

Representation Form for the Croydon Local Plan Review 2019:

		Personal Details
1.	Representation Number:	MORA #020
2.	Title	Mr
	First Name	Derek
	Last Name	Ritson
	Profession	Retired – Former Communications Engineer I. Eng. M.I.E.T.
3.	Representative	Planning Adviser Executive Committee Member
4.	Organisation	Monks Orchard Residents' Association (MORA)
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NPPF Plan Making

16. Plans should:

- a) be prepared with the objective of contributing to the achievement of **sustainable development**¹⁰;
- b) be prepared **positively**, in a way that is aspirational but **deliverable**;
- c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, **infrastructure** providers and operators and statutory consultees;
- d) **contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals**;
- e) be accessible through the use of **digital tools** to **assist public involvement** and **policy presentation**; and
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

Name or organisation: **Monks Orchard Residents' Association**

7. To which part of the Croydon Local Plan Review does this representation relate?

Croydon Local Plan Review:

[Windfall or 'Small Sites' Evidence Base](#)
[Croydon Local Plan Partial Review 2019](#)

Policy

All

Option

All

Figure/Table

N/A

8. Do you think that the proposed policy or part of the plan meets the objectively assessed development and infrastructure requirements for Croydon (and the unmet needs of neighbouring authorities) as defined in **NPPF (2019) para 16 & Para 122**?

Yes

No

9. If No

Which sub paragraph of para 16 does the policy **NOT meet NPPF Para 16**.

Para a)

Para b)

Para c)

Para d)

Para e)

Para f)

10. Do you think that the proposed policy or part of the plan enables the delivery of **sustainable** development in accordance with the policies of the National Planning Framework?

Yes

No

11. What other NPPF Paragraph does the Policy **NOT** Comply?

Para

Para

12. What other Policy of the EMERGING LONDON PLAN does the Policy **NOT** comply?

Chapter

Policy

Windfall or 'Small Sites' Evidence Base
Croydon Local Plan Partial Review 2019

'Windfall' or Small Sites Evidence Base

1.1 The National Planning Policy Guidance February 2019 introduces the various ways that councils can promote the development of a good mix of development sites. One of the recommendations is to “support the development of ‘windfall’ sites through policies and decisions, giving great weight to the benefit of using suitable sites within existing settlements for homes”. Windfall sites are “sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.”

1.2 This report has been produced by Croydon Council’s Spatial Planning Department to provide an evidence base for the potential density changes outlined through ‘windfall’ or small-scale suburban housing development across the borough over the plan period. It aims to understand the level of change that will occur across an area based on a planned rate of windfall. This evidence base is used to support the development of a set of strategic growth options put forward in the Local Plan Review – Issues and Options Consultation 2019.

Comment:

- **The Characterisation Studies for “windfall or Small Sites” by the Spatial Planning Team completely omits any reference or allowance for the available or planned infrastructure to support the “windfall or in-fill developments” and only considers Housing Density (units/hectare) relative to the locality.**
- **It is the increased Residential Density which (measured in Bed Spaces per hectare) that requires adequate supporting infrastructure to cater for the increased population from windfall in-fill and redevelopments (NOT the Dwellings!) – Housing Density requires physical infrastructure such as Mains Water Supply, Electricity Supply, Sewage and drainage, and road access.**
- **The increased Residential Density requires adequate Public Transport Accessibility for the additional population plus other supporting services e.g. GP Surgeries, school places and other public civic amenities to support the additional population.**
- **The Local “Places” should be overlaid with the TfL WebCAT Public Transport Accessibility Level (PTAL) grids and should inform the appropriate feasible increased Residential Densities in occupants/hectare which can be supported by current and proportionate planned increase in PTAL.**
- **If the proposed development Residential Density does not meet the required available or planned PTAL, the proposal should be refused until the infrastructure is improved to meet the required level before a proposal can be resubmitted.**
- **These are the requirements of any local area *“Characterisation Studies”* defined in the Inspectors report resultant on the Evaluation in Public (EiP) of the draft London Plan and Policy D1A Para C of the draft London Plan.**

And as required by NPPF Para 122 which states:

Achieving appropriate densities:

122. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Draft (New) London Plan

Policy D1A - Infrastructure requirements for sustainable densities:

A The density of development proposals should:

- 1) consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels,
- 2) be proportionate to the site’s connectivity and accessibility by walking, cycling, and public transport to jobs and services (including both PTAL and access to local services^{22A}).

