
Local effected Residents

Appendix A London Plan Policy 3.4 - Optimising housing potential (calculations).
Appendix B Parking provision in Croydon & Letter from Brandon Lewis MP (former Minister of Planning) to Boris Johnson (Former Mayor of London).
Appendix C Comments on Applicant's attachments of previous application Decision Notes as applicant's indications of precedents.

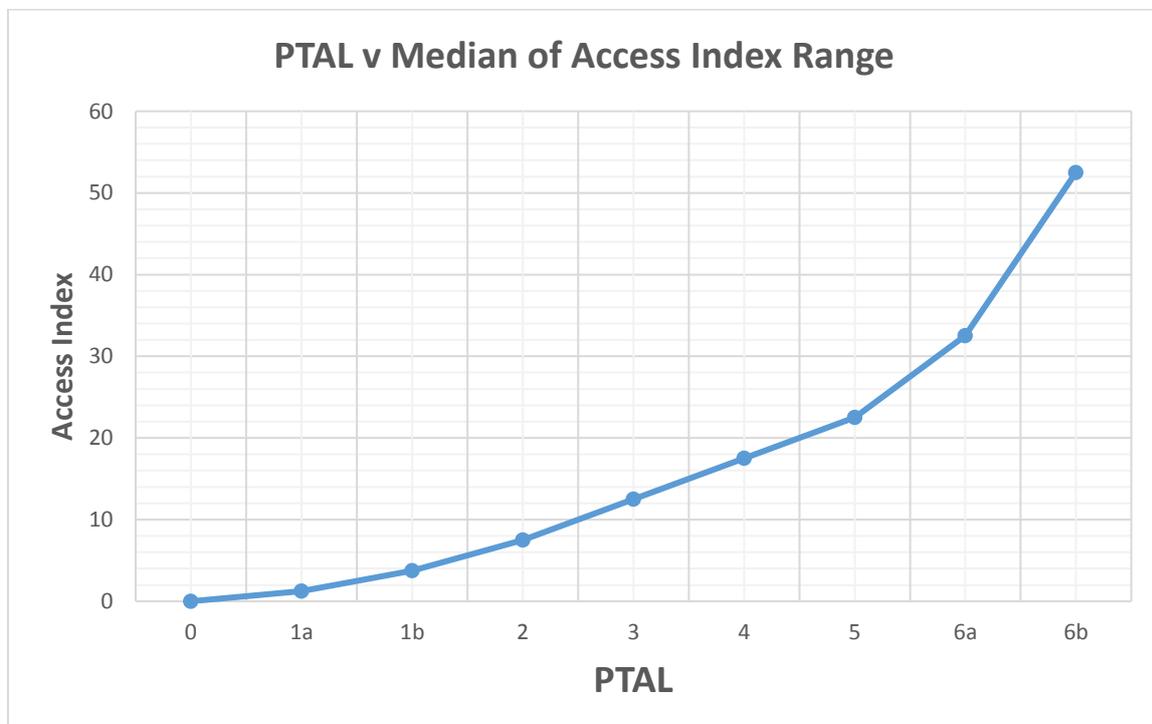
Appendix A: London Plan Policy 3.4 - Optimising housing potential (calculations)

The TfL Transport Assessment Guide^[8] defines the PTAL measure (Public Transport Access Level), which rates a selected place based on how close it is to public transport and how frequent services are in the area. PTAL is a measure of connectivity by public transport, which has been used in various planning processes in London for many years. For any selected place, PTAL suggests how well the place is connected to public transport services.

PTAL	Access Index range	Map colour
0 (worst)	0	
1a	0.01 – 2.50	
1b	2.51 – 5.0	
2	5.01 – 10.0	
3	10.01 – 15.0	
4	15.01 – 20.0	
5	20.01 – 25.0	
6a	25.01 – 40.0	
6b (best)	40.01+	

Table 2.2: Conversion of the Access Index to PTAL

The conversion of Access Index to PTAL for graphical representation can be plotted by taking the median of the ranges at each PTAL category for convenience of representation.



[8] <http://content.tfl.gov.uk/connectivity-assessment-guide.pdf>

It is stated in Policy 3.4 that the Density Matrix is a starting point and values above and below those values in the matrix can be accepted when the area has been designated for increased intensification or if the Public Transport is forecast to be improved over the period of the Plan or for other specified extenuating circumstances.

In order to analyse the various development proposals to meet the London Plan Density Matrix, some approximations need to be made to simplify the methodology to assess density levels and compare the offered development with the various ranges within the density matrix.

