

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

**Monks Orchard Residents' Association
Planning**

8th December 2020

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Reference	20/05960/FUL
Application Received	Tue 17 Nov 2020
Application Validated	Tue 17 Nov 2020
Address	116 Orchard Way Croydon CR0 7NN
Proposal	Retention of the Public House on the ground floor and creation of an additional storey with rear extensions and associated alterations to provide 4 flats on the upper floors.
Status	Awaiting decision
Case Officer	George Clarke
Consultation close	Sun 20 Dec 2020

Dear Mr Clarke

Please accept this formal letter of objection to the proposal **Ref: 20/05960/FUL** for Retention of the Public House on the ground floor and creation of an additional storey with rear extensions and associated alterations to provide 4 flats on the upper floors.

We should state that we are not against development or re-development in this area, 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, the emerging London Plan and the NPPF** as they relate to the **“Shirley Place,” especially as the cumulative yearly allocated Target of dwellings for the “Shirley Place” as a whole (yearly allocations) have already been met in just the MORA Post Code Area!**

Policy DM45: Shirley

DM45.1 Within Shirley Local Centre, to retain the unique qualities development should:

- Retain the continuity of **ground floor active frontages** and allow **flexibility at first floor and above for mixed use;**
- Reference, respect and enhance architectural features such as the consistent rhythm and articulation of fenestration and retain features such as the triangular bay windows;
- Complement the existing predominant building heights of **2 storey's up to a maximum of 4 storeys;** and
- Incorporate or retain traditional shop front elements such as fascia's, pilasters and stall risers.

11.208 Shirley has **three urban** and **one suburban** shopping area characters along **Wickham and Shirley Roads**. The **suburban** feel of these **shopping areas** are strengthened by tree lined streets, green verges with planting and small green spaces and parking accommodated in slip roads. These features play a vital role in creating Shirley's sense of place.

Proposal Parameters:

116 Orchard Way		Ref: 20/05960/FUL		Existing Dwellings		1							
SiteArea	285 sq.m.	0.0285 ha		Existing Bedrooms		4							
	Floor	Bedrooms	Bed-Spaces	Habitable Rooms ⁽³⁾	GIA Provided (m ²)	Minimum GIA Table 3.1 New LP (m ²)	Kitchen Dining Living (m ²)	In-Built Storage Offered (m ²) ⁽⁴⁾	Built-in Storage Required Table 3.1 New LP (m ²)	Private Amenity Space Provided ⁽¹⁾ (m ²)	Private Amenity Space Required (m ²)	GIA + Private Amenity Space ⁽²⁾ (m ²)	
Flat 1	First	2	4	4	71.06	70	27.0	2.0	2.0	6.0	7.0	71.0	
Flat 2	First	1	2	3	51.21	50	27.0	1.0	1.5	5.0	5.0	50.0	
Flat 3	Second	1	2	3	50.58	50	24.0	?	1.5	6.0	5.0	49.0	
Flat 4	Second	1	2	3	50.01	50	25.0	1.0	1.5	5.0	5.0	50.0	
Totals		5	10	13	222.86	220	103.0	4.0	6.5	22.0	22.0	220.0	
Residential Density		456.14 hr/ha		PTAL Required at Residential Density of 456.14 hr/ha =						7.42		PTAL	
Housing Density		140.35 u/ha		PTAL Required at Housing Density of 140.35 u/hr =						6.33		PTAL	
Average hr/unit		3.25 hr/u		⁽⁴⁾ No indication of Built-In Storage Dimensions on plans									
Residential Density		350.88 bed-spaces/ha		Private Amenity Space ⁽²⁾		GIA + Private Amenity Space; Policy DM10 para 6.76							
⁽³⁾ Kitchen/Dining/Living Open Plan configuration - considered as two habitable Rooms (Kitchen a non-habitable room)													
Infrastructure:				Car Parking Spaces		1		Retained					
PTAL	2011	1a		Parking per occupant		0.10		spaces/occupant					
PTAL	2031	1a		Parking per Dwelling		0.25		Per Dwelling					

Table 3.2 Sustainable residential quality (SRQ) Density Matrix (habitable rooms and dwellings per hectare)			
TfL Webcat	Accessing Transport Connectivity in London		
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 (456.14hr/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 (3.25 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 (140.35u/ha)

The location is a Suburban Shopping Parade

The PTAL for Residential Density of 456.14hr/ha is outside the nearest range of 200 -350 found by:
 $456.14 = 75x - 100$
 where $x = \text{PTAL} = 7.42$
 when the actual PTAL for this locality is 1a