B Where there is currently insufficient capacity of existing infrastructure to support proposed densities (including the impact of cumulative development), boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. This may mean, that if the development is contingent on the provision of new infrastructure, including public transport services, it will be appropriate that the development is phased accordingly.

C When a proposed development is acceptable in terms of use, scale and massing, given the surrounding built form, uses and character, but it exceeds the capacity identified in a site allocation or the site is not allocated, and the borough considers the planned infrastructure capacity will be exceeded, additional infrastructure proportionate to the development should be delivered through the development. This will be identified through an infrastructure assessment during the planning application process, which will have regard to the local infrastructure delivery plan or programme, and the CIL contribution that the development will make. Where additional required infrastructure cannot be delivered, the scale of the development should be reconsidered to reflect the capacity of current or future planned supporting infrastructure.

Further Guidance is given in the ‘Inspectors Report’ subsequent to the Evaluation in Public (EiP) of the Draft London Plan “Design Led Approach” (published 8th October 2019)

Design led approach

274. Further suggested changes have amalgamated policies D1, D2 and D6. Four policies now replace the previous three policies.

275. This suite of policies provides a sequence of considerations to assist in the delivery of well-designed development, at an appropriate density, that responds to local character, form and infrastructure capacity. They are aimed to put design at the core of plan making and decision taking. In short, they require boroughs to determine a local plan’s spatial strategy to meet its growth requirements based on a thorough understanding of the character of

the plan area. Identified infrastructure deficiencies should be addressed and optimised site capacities established for all site allocations and other development proposals, through the exploration of design options.

276. Requiring boroughs' plans to determine the capacity of allocated sites would provide an opportunity for **community involvement**. It would also provide more certainty to developers by providing **clear parameters for future schemes**. Ensuring a Plan's overall spatial strategy and individual site capacities are based on adequate supporting infrastructure will assist in the delivery of **sustainable development**. It would also assist in the identification of locations that may be suitable for tall buildings through the Plan making process.
277. Concern was expressed that the requirement for an area assessment would be a lengthy process, thereby unreasonably delaying local plan production and development management decisions. **However, requiring boroughs to address these issues at the start of the plan making process will mean that at the development management stage there will be a solid evidence base in place on which to make decisions.** This in turn should assist in quality and speed of decision-making. As over half of boroughs have already produced a Characterisation study for their areas, we are not convinced that these requirements would impede the delivery of development
278. The use of Characterisation studies to inform borough's policy formulation, however, is more limited. The Plan's approach would require greater use of that valuable information source to inform policy. It is appreciated that this would require the allocation of resources within boroughs. Coverage of this type of borough level study to date indicates that many boroughs have made resources available. **However, in recognition of this widespread concern and to assist in effectiveness, the Mayor has put in place support and funding to assist boroughs.**
279. Although the policies are long, complex, detailed and repetitious in places, as a suite they are navigable and thorough. The further suggested changes clearly demonstrate the link between the production of plan area assessments and their use in policy formulation, which provides welcome clarity.
280. One of the main features of this suite of policies is that in seeking to optimise capacity it dispenses with the "Density Matrix", used to guide site density. That was first devised in the late 1990s and has been included, in different guises, in previous Plans since 2004. This is a source of regret to many and there is particular concern that its loss will lead to less certainty as well as over-bidding for land. However, it would fundamentally conflict with the design led approach now advocated, which bases density on local context, infrastructure capacity and connectivity. This approach sees density as an output and not as an input that should determine the form and type of new development. Dispensing with the "Density Matrix" is therefore logical and justified as part of the overall design led approach.
281. Further factors support dispensing with the "Density Matrix". The evidence is that about half of developments permitted since 2004 have been outside the matrix ranges, thereby casting doubt over its effectiveness. First hand evidence was also given that it has little bearing on the price paid for sites.

Indeed, market forces and national policy constraints across London have had a greater effect on land supply. Enforcing a strict upper limit on density runs the risk of stymying otherwise acceptable development which would run contrary to the strategy of Good Growth. This supports the approach adopted, which would set density on the basis of local context.