The easiest methodology is to assume the incremental values between the stated ranges are approximately linear between the points on the PTAL Median values (above) and also to assume the ranges within the Density Matrix Table (below) are also approximately linear.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
Urban	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8-4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
Central	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha
2.7-3.0 hr/unit	50-110 u/ha	100-240 u/ha	215-405 u/ha

Figure 2.1: Recommended housing densities in the London Plan

hr = habitable rooms
 u = a dwelling unit, i.e. a flat or a house
 ha = hectare

If these ranges are assumed linear then they will follow a linear incremental value of:

$$y = \frac{\Delta y}{\Delta x} \cdot x + c$$

Where: y = The variable (e.g. Density rate of change). x = **PTAL**,
 and c = y when (**PTAL**), $x = 0$.

The ranges in the Density Matrix are 0 to 1, 2 to 3 and 4 to 6. However, the TfL PTAL ranges are 0, 1a, 1b, 2, 3, 4, 5, 6a & 6b. Therefore, there is no numerical equivalent of 1a & 1b, or 6a & 6b. For assessment of PTAL 1a and 1b it can be assumed that the incremental range between 0 and 2 are approximately linear which will mean 1a \equiv 0.66 and 1b \equiv 1.33 (see graph above). It is more difficult to assess equivalent numerical values for 6a and 6b as there is no upper limit for extrapolation, but as we are in a predominantly 'suburban setting' we are unlikely to need equivalent numerical values for 6a and 6b.



Using the above analysis, for Application Ref: 16/04708/FUL at 67 Orchard Avenue the following calculations pertain.

67 Orchard Avenue is in a **Suburban Setting** and in an area with **PTAL 1b** and forecast to remain at **1b until at least 2031**.

PTAL **1b** is numerically equivalent to **1.33**.

Proposed Dwellings:	4
Proposed Occupants:	22
Proposed Housing Density:	60.60units/ha
Proposed Habitable Rooms:	15
Proposed Average hr/Unit:	4.04hr/Unit
Proposed Residential Density:	227.27hr/ha
Proposed Build footprint:	259.95m ²
Proposed Amenity Area:	400.05m ² (**)

(**) Including car hardstanding's etc.

Proposed Amenity area/person:	18.18m ²
PTAL	1b forecast to 2031

Therefore, for the **appropriate PTAL** of **1b** (equivalent to 1.33) at **67 Orchard Avenue: PTAL @ 1.33 should approximate to:**

$$\text{Housing Density: } y = \left(\frac{55-35}{2-0} \right) 1.33 + 35 = \mathbf{48.3 \text{ u/ha}}$$

$$\text{Residential Density: } y = \left(\frac{200-150}{2-0} \right) 1.33 + 150 = \mathbf{183.25 \text{ hr/ha}}$$

The Offered Development:

Housing Density = $\frac{4}{0.066} = \mathbf{60.60 \text{ u/ha}}$ (a 25.47% increase above that recommended in the London Plan Density Matrix), and

Residential Density = $\frac{15}{0.066} = \mathbf{227.27 \text{ hr/ha}}$ (a 23.87% increase above that recommended in the London Plan Density Matrix).

At these proposed Housing and Residential Densities, the equivalent **PTAL** would need to be:

Housing Density in the range **35 to 65u/ha** i.e. at **60.60 u/ha** which should be in the **PTAL** range of **2 to 3**.

Or more accurately: $\mathbf{60.60} = \left(\frac{65-35}{3-2} \right) x - 25$ therefore $x = \mathbf{PTAL = 2.85}$

Residential Density in the range 200 to 350 i.e. **227.27hr/ha** which should be in a **PTAL** range of **2 to 3**.

Or more accurately: $\mathbf{227.27} = \left(\frac{250-150}{3-2} \right) x - 50$ therefore $x = \mathbf{PTAL = 2.77}$

In both cases; *c* is negative when $x = 0$.



From these calculations, it is fairly obvious that the **Housing and Residential Densities** of the proposed development is **inappropriate** for a **Suburban “setting” Location** with a **PTAL of 1b**. **The PTAL would need to be approaching ≈ 3 for this housing and Residential Density whereas the PTAL is 1b and forecast to remain at 1b until 2031.**

There are **no extenuating circumstances or justifications** for **higher density ranges** from that as specified in the **London Plan Policy 3.4, Table 3.2 Density Matrix** (see **Housing SPG paras 1.3.50 to 1.3.55**); therefore, the proposed development **fails to meet the guidance** of the **London Plan Policy 3.4 Table 3.2** or the **London Plan Housing Supplementary Planning Guidance (SPG) March 2016** and thus **compromises the policy and should therefore be resisted; i.e. refused.**

In relation to The CLP2 Hearing Q45 from the Inspector on the status of SPG's; Standard PINS advice is that supplementary planning documents (SPD's) do not have statutory force. It is defined at Regulation 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as something that is not a local plan. Consequently, policies should not simply devolve fundamental matters to SPD although they may legitimately add further detail to policies or to provide guidance as per the definition in the NPPF.

