



To: Mr Christopher Grace - Case Officer
Development Environment
Development Management
6th Floor
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

From:
Monks Orchard Residents' Association
Planning

Email: christopher.grace@croydon.gov.uk
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10th January 2019
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chairman@mo-ra.co
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Reference: 18/06070/FUL
Application Received: Mon 17 Dec 2018
Application Validated: Mon 17 Dec 2018
Address: 9A Orchard Rise Croydon CR0 7QZ
Proposal: Demolition of the existing house and office and erection of a two-storey apartment block comprising 4no. two-bedroom apartments and 5 three-storey. three-bedroom houses, together with associated access and parking.
Case Officer: Christopher Grace
Consultation Close Wed 30 Jan 2019

Dear Mr Grace

A number of Local Residents have requested MORA to Object to this proposed development therefore we would like to object to the above-mentioned planning application for the reasons set out below:

Relevant Planning Policies:

Current adopted London Plan Policies:

- London Plan Policy 3.4 Optimising housing potential
- London Plan Policy 3.5 Quality and design of housing developments
- London Plan Policy 7.4 Local character

Croydon Local Plan (CLP2) Policies:

- **Policy DM10:** Design and character
- **Policy DM13:** Refuse and recycling
- **Policy DM23:** Development and construction
- **Policy DM24:** Land contamination
- **Policy DM25:** Sustainable Drainage Systems and Reducing Flood Risk
- **Policy DM27:** Protecting and enhancing our biodiversity
- **Policy DM29:** Promoting sustainable travel and reducing congestion
- **Policy DM30:** Car and cycle parking in new development

Proposal Parameters:

9A Orchard Rise	sq.m.	ha							
Site Area	2011	0.2011							
Existing:									
Dwellings	1								
Housing Density	4.97	u/ha							
New Houses:	Habitable Rooms			Total hr	Bed Spaces		Persons	GIA sq.m.	Amenity sq.m.
	Grnd	1st Floor	2nd Floor		Double	Single			
Unit 1	1	2	1	4	2	1	5	121.3	4.5
Unit 2	1	2	1	4	2	1	5	121.3	4.5
Unit 3	1	2	1	4	2	1	5	121.3	4.5
Unit 4	1	2	1	4	2	1	5	121.3	4.5
Unit 5	1	2	1	4	2	1	5	121.3	4.5
Totals	5	10	5	20	10	5	25	606.5	22.5
New Flats	Habitable Rooms		Total	Bed Spaces		Persons	Terraces sq.m.	GIA sq.m.	Amenity sq.m.
	Grnd	1st Floor	hr	Double	Single				
Unit 1	3		3	2	0	4	8.5	73.1	3.5
Unit 2	3		3	2	0	4	8.5	78.9	3.5
Unit 3		3	3	2	0	4	8.5	73.2	3.5
Unit 4		3	3	2	0	4	8.5	72.9	3.5
Totals	6	6	12	8	0	16		298.1	14.0
New Dwellings:									
Total Habitable Rooms		32			PTAL	2011	1a		
Housing Density		44.75	u/ha		PTAL	2031	1a		
Residential Density		159.12	hr/ha						
Bed Spaces/ha		203.88			Car Parking:	12	Total		
Occupancy		41							
Average hr/unit		3.56			Drive width	≈2.8	m		
% increase Housing Density		800.4	%						

Table 1 – Analysis of Development Proposals

Table 1 above provides an analysis of the proposed development parameters for consideration. These are used for establishing compliance to the relevant planning policies in the following analysis.

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.4 – Optimising Housing Potential at Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare).

Although this proposal is an increase in Housing Density for this site from **4.97u/ha** to **44.75u/ha**, an increase of **800.4%**, the Housing and Residential Densities are within the prescribed ranges as defined in the **London Plan Policy 3.4 – Optimising Housing Potential** as given in **Table 3.2 (below)**. The development is virtually a small housing estate built in a back garden.

Setting	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha (159.12 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 (3.56 hr/ha)	40–65 u/ha (44.75 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

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

London Plan Policy 3.5 Quality and Design of housing developments

A Housing development should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London’s residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a **presumption against development on back gardens or other private residential gardens** where this can be locally justified.