282. Policies that enshrine the design-led approach set out a strategic direction although much of the burden for implementation will fall on the individual boroughs. Nevertheless, they provide a legitimate and justified approach with the potential to provide greater certainty. We deal with the details of individual policies, as necessary, below.

Character and capacity for growth

283. Policy D1 part A sets a requirement for boroughs to undertake area assessments to define the characteristics, qualities and value of different places within the plan area. D1 part A includes a list of considerations on which such studies should be based. This includes demographic make-up and socio-economic data, which ensures that studies go beyond the physical environment considerations. Further suggested changes include views and landmarks, which given their role in defining the character of an area is justified. Overall, the matters set out are a justified set of urban design considerations.

284. D1 part B requires boroughs to prepare local plans to meet their growth requirements, including their overall housing targets, using the plan area assessments to identify suitable locations for growth and its potential scale, whether limited, moderate or extensive. This should take account of existing and planned infrastructure capacity with a requirement to plan to address deficiencies. It also requires, the consideration of design options for strategic sites to set development parameters, which will determine the capacity of allocated sites. These considerations are necessary to ensure that the ambitious growth agenda in this Plan is realised.

Infrastructure requirements

285. Subsequent policies relate to the site-specific context. Policy D1A seeks to ensure that density of development proposals respond to future infrastructure capacity and that it should be proportionate to a site's accessibility and connectivity. Policy D1A part D introduces further suggested changes that set out explicitly that infrastructure capacity ultimately will limit the scale of development where it cannot be enhanced to mitigate the impact of development. This will ensure that the density of a development cannot exceed a sustainable level, even if it is acceptable in design terms. It will also help to ensure that development accords with Good Growth.

Optimising site capacity

286. Policy D1B seeks to optimise site capacity through following the design led approach in development proposals including site allocations. It sets out the design outcomes that well-designed places should seek to deliver. The list of outcomes cover the key urban design considerations under headings of form and layout, experience and quality and character. Further suggested changes include the need to take account of circular economy principles which is a key

theme in the Plan. Optimising site capacity does not mean maximising capacity, and this is made clear in the supporting text as is the fact that some uses inevitably require lower densities. Rather, optimising in this context means ensuring that the development takes the most appropriate form for the site and that it is consistent with relevant planning objectives and policies. This clarification, provided through further suggested changes, is necessary to ensure that the policy is readily understood and effective.

287. The detailed expectations for measurements of density to be provided have no place in the policy and further suggested changes rightly remove these from policy to the supporting text. Further suggested changes also delete the requirement to submit a management plan for residential development above certain thresholds, which is necessary as the requirements are unduly onerous given that costed plans are unlikely to be known up front. Indeed, the research project on which this provision is founded acknowledged the difficulty of writing policies in this respect and advised that it should be done in supplementary planning guidance. However, the policy should not prescribe that applications that unjustifiably fail to optimise capacity should be refused as that can be assessed on an individual basis. As such, this should be deleted [**PR19**].

Delivering good design

288. Policy D2 focusses on the process of ensuring that good design is delivered and retained. In setting out clear expectations of the design and application process, including its scrutiny through design review, it provides clarity to both developer and boroughs. The policy considerations are integral to achieving and maintaining good design and have a legitimate place in this Plan. Given the variation in borough design review practices at present, this policy, based on good practice principles¹²⁰, will help develop consistency and achieve policy aims. Whilst it is prescriptive it provides adequate flexibility for local definition.

289. Measures for retaining design quality through to completion are set out in policy D2 part E. As these in the main relate to good practice principles, they are justified as a measure to ensure design quality. Reference to securing the ongoing involvement of the original design team to monitor the design quality, would be a legitimate way to assist in the delivery of design quality, being established practice for some boroughs. The detailed wording of D2 part F4 and the supporting text would allow local flexibility. However, the use of an architect retention clause would be overly onerous and this should be deleted from the supporting text [**PR21**].

Conclusion

290. Subject to the recommendations set out above, the design led approach promoted in the Plan, through policies D1, D1A, D1B and D2 provides a framework that would enable the most appropriate form of development, that responds to the site's context and capacity for growth, existing and future supporting infrastructure capacity. It would be effective in assisting the delivery of high-quality places and optimising the capacity of sites, in accordance with the principles of Good Growth.