

**Monks Orchard Residents' Association  
Planning**

To:  
Ms Sera Elobisi - Case Officer  
Development and Environment  
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<b>Reference:</b>	<b>19/02839/FUL</b>
<b>Application Received:</b>	<b>Wed 19 Jun 2019</b>
<b>Application Validated:</b>	<b>Fri 19 Jul 2019</b>
<b>Address:</b>	<b>36 Lorne Avenue Croydon CR0 7RQ</b>
<b>Proposal:</b>	<b>Alterations/part demolition of host dwelling. Erection of two-bedroom bungalow at rear with associated refuse/cycle storage and provision of associated off-street parking (AMENDED DESCRIPTION)</b>
<b>Status</b>	<b>Awaiting decision</b>
<b>Case Officer:</b>	<b>Sera Elobisi</b>
<b>Consultation Expiry:</b>	<b>Tue 20 Aug 2019</b>
<b>Target Decision:</b>	<b>Fri 13 Sep 2019</b>

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Dear Ms Sera Elobisi

We are a local Residents' Association, registered with the Croydon Local Planning Authority (LPA), representing approximately 3,800 households in the Shirley North Ward, in the London Borough of Croydon.

We understand the need for additional housing but take the view that new housing developments **must** meet the current and emerging planning policies **to ensure future occupants have acceptable living standards and acceptable accessibility to present and proposed public Transport and that the character of the locality is preserved for future generations.** We only object when proposals do not comply with current adopted or emerging planning policies which are designed to minimise overdevelopment and retain the local character within acceptable constraints. The type face with green background are **current adopted** Planning Policies.

**NPPF 2018/19  
London Plan**

**Policy 3.4 Optimising Housing Potential**

**Policy 3.5 Quality and design of housing developments**

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**Representing, supporting and working with the local residents  
for a better community**

## Croydon Local Plan

**Policy DM10: Design and character**

**Policy DM13: Refuse and recycling**

**Policy DM27: Protecting and enhancing our biodiversity**

**Policy DM28: Trees**

**Any applicable Place-Specific policy**

## Application Parameters

36 Lorne Avenue Bungalow in rear garden					
Site Area	Existing	660	sq.m.		
(As stated on the Application Form)		0.066	ha		
				<b>Totals for site</b>	
<b>Existing</b>				<b>Habitable Rooms</b>	8
Habitable Rooms	5			<b>Bedrooms</b>	5
Bedrooms	3			<b>Bed Spaces</b>	8
Bed Spaces	5			<b>Residential Density</b>	121.21 hr/ha
<b>Residential Density</b>	<b>75.76</b>	hr/ha		<b>Housing Density</b>	30.30 u/ha
<b>Housing Density</b>	<b>15.15</b>	u/ha		<b>Average hr/Unit</b>	4.00
<b>New Dwelling</b>					
Habitable Rooms	3				
Bedrooms	2				
Bed Spaces	3				
PTAL (base year)	1a	0.66			
PTAL 2031	1a	0.66			

## National Planning Policy Framework (NPPF)

Para 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**.

This proposed development for a dwelling in the rear garden of 36 Lorne Avenue will cause undue harm to the character of the area, as:

- (a) the nearby homes were built in 1935/36 and built to a recognised style and high quality to the 'Berg' style which has enabled the area to maintain its cohesion and wellbeing, blending the properties within the character. Any new build within such close proximity should comply with appearance of the area; and
- (b) there are no local back land houses in this locality and to allow such would set a significant precedent to allow further destruction of local character.

The Applicant's Design & Access Statement states:

• **New Dwellings**

Policy promotes the provision of new residential accommodation, **but only** where it **respects the character and amenity of adjoining residential** areas and provides an acceptable standard of accommodation for future occupiers.

We therefore object to this proposed development on grounds of causing undue "harm" to the local area's character and architectural historical style of dwellings inappropriate for the locality as defined by the NPPF The London Plan and The Croydon Local Plan and would set a precedent for the destruction of the character of the area and we recommend that this application be refused.