B The design of all new housing developments should **enhance the quality of local places**, taking into account physical context; **local character**; density; tenure and land use mix; and **relationships with**, and provision of, public, **communal and open spaces**, taking particular account of the needs of children, disabled and older people.

This proposal is redevelopment of a site including large garden development and therefore there should be a presumption against development where it causes harm to the locality as defined in **NPPF (July 2018) Para 70**

70. Where an allowance is to be made for **windfall sites** as part of anticipated supply, there should be **compelling evidence** that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. **Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.**

The “**harm**” to the local area is that the proposed development **does not reflect the character of the area**, in that there are no terraced properties or flats locally. The proposal does NOT reflect the pitched roof forms or the height of surrounding dwellings and therefore, the proposal does not reflect the **character of the locality**. Additionally, although meeting the Housing and Residential Densities, the **massing** and **configuration** do **not reflect the local character of surrounding dwellings**.

London Plan Policy 3.5 - Minimum space standards for new dwellings

Number of bedrooms	Number of bed spaces	Minimum GIA (m ²)			Built-in storage (m ²)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1
	2p	50	58		1.5
2b	3p	61	70		2
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Table 3.3 Minimum space standards for new dwellings

The House Units 1 to 5 meet the requirement of **London Plan Policy 3.5** Table 3.3 Minimum Space Standards. However, the **Flat Units** have only $\approx 1\text{m}^2$ Built-In Storage Space each (as scaled off the offered plans) when the minimum Storage requirement for a **2 bed 4-person** dwelling is **2m²** as shown in **Table 3.3** above. Therefore, the proposed development does **NOT fully comply** with the **London Plan Policy 3.5 – Minimum Space Standards for new dwellings**.

London Plan Policy 7.4 Local character

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.

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**

The proposed development does **NOT** have regard to the **form, scale and mass** of the **surrounding dwellings** and therefore is **inappropriate for the locality**; nor does it have regard to the **pattern or grain of the existing spaces** or **street orientation**. The proposal does **NOT** contribute to the **structural and natural landscape** or the **topography of the area**. The proposed development does **NOT positively contribute** to the street scene and does not **positively contribute** to the **character of the locality**. The proposal does not make a **positive contribution to the character of the locality** and therefore does **NOT** meet the requirements of the current adopted London Plan Policy 7.4.

Croydon Local Plan (CLP2)

Policy DM10: Design and character (appropriate policies)

DM10.1 Proposals should be of high quality and, whilst seeking to achieve a minimum height of 3 storeys, should respect:

- a. The development pattern, **layout and siting**;
- b. The **scale, height, massing, and density**;
- c. The **appearance**, existing materials and built and natural **features of the surrounding area**; the Place of Croydon **in which it is located**.

DM10.2 Proposals should create clear, **well defined and designed public and private spaces**. The Council will only consider parking within the forecourt of buildings in locations where the forecourt parking would not cause undue harm to the character or setting of the building and **where forecourts are large enough to accommodate parking and sufficient screening without the vehicle encroaching on the public highway**. The Council will support proposals that incorporate cycle parking within the building envelope, in a safe, secure, convenient and well-lit location. Failing that, the council will require cycle parking to be located within safe, secure, **well lit** and **conveniently located weather-proof shelters unobtrusively located within the setting of the building**.

DM10.5 In addition to the provision of **private amenity space**, proposals for new flatted development and major housing schemes will also need to incorporate high quality **communal outdoor amenity space** that is designed to be flexible, multifunctional, **accessible and inclusive**.

DM10.8 To ensure a cohesive approach is taken to the **design and management of landscape** within the borough the Council will require proposals to:

- d. Retain existing trees and vegetation including natural habitats⁴³;
- e. In exceptional circumstances where the loss of **mature trees** is outweighed by the benefits of a development, **those trees lost shall be replaced with new semi-mature trees** of a **commensurate species, scale and form**; and

Adherence with Supplementary Planning Guidance 12 Landscape Design and the Croydon's Public Realm Design Guide, or equivalent, will be encouraged to aid compliance with the policies contained in the Local Plan.

Design & Character

The proposed development does **NOT** comply with Croydon Local Plan **Policy DM10.1 a)** as the proposed development does **NOT** reflect the **layout and siting** of the surrounding neighbourhood. Also, the proposed development does **not** comply with **Policy DM10.1 b)** with regard to **Scale, Height and Mass** of surrounding properties which are predominantly bungalows along this North side of Orchard Rise.