The PTAL for Housing Density of 140.35u/ha nearest is in the PTAL range of 4 to 6
 $140.35 = 30x - 50$
 Where $x = \text{PTAL} = 6.33$
 when the actual PTAL for this locality is 1a
 (See calculations below)

Residential & Housing Density & PTAL Assessment:

Residential & Housing Densities:

The Current Adopted London Plan Policy 3.4 – Optimising Housing Potential is set out below:

Policy 3.4 Optimising housing potential:

A Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within

the relevant density range shown in Table 3.2. **Development proposals which compromise this policy should be resisted.**

3.30 Where transport assessments other than PTALs can reasonably demonstrate that a site has either good existing or **planned public transport connectivity and capacity**, and subject to the wider concerns of this policy, the **density of a scheme** may be at the **higher “end” of the appropriate density range**. Where **connectivity and capacity are limited**, density should be at the **lower “end” of the appropriate range**. The **Housing SPG provides further guidance** on implementation of this policy in different circumstances including mixed use development, taking into account plot ratio and vertical and horizontal mixes of use.

Residential & Housing Density Assessment:

The Site area is stated as **0.0285ha** giving a **Residential Density** of **13hr/ha** equals $13/0.0285 = 456.14hr/ha$ and for **Housing Density** of **4 units/ha** in site area of **0.0285ha** equals $4/0.0285 = 140.35u/ha$

The **Residential Density** of **456.14hr/ha** in a **suburban setting** (assuming the incremental increase over the ranges of Table 3.2 are **linear**) are given by:

$y = mx + c$ where $y = \text{Density}$; $m = \text{Slope} = \Delta y/\Delta x$; $x = \text{PTAL}$ and $c = y \text{ when } x = 0$

$$m = \Delta y/\Delta x = (350-200)/(6-4) = 75 = m$$

we have two known points on the straight-line $y = mx + c$ at:

$$\text{maximum } y = 350 = 75 * 6 + c \equiv 350 = 450 + c$$

$$\text{minimum } y = 200 = 75 * 4 + c \equiv 200 = 300 + c$$

therefore, adding the two equations becomes $550 = 750 + 2c$ & $c = -200/2 = c = -100$

thus: **Residential Density** $y = 456.14 = 75 * x + (-100)$ & $x = \text{PTAL} = 7.42$ (when the site is **PTAL 1a**)

A Residential Density of 456.14hr/ha in a Suburban Setting would require a local PTAL of 7.42

Similarly, for **Housing Density** of **140.35units/ha** in a **suburban Setting**:

The nearest range of PTAL for **Housing Density 140.35 units/ha** is in the range **70 to 130 u/ha** and is given by: $y = mx + c$ where $y = \text{Density}$; $m = \text{Slope} = \Delta y/\Delta x$; $x = \text{PTAL}$ and $c = y \text{ when } x = 0$

$$m = \Delta y/\Delta x = (130 - 70)/(6-4) = 30 = m$$

again, we have two known points on the straight-line $y = mx + c$ at:

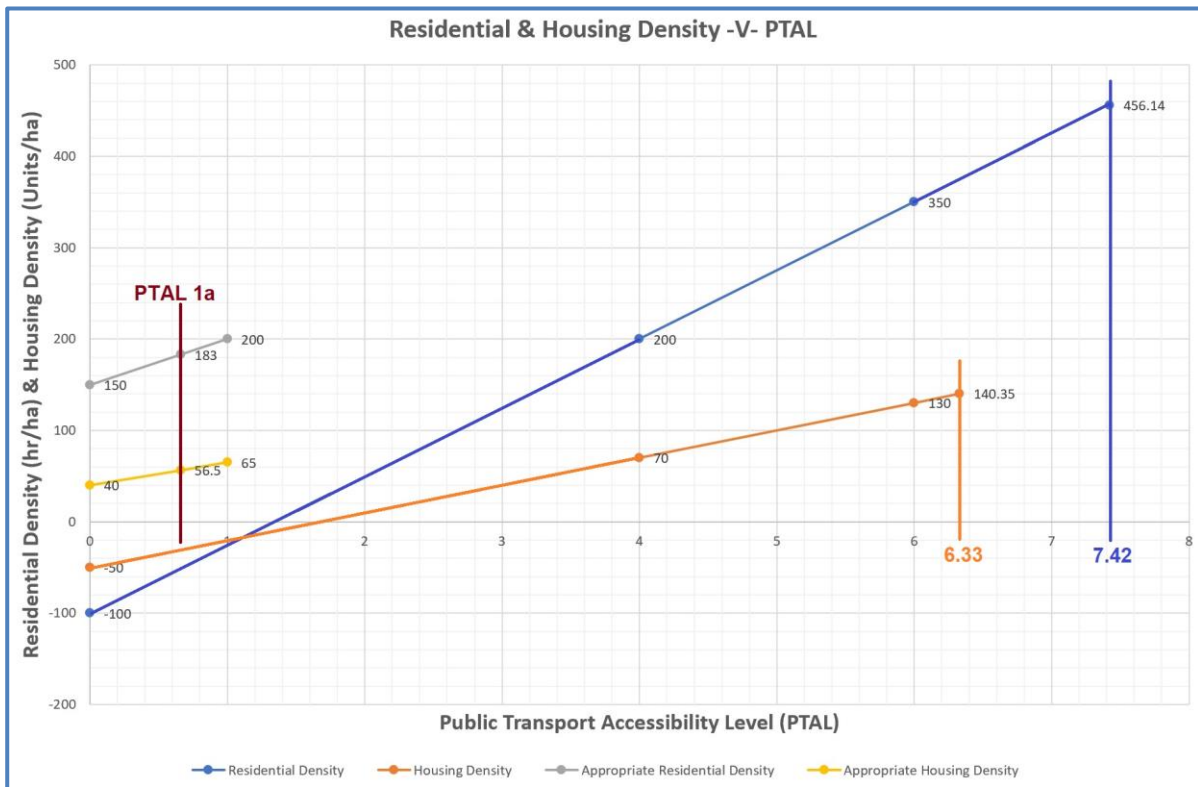
$$\text{maximum } y = 130 = 30 * 6 + c \text{ becomes } 130 = 180 + c$$