**London Plan Policy 3.4 Optimising Housing Potential**

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 <i>(1a=0.66)</i>	2 to 3	4 to 6
<b>Suburban</b>	150–200 hr/ha <i>(121.21hr/ha)</i>	150–250 hr/ha	200–350 hr/ha
<b>3.8–4.6 hr/unit (4hr/u)</b>	35–55 u/ha <i>(30.30hr/unit)</i>	35–65 u/ha	45–90 u/ha
<b>3.1–3.7 hr/unit</b>	40–65 u/ha	40–80 u/ha	55–115 u/ha
<b>2.7–3.0 hr/unit</b>	50–75 u/ha	50–95 u/ha	70–130 u/ha

Fully Compliant

**Policy 3.5 Quality and design of housing developments**

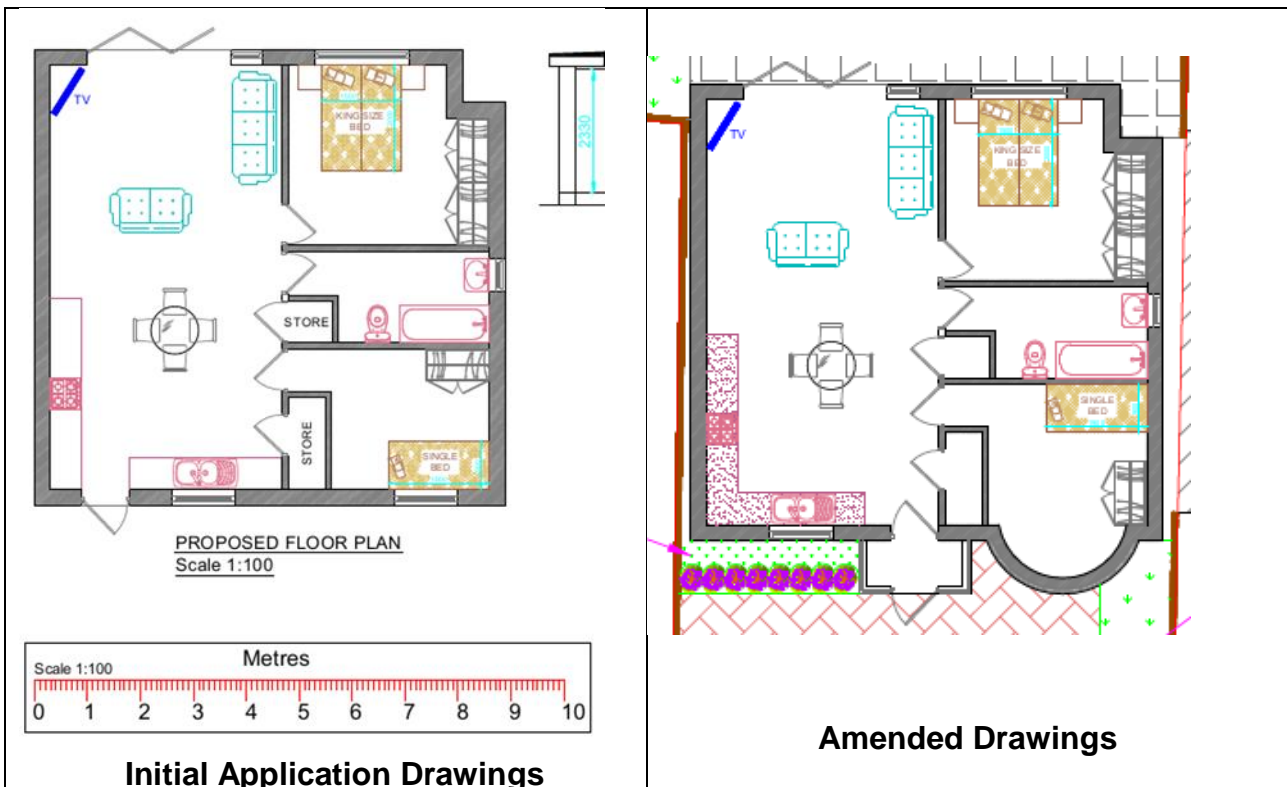
**Policy Strategic**

A Housing developments 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.**

The local justification for the "presumption against development on back gardens" as defined in the London Plan Policy 3.5 is that any development should reflect the local character and built forms of the local area which were built in 1935/36 and built to a recognised style and high quality to the 'Berg' style. The proposed dwelling would conflict with the area's predominant built form and would detract from the spacious long rear gardens of the locality.