The proposed development does not meet **Policy DM10.8 e)** with regard to the **significant loss of mature trees** and there is no programmed **replacement of an equivalent number of semi-mature trees** with **samples of commensurate species** as the following trees will be removed to enable the proposed development.

(see the Applicant's **Tree Survey Report**):

The list of Trees to be destroyed are:



- T1 to enable the construction of an access drive
- T2 to enable the construction of an access drive
- T3 to enable the construction of an access drive
- T4 to enable the construction of an access drive
- T5 to allow space for a garden (therefore could be retained)
- T9 to allow space for a garden (therefore could be retained)
- T10 to enable the construction of a dwelling
- T12 to allow space for a garden (therefore could be retained)
- T13 to allow space for a garden (therefore could be retained)
- T17 to enable the construction of a dwelling
- T18 to enable the construction of a dwelling
- T20 to enable the construction of an apartment building
- T26 to enable the construction of an apartment building
- T27 to enable the construction of an apartment building
- T28 to enable the construction of an apartment building
- T29 to enable the construction of an apartment building
- T30 to enable the construction of an apartment building
- T31 to enable the construction of an apartment building
- G1 to enable the construction of a car parking space
- G3 to enable the construction of a dwelling
- Part of G5 to enable the construction of an apartment building
- Part of G6 to enable the construction of a cycle store

There are **NO** replacement trees **identified in the development proposal** and therefore the proposed development is **non-compliant** to Policy **DM10.8 e)**.

Policy DM13: Refuse and recycling

DM13.1 To ensure that the location and design of refuse and recycling facilities are treated as an integral element of the overall design, the Council will require developments to:

- a. Sensitively integrate refuse and recycling facilities within the **building envelope**, or, in conversions, where that is not possible, **integrate within the landscape covered facilities that are located behind the building line** where they will not be visually intrusive or compromise the provision of shared amenity space;
- b. Ensure facilities are **visually screened**;
- c. Provide adequate space for the temporary storage of waste (including bulky waste) materials generated by the development; and
- d. Provide layouts that ensure facilities are safe, conveniently located and easily accessible by occupants, operatives and their vehicles.

DM13.2 To ensure existing and future waste can be sustainably and efficiently managed the Council will require a waste management plan for major developments and **for developments that are likely to generate large amounts of waste.**

Each resident is supplied with a **240-litre wheelie bin** for mixed paper and card and a **180-litre wheelie bin** for general rubbish and **additional bin provided for recycling glass, plastic packaging, cans and cartons**. An optional **Green Waste bin** for garden waste may also be required. There is no storage provision for these refuse bins for any of the **5 House Dwellings**. The provision of the Communal Refuse Bins (**3 large refuse bins** plus one **small food waste bin**) at the development end of the drive will be **insufficient for the waste**

generated by the occupants of the 4 Flatted units or the total development which is planning to accommodate 41 persons. It is thought that the Houses require individual refuse facilities and the flats require communal refuse facilities but that the provision as depicted on the plans would be woefully inadequate and does not comply with Policy DM13.

The positioning of the refuse bins does NOT meet the Policy DM13.1 in that they are NOT sensitively integrated within the building envelope, or, integrated within the landscape or covered facilities located behind the building line. The position will be visually intrusive and will compromise the provision of the shared amenity space and therefore are Non-Compliant to Policy DM13.1 or DM13.2.

Policy DM23: Development and construction

The Council will promote high standards of development and construction throughout the borough by:

- a. Ensuring that future development, that may be liable to cause or be affected by pollution through air, noise, dust, or vibration, will not be detrimental to the health, safety and amenity of users of the site or surrounding land;
- b. Ensuring that developments are air quality neutral and do not lead to further deterioration of existing poor air quality;
- c. Ensuring mitigation measures are put in place to reduce the adverse impacts to acceptable levels. Where necessary, the Council will set planning conditions to reduce the impact on adjacent land uses to acceptable levels, relative to ambient noise levels and the character of the locality; and

The applicant has not provided a Noise and Vibration Impact Assessment resulting from the required delivery of building materials and heavy-duty earth removing lorries which need to access and exit the proposed building site via the very narrow passageway (approx. 3m max) between nos. 9 and 11 Orchard Rise. It is understood to be a requirement for any application that issues of any disturbance for adjoining occupiers should be evaluated and an impact assessment provided with the application. This has NOT been provided but should have been raised at any pre-application meeting and assessed at the time of validation of the application.