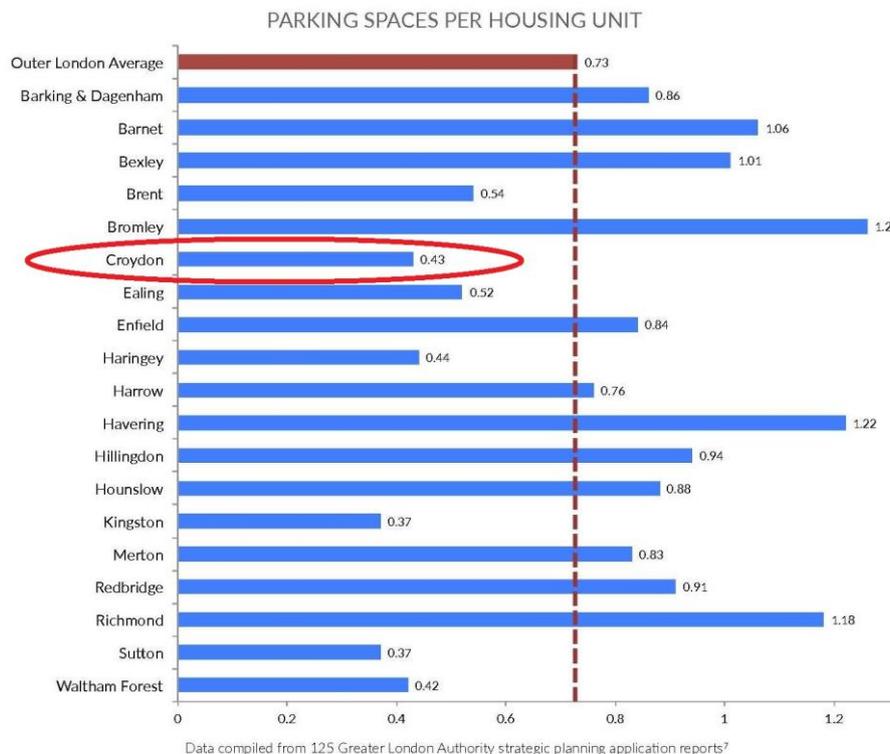
It is noted that the Council Response to the Inspector stated: **“Adherence to the guidance is encouraged to aide compliance with the policies contained in the Local Plan.”**

Appendix B Croydon Parking Provision

The London Plan Parking Provision Table 6.2 specifically states that:

"In outer London Areas with low PTAL (generally PTAL's 0-1), boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures."

The GLA Assessment of Parking Provision across Outer London Boroughs shows that Croydon **has a very low provision of parking per housing unit** when compared against other Outer London Boroughs and the Outer London average parking spaces per housing unit (see below). This clogs up roads in Croydon with overspill on-street parking and contributes to the high level of congestion in Croydon compared to other London Boroughs.



The following is extracted from a letter from the former Minister for Planning, Brandon Lewis MP, to the former Mayor of London, dated 27th January 2015:

Parking Standards

"This Government is firmly of the view that more parking spaces should be provided alongside new homes that families want and need. This is especially the case in areas where access to public transport remains low. But even in urban areas, an insufficient number of parking spaces — which may be caused by maximum parking standards amongst other reasons risks creating a 'vicious cycle' where clogged up streets leave motorists to run a gauntlet of congestion, unfair fines and parking restrictions. So, further to my letter of 27 January on parking, I welcome the clear commitment in the London Plan to carry out an early review of parking standards in Outer London. I look forward to being kept informed of progress on this review, which of course will need to take account of any changes to national policy that we might choose to bring forward."

Brandon Lewis MP

Appendix C Applicants Referenced DN's used as precedents

1 Application Ref: 15/05247/P – 40 Orchard Avenue

Grant of permission for – Demolition of an existing dwelling; erection of a three storey building with basement containing 8 two bedroom flats; formation of associated access and parking.

We are of the opinion that this decision was **inappropriate** due to the following reasons:

Planning Policies **NOT MET**:

- Block of Flats Housing & Residential Density is **totally Out of Character with Detached/Semi-detached locality. (UD2, UD3.)**
- 8 dwellings on Site of 0.1235ha - Housing Density ≈ 64.75 u/ha, equivalent to a PTAL of 2.99** (should be **≈35 u/ha** at **PTAL 2 @ 2031**) this is an **85%** increase in Housing Density from that recommended in The London Plan Density Matrix Table 3.2.
- 30 Habitable Rooms - Residential Density ≈ 243hr/ha, equivalent to a PTAL of 4.57** (should be **≈150hr/ha** at **PTAL 2 @ 2031**) this is a **62%** increase in Residential Density from that recommended in The London Plan Density Matrix Table 3.2.
- Car parking **insufficient at PTAL 2** and **dominates the frontage (against UD13)**
- Insufficient Communal Open Space (RO12)**
- Most flats have **no private amenity space** (London Plan states required 1.5sq.m. for 2 persons + 1sq.m. for each additional person dwelling) **(London Plan)**.