Table 3.3 - Minimum Space Standards for New Dwellings					
Number of bedrooms	Number of bed spaces	Minimum GIA (m <sup>2</sup> )			Built-in storage (m <sup>2</sup> )
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
		1b	1p	39 (37)*	
	2p	50	58		1.5
2b	3p	61	70		2
	4p	70	79		

The proposed amended plans DO NOT provide the required information to assess whether the proposal meets the accommodation standards as defined in Policy 3.5 Table 3.3. Minimum Space Standards for New Dwellings and, therefore, it is not possible to prove it respects the Minimum requirements for the lifetime of the development.



Neither the initial, or amended drawings or the Design and Access Statement contain sufficient information to ascertain compliance with London Plan Policy 3.5 – Minimum Space Standards for new Dwellings with respect to Gross Internal Area (GIA) or Built-In Storage Space (No measurements given). It should NOT be expected that scaling off the drawings be required.

We therefore object to this proposed development on grounds of non-compliance with **London Plan Policy 3.5** with regard to provision of appropriate **minimum space standards** and **built-in storage space** and therefore this application should be refused.

## Policy DM10: Design and character

The following policies DM10.1 to DM10.10 apply in circumstances other than those where intensification policies (DM10.11) and place-specific policies (DM34 to DM49 and Table 11.1) specify otherwise and will be interpreted with reference to the description of each of the Places of Croydon set out in the introduction to each policy DM34 to DM49 and in the Council's Borough Character Appraisal and by reference to Table 6.5.

This locality is not within an area designated for "Focussed Intensification"

**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.

Where an extension or alteration is proposed, adherence to Supplementary Planning Document 2 Residential Extensions and Alterations or equivalent will be encouraged to aid compliance with the policies contained in the Local Plan.

Where a conversion or house in multiple occupation is proposed the Council will also consider the effects of noise, refuse collection and additional car parking on the character of an area. For this reason, the Council will seek proposals to incorporate parking within the rear, to the side or underneath building.

In the case of development in the grounds of an existing building which is retained, development shall be subservient to that building. The council will take into account cumulative impact.

The proposed development does NOT respect the development pattern, layout or siting of surrounding properties and therefore is Non- Compliant to **Policy DM10.1 a)**.

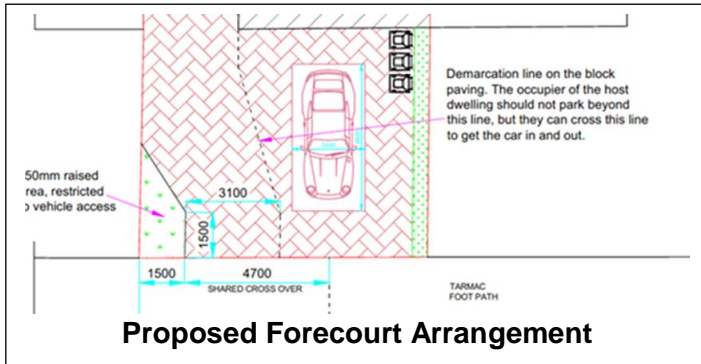
The proposed development does NOT respect the scale, height massing nor density of the surrounding properties and therefore is Non-Compliant with **Policy DM10.1 b)**.

The proposed development does NOT reflect the appearance, existing material and built form of surrounding properties and therefore is Non-Compliant with **Policy DM10.1 c)**.

The compliance with SPD2 is considered later in this objection letter.

**We therefore object to this proposed development on grounds of failure to comply with Croydon Local Plan Policies DM10.1 a), b) and c). and recommend that this application be refused.**

**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.



The separation of ownership of the forecourt of 36 Lorne Avenue and the new proposed dwelling (although not a planning issue) is likely to create long term difficulties if transfer of ownership during the lifetime of the development.

The dividing line of ownership of the forecourt needs to be maintained for the life of the development as vehicular access to

the forecourt of the Host dwelling could become a legal issue between owners as access could be challenged by either owner. To not allow this issue to be considered at the Planning Application stage will just defer the problem to future owners to resolve at significant expense. In what form would the demarcation line take to make it obvious for the lifetime of the development?

The parking situation is further discussed under Policy SPD2 and Parking.