A further consideration is that in order to mitigate against the height of the proposal in comparison with adjacent surrounding properties, which are predominantly bungalows, the developer has reduced the height by employing a partial Flat Roofs (semi Mansard) which do not reflect the pitched roofs design of surrounding properties.

The developer is also proposing to sink this development into the ground by an average depth across the site of $\approx 0.6\text{m}$. This will require removal of approximately $\approx (0.5+0.7)/2 \times 50 \times 30 \approx 900\text{m}^3$ of Top Soil. At an estimated 15m^3 per Lorry load this would require 60 Lorry Loads (and therefore 120 traverses) of large earth moving lorries in and out of the site, negotiating the very limited width access drive. This will result in significant noise and vibration nuisances to the residents of 9 and 11 Orchard Rise during the construction phase, with vehicles moving through the very narrow small drive width of $\approx 3\text{m}$ (approximate width of 3m as scaled off the provided plans and $\approx 2.7\text{m}$ as measured off Google Earth) between the two bungalow fences at nos. 9 and 11 Orchard Rise.

It is extremely unlikely that the **Access Drive** would be improved to highway specification standard until late in the development process and therefore the drive is likely to become quite uneven with the passage of heavy construction and earth moving vehicles. This would exacerbate the **noise, vibration** and possible **swaying** of vehicle heavy loads when driving over the disintegrating and undulating passageway surface in the very **restricted Driveway** (approximate width of **3m** as scaled off the provided plans and **≈2.7m** as measured off Google Earth) with possible **consequential damage** to the adjacent properties' fencing, walls & guttering. There is no mention of these difficulties in the Developer's Design and Access Statement.

The driveway would **NOT** allow vehicles to pass when attempting to exit and enter the development and there would be very little space to allow pedestrians to pass (especially with children and pushchairs). It is also noted that the plans do **NOT** show any **kerbing** either side of the driveway to ensure vehicles do not damage the fencing of properties at **9 & 11 Orchard Rise**.

Policy DM25: Sustainable Drainage Systems & Reducing Flood Risk

DM25.3 Sustainable drainage systems are required in all development and should:

- Ensure **surface run-off is managed as close to the source as possible**;
- Accord with the London Plan Sustainable Drainage Hierarchy;
- Achieve better than greenfield runoff rates;
- Be designed to be multifunctional and incorporate **sustainable drainage into landscaping** and public realm to provide opportunities to improve amenity and biodiversity;



By sinking the development into a physical hole in the ground of depth **≈0.6m** throughout the development area to mitigate against meeting the height limitation of surrounding properties, (shown in the extracted plans above) this would provide a virtual pool area for surface water during heavy precipitation.

The sub-soil in this area is London Clay and **NOT** very permeable, so ground water will not drain away quickly. Has this likely scenario situation been addressed by the developer as a result of sinking the development into a depth of 0.6m? If not, the ground floors of the dwellings could suffer surface water flooding even though it is not in an area subject to surface water flooding. We therefore object on grounds of **non-compliance** with **Policy DM25 a)**, as surface run-off is not managed at the source as required by the policy.

Policy DM27: Protecting and enhancing our biodiversity

To **enhance biodiversity** across the borough and improve access to nature, development proposals should:

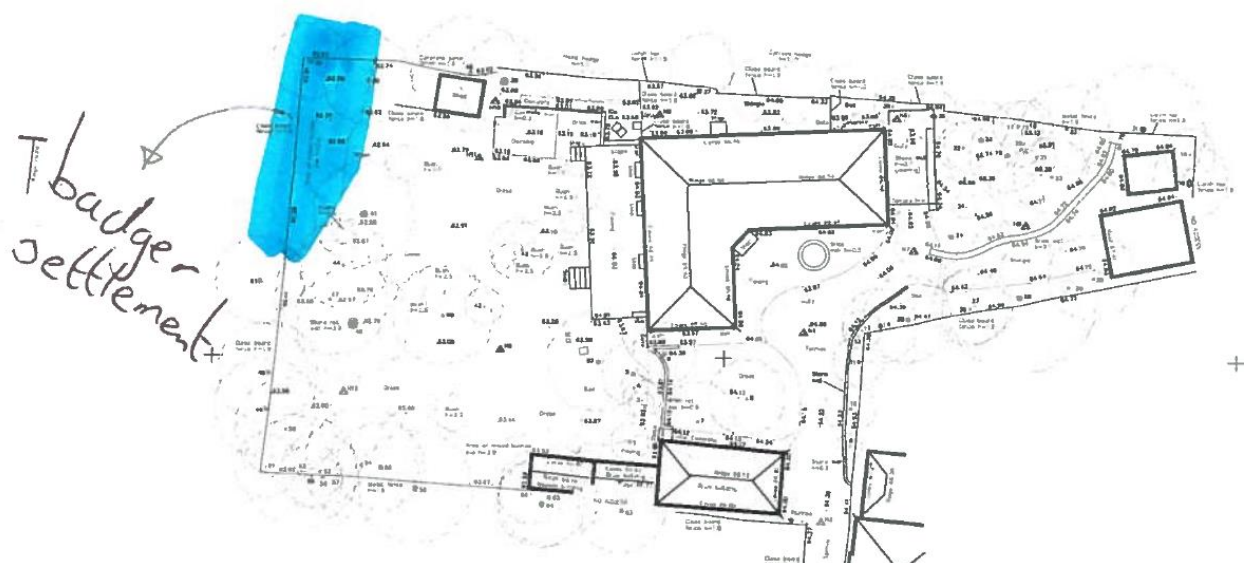
Have **no adverse impact on species of animal or plant or their habitat protected** under British or European law, highlighted within a local/regional Biodiversity Action Plan, or when the Council is presented with **evidence that a protected species would be affected.**

The proposed development is a large site attracting significant natural habitat and biodiversity and as such, the Validation Process requires an Ecological or Wildlife Assessment required for sites where there may be possible impacts on wildlife and biodiversity.

The Ecological and Wildlife Assessment Survey Information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. Where proposals are made for mitigation and/or compensation measures, information to support those proposals will be needed.

Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc.) Regulations 1994 or the Protection of Badgers Act 1992.

Certain proposals, which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to watercourses, may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation



proposals for such impacts.

It is known that the site has in the past attracted **Badgers** and a **Badger Sett** has been established in the Northwest corner of the proposed site (shown Blue on the attached diagram) and it is possible that **“Bats”** have habitats in the locality.



Where proposals are made for mitigation and/or compensation measures, information to support those proposals will be needed.

The Council should have provided such advice at the **pre-application** discussions regarding whether or not proposals are likely to have an ecological impact and the need for an ecological assessment.

Conclusions:

In conclusion, we therefore object to this proposed development on grounds of it being **inappropriate for the location** and **Non-Compliant** to London Plan **Policy 3.5** Table 3.3 Minimum Space Standards for new dwellings; London Plan **Policy 7.4** Local Character; Croydon Local Plan Policy **DM10** - Design and Character at Policy **DM10.1**, **DM10.2**, **DM10.5** and **DM10.8**. Also, on **non-compliant** to Croydon Local Plan Policies **DM13** - Refuse & Recycling at **DM13.1** & **DM13.2**; Policy **DM23** - Development and Construction; **DM25** - Sustainable Drainage Systems and Reducing Flood Risk and **DM27** - Protecting and enhancing our biodiversity.

We therefore recommend a **refusal** for this application. Please acknowledge receipt of this formal objection and that it has been received within the appropriate consultation period for this application, to email address at: planning@mo-ra.co

Please register our comment as: **Monks Orchard Residents' Association (Objects)** on the comments tab of the LPA online public register such that our members are aware that we have objected on their behalf. 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 (MORA). On behalf of the Executive Committee, MORA members and local residents.

Cc:

Mr. Pete Smith

Cllr. Gareth Streeter

Cllr. Sue Bennett

Cllr. Richard Chatterjee

Head of Development Management (Croydon LPA)

Shirley North Ward Councillor

Shirley North Ward Councillor

Shirley North Ward Councillor

Bcc:

MORA

Local Affected Residents

Executive Committee