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)

Setting	Public Transport Accessibility Level (PTAL)	Setting	Public Transport Accessibility Level (PTAL)
	0 to 1	2 to 3 (PTAL 2) (PTAL 2.99)	4 to 6 (PTAL 4.57)
Suburban	150–200 hr/ha	150–250 hr/ha (150hr/ha)	200–350 hr/ha (243hr/ha)
3.8–4.6 hr/unit (3.75 hr/unit)	35–55 u/ha	35–65 u/ha (35 u/ha) (64.75)	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha

Neither the applicant or the LPA, **justified why the development proposal had higher residential and housing density than the applicable range for that site in the density matrix.**

Comparisons with recent refusals:

- 393 Wickham Road (*)** – on the A232 - Virtually Identical Plans to 40 Orchard Ave. (with same Basement configuration) - **Refused** for over development out of character. Nearest block of **Flats 88 m. (PTAL 2 @ 2031)**
- 41 Orchard Way** – Semi-detached dwellings – LPA Refusal for over development out of character - Nearest block of **Flats 177m. Refused (PTAL @ 1a now, 1b @ 2021 & 2031)**
- 17 Orchard Avenue** – The development would be out of keeping with the character of the locality and detrimental to the visual amenity of the street scene by reason of its design and extent of hardstanding to the frontage. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of visual intrusion. This is now within the CLP2 Intensification Zone – but was refused – Nearest Block of **Flats 120m. Refused (PTAL 2 @ 2031)**
- 40 Orchard Ave** – nearest block of **Flats 730m. APPROVED (PTAL 2 @ 2031)**

(*) 393 Wickham Road appeal against the LPA refusal was allowed **after** the LPA decision on 40 Orchard Avenue, so at the time of the LPA decision for **40 Orchard Avenue**, the LPA was of the view that **393 Wickham Road** should be refused.

At the Council Meeting on 25th January 2016

Cllr. Paul Scott – Chair of the Croydon Planning Committee, (and partner of Cllr. Alison Butler – Deputy Leader (Statutory) - Homes, Regeneration and Planning) *stated Verbatim:*

*“... To meet London Plan growth targets Croydon needs to build almost 32,000 New Homes in Croydon by 2036. The majority of those homes will be in Croydon Town Centre, on previously developed Brownfield Land, in areas of good public transport & along the A23 Corridor. There is not enough space to accommodate all the new homes in these areas. It would be irresponsible to claim otherwise. A relatively small proportion will need to be accommodated for sustainable growth in our suburbs. **Despite the scale of changes, we are absolutely committed to protecting the character of Shirley and other special places in Croydon ...**”*

(See webcast Council Meeting 25th January 2016, as a result of the “Save Shirley” petition which raised over 3,600 signatures and was attended by an unprecedented excess of 450 local residents).

At the first opportunity, the Planning Committee had to honour that pledge, on the **17th March 2016**, they failed dismally to do so.

- Allowed Agent to speak for **3 min 35 secs** (and finish) when local resident speaker was stopped, spot on **3 min**.
- Did not allow a Shirley Councillor to speak! (Chairs prerogative)
- Did not discuss planning policies – but general subjective issues.
- The voting was **biased politically** rather than on planning policies.
(6 Labour Cllrs. “for” - 4 Conservative Cllrs. “against”)

We discussed this **biased decision** with a **London Chambers Planning Barrister** for a possible **Judicial Review** but could not raise the **£50k** costs within the six weeks from issue of the DN.

Local Residents have totally lost confidence in the Planning System as a result of this decision as can be observed by the questions and responses at our AGM in April 2016.

2 Planning Reference 16/01838/P 68-70 Orchard Avenue

Demolition of existing buildings; erection of 6 four bedroom semidetached, 1 five-bedroom detached and 2 four-bedroom detached houses; formation of vehicular access and provision of associated parking

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)

Setting	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)
	0 to 1 (1b ≈ 1.33)	2 to 3 (2.67)	4 to 6
Suburban	150–200 hr/ha (183.25 hr/ha)	150–250 hr/ha (217.39 hr/ha)	200–350 hr/ha
(7.56 hr/unit) 3.8–4.6 hr/unit	35–55 u/ha (48.3 u/ha)	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha

This is another application to which the Croydon LPA ignored the Residential Density London Plan Density Matrix. Disregarded the character of the area. Housing Density OK but Residential Density (hr/ha) out of character – too many occupants for the site area in a PTAL of 1b. Not enough parking spaces for the number of occupants!

Unsafe road configuration; Committee accepted MORA recommendation for a 106 agreement to investigate the possibility to turn the dangerous road configuration into a roundabout! However, left off the conditions of approval!