**DM10.4** All proposals for new residential development will need to provide private amenity space that.

- a. Is of high-quality design, and enhances and respects the local character;
- b. Provides functional space (the minimum width and depth of balconies should be 1.5m);
- c. Provides a minimum amount of private amenity space of 5m<sup>2</sup> per 1-2-person unit and an extra 1m<sup>2</sup> per extra occupant thereafter; and
- e. In the case of development in the grounds of an existing building which is retained, a minimum length of 10m and no less than half or 200m<sup>2</sup> (whichever is the smaller) of the existing garden area is retained for the host property, after the subdivision of the garden.

Adherence with Supplementary Planning Document No.3: Designing for Community Safety or equivalent will be encouraged to aid compliance with the policies contained with the Local Plan.

The proposed development complies with Policy DM10.4, c) and e).

DM10.4 d) does not apply.

**DM10.6** The Council will support proposals for development that ensure that;

- a. The amenity of the occupiers of adjoining buildings are protected; and that
- b. They do not result in **direct overlooking at close range** or habitable rooms in main rear or private elevations; and that
- c. They do not result in **direct overlooking of private outdoor space** (with the exception of communal open space) within 10m perpendicular to the rear elevation of a dwelling; and that

The proposed development will NOT protect the amenity of adjoining neighbours' amenity space as it will allow direct overlooking into adjoining gardens at close range and disrupt adjoining residents' private amenity space. The proposed development WILL result in direct overlooking at close range into adjacent garden private amenity areas.

**We object to this proposed development on grounds of overlooking and invasion of privacy into the adjacent garden amenity space of adjacent occupiers as defined in Policy DM10.6 b) and c). and there recommend that this application be refused**



## 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:

- 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**;
- Ensure facilities are visually screened;
- Provide adequate space for the temporary storage of waste (including bulky waste) materials generated by the development; and
- 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.

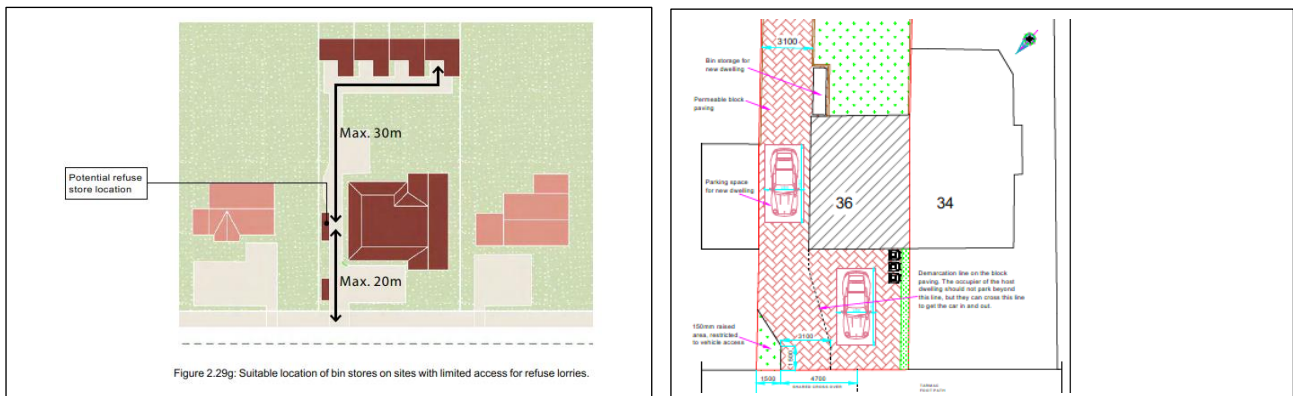
### Technical considerations

**6.136** It is important that refuse facilities are located in an area where they are easily accessible to all residents, including children and wheelchair users. This would include the provision of a safe route for those on foot as well as ensuring facilities are located on a hard level surface. Facilities must also be easily accessible for waste collectors.

## Waste and Recycling in Planning Policy Document August 2015 Edited October 2018 Produced by LBC Waste Management Team

### 2.4 External Storage – Design Features

The design of the front garden or yard should enable the bins to be **stored in a shaded position away from windows**. The bins must not intrude on the street scene, and therefore must be contained within an appropriate front wall, fence or hedge for the garden, or alternatively within a dedicated and suitably designed structure within the boundary of the premises. **Bin storage areas should be located to minimise nuisance to adjoining properties.**



The proposed development original plans showed Refuse & Recycling Bin storage was adjacent to the proposed development at the side of the access driveway whereas the amended drawings show Refuse and Recycling Storage Bins to the rear of the host property just below the new kitchen window making the distance from the new dwelling to this proposed refuse and recycling storage

approximately 24m from the new dwelling. This is a most inappropriate position for such storage which would, in all probability, emanate foul smells attracting flies and vermin just under a likely open window in summer which is completely unacceptable to the Host Dwelling occupants and in contravention to the Waste and Recycling in Planning Policy Document at **Para 2.4 External Storage – Design Features**.

In addition, if the Refuse & recycling bins are to be located as illustrated, the car parked adjacent to the host property will prevent easy pull of bins to the front of the host property for regular collections. There would not be free passage of the required width, the length of the pull distance if the car was parked in the driveway.

We therefore object to this proposed development on grounds of allocated Refuse and Recycling facilities for the new dwelling which is at an unacceptable location below a kitchen window of the host dwelling and is non-compliant to **Waste and Recycling in Planning Policy Document at Para 2.4 External Storage – Design Features and Policy DM13**.

In addition, with a vehicle parked in the driveway, there is insufficient width to manage the refuse wheelie bins to the front of the properties for collection and therefore this application should be refused.

## Supplementary Planning Guidance SPD2 – Suburban Residential Developments

### Section 2.9 RELATIONSHIP BETWEEN BUILDINGS

#### OVERLOOKING PRIVATE OUTDOOR AMENITY SPACES

2.9.16 Examples for orientation to minimize overlooking include:

- Developing a built form, such as courtyard or stepping footprint that allows the development to be inward looking.
- Developing a built form that directs views away from neighbouring dwellings.

2.9.17 Where acceptable separation distances cannot be achieved, screening devices may be used to mitigate direct overlooking as per the following:

We object to this proposed development on grounds that there are no architectural or other screening to prevent overlooking into neighbouring dwellings as defined in SPD2 Section 2.9 and therefore this application should be refused.

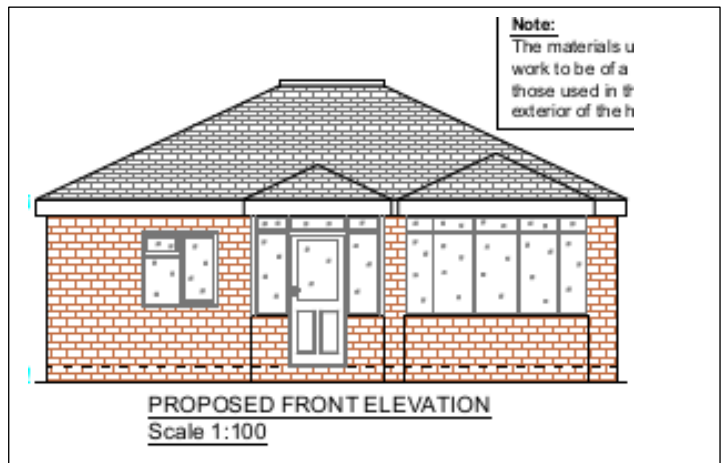
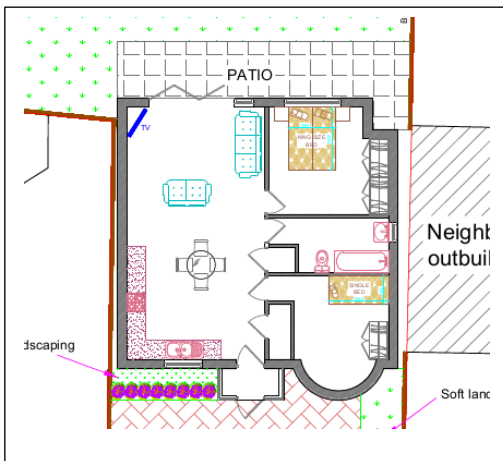
#### 2.17 BUILDING ALONG BOUNDARIES IN REAR GARDEN AND BACK LAND SITES

2.17.1 Due to plot size it will often be desirable to build along boundaries in rear garden and back land sites. It is important that this is done in a manner that avoids creating overbearing built form that may impact on neighbouring amenity.

2.17.2 Development in rear gardens, garage and back land sites should be positioned so that:



- There is sufficient separation distance to ensure that the first 10m of rear garden from a host dwelling (if applicable) is not built over in accordance with Policy DM10.4(e) of the Croydon Local Plan;
- Proposed buildings along boundaries may be thoughtfully designed to ensure there is no unreasonable **loss of sense of openness** or overbearing to neighbouring properties. Developments that propose to build along boundaries must demonstrate:
- that the appearance of the wall, as viewed from neighbouring properties, would be attractive and not overbearing; and
- how **rainwater goods will be contained within the curtilage of their plot.**
- All guidance on overlooking (Refer to 2.9 for guidance) and heights (Refer to 2.12 for guidance) have been adhered to.



The proposed development drawings show that the development is to be too close to the boundary with both adjoining properties and the neighbour's outbuilding giving no allowance for roof collection of rainwater guttering or down pipework for discharge or the eaves or soffit overhang, external to the curtilage of the proposed dwelling and probably within the curtilage of the adjacent properties or how these properties could be maintained.

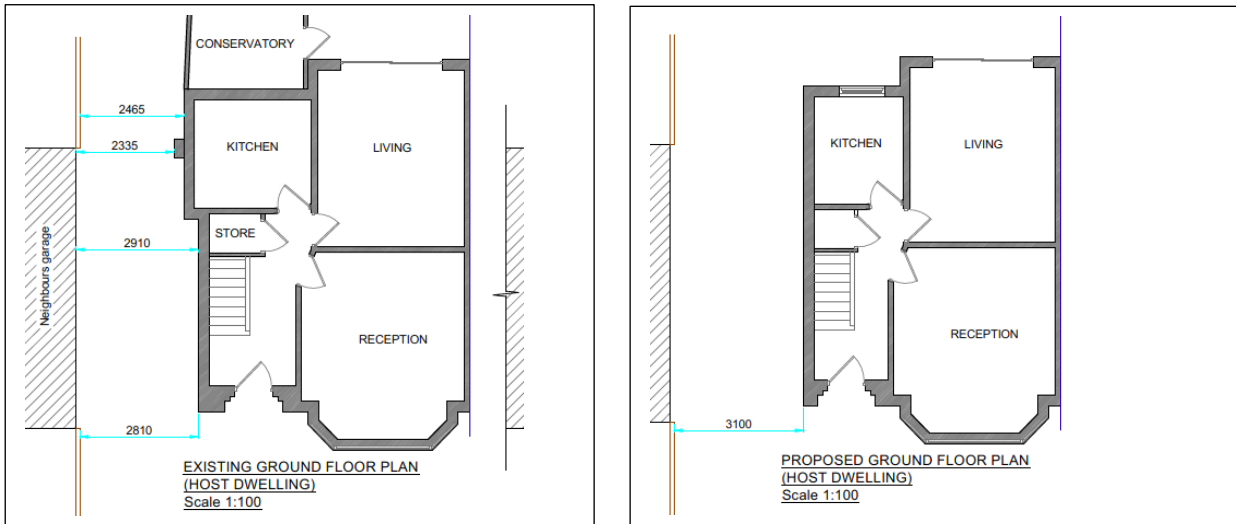
It is also NOT clear how this collected rainwater is discharged in the surface water drainage.

We therefore object to this proposed development on the grounds that the built form does NOT meet the SPD2 Design Guide 2.17 with regard to the observation of the building boundaries with adjacent properties which would result in eaves and rainwater collection plumbing encroaching into adjacent properties curtilage area and recommend a refusal.

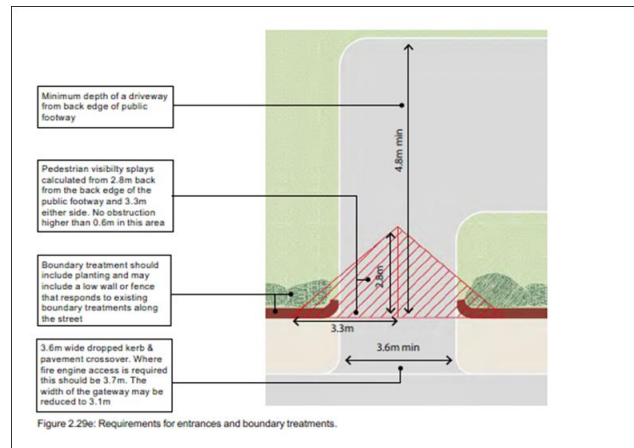
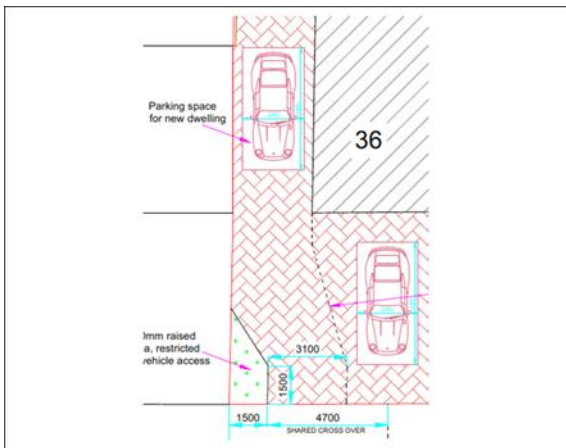
**ACCESS REQUIREMENTS: 2.29.10** When designing a proposal, consideration should be given to the need for appropriate access arrangements, including safety. This includes:

- Providing emergency service access<sup>27</sup> and refuse collections;
- Where emergency or service vehicle access is not possible, such as back land sites with narrow driveways, alternative service requirements should be discussed with the relevant authority;
- Where appropriate access and turning for refuse collection vehicles<sup>28</sup> is not possible, a refuse store must be provided within 20m of the street<sup>29</sup>. This point must be no more than 30m from the front door of the dwelling (excluding vertical distance) (Refer to figure 2.29g);

In order to provide a 3.1m width passageway for entrance to the new dwelling and provide adequate proposed parking space at the side of the host dwelling, the applicant has decided to move the flank wall in by 290mm (3100mm – 2810mm) at the front of the host dwelling, therefore the bay window to the small front bedroom will need to be moved or even reduced in size thus altering the facade of the property making it look out of proportion to the rest of the neighbouring properties so spoiling the uniformity of the street scene.



The Access Drive is to be used as Parking provision for the occupants of the new dwelling. This position is detrimental to the access for pedestrians, or for the access of push chairs for young children or wheelchair users to gain entry or exit from the proposed dwelling with a car parked in the access driveway. It is also an obstruction for any emergency personnel (ambulance or fire service) to gain access or to assist with the stretchered removal of any occupant requiring medical help if the vehicle is blocking easy access to the premises and the owner is not immediately available to move the obstructing vehicle.



The access required by SPD2 is 3.6m and this access is only 3.1m

A vehicle is on average is ≈2.4metres and the access drive is 3.1mtres which leaves passing width of just 35cm either side which is an unacceptable passing clearance.

The parking location would likely cause noise and disturbance to occupiers of the host dwelling due to the closeness of the parking provision, loading and unloading goods and shopping and slamming of doors or tailgates.

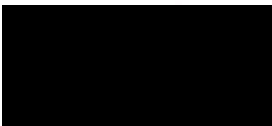
In addition, this parking space must be entered in a reverse gear as there is no facility to turn from forward to reverse on the driveway or forecourt especially if another vehicle is already parked on the forecourt. To reverse into such a confined location and leave equal passing gaps either side would be difficult. There is no additional off-street parking for visitors.

We therefore object to this development proposal on grounds that the parking provision is totally unsuitable and could be a significant problem during any emergency requiring medical or fire service personnel gaining access to occupants on the site. The access drive is too narrow at 3.1m and does not meet the requirement of SPD2 of 3.6m minimum width and therefore this proposed development should be refused.

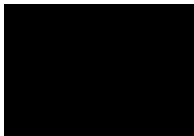
Please register our comments on the on-line public register as **Monks Orchard Residents' Association (Objects)**

Please inform us of your recommendation in due course.

Yours sincerely



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



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)
Cllr. Sue Bennett	Shirley North Ward Councillor
Cllr. Richard Chatterjee	Shirley North Ward Councillor
Cllr. Gareth Streeter	Shirley North Ward Councillor

**Bcc:**

MORA Executive Committee  
Local effected Residents