$$\text{minimum } y = 70 = 30 * 4 + c \text{ becomes } 70 = 120 + c$$

therefore, adding the two equations becomes $200 = 300 + 2c$ & $c = -100/2 = -50 = c$

thus: **Housing Density** $y = 140.35 = 30 * x + (-50)$ & $x = \text{PTAL} = 6.33$ (when the site is **PTAL 1a**)

A Housing Density of 140.35u/ha in a Suburban Setting would require a local PTAL of 6.33



Comment #1

The applicant has not provided any **justification** for exceeding the **Densities** appropriate for the locality which has **PTAL of 1a**.

The proposal has a **Residential Density** in a **suburban** setting of **456.14hr/ha** which would require a **PTAL** of **7.42** and a **Housing Density** of **140.35units/ha** in a **Suburban** setting which would require a **PTAL** of **6.33**. when the available PTAL is just **1a**. (as shown on the above graph). This is clear proof of **overdevelopment** for the locality.

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 **5m² per 1-2-person** unit and an extra **1m² per extra occupant** thereafter;
- d. **All flatted development** and developments of 10 or more houses must provide a minimum of **10m² per child of new play space**, calculated using the Mayor of London's population yield calculator and as a set out in Table 6.2 below. The calculation will be based on all the equivalent of all units being for affordable or social rent unless as signed Section 106 Agreement states otherwise, or an agreement in principle has been reached by the point of determination of any planning application on the amount of affordable housing to be provided. When calculating the amount of private and communal open space to be provided, footpaths, driveways, front gardens, vehicle circulation areas, car and cycle parking areas and refuse areas should be excluded;

6.76 In exceptional circumstances where site constraints make it impossible to provide **private outdoor space** for all dwellings, indoor private amenity space may help to meet policy requirements. The area provided should be **equivalent to the private outdoor amenity space requirement and this area added to the minimum Gross Internal Area.**

Accommodation Standards:

London Plan Policy 3.5 - Quality and design of housing developments states:

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.**

3.36 The Mayor regards **the relative size of all new homes** in London to be a key element of this strategic issue and therefore has adopted the **Nationally Described Space Standard** ^[6]. **Table 3.3** sets out **minimum space standards** for dwellings of different sizes. **This is based on the minimum gross internal floor area (GIA)** required for new homes relative to the **number of occupants** and taking into account commonly required furniture and the spaces needed for different activities and moving around. This means developers should state the number of **bedspaces/occupiers** a home is designed to accommodate rather than, say, simply the number of bedrooms. **These are minimum standards which developers are encouraged to exceed.**

Comment #2

Flat 2 & 4 have inadequate Built-In Storage and the In-Built Storage for Flat 3 is undefined.

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.

Comment #3

The proposal provides **NO communal outdoor amenity space** as required by Policy DM10.5.

6.77 The provision of private and **communal amenity space** per unit, including child play space of **10m²** per child, based on the calculation of numbers of children yielded from the development as set out in the Table 6.2 may be pooled to create a communal amenity space for a flatted development that meets all the requirements of this policy.

Comment #4

There is **no** allocation of **Play Space for the children** of occupants of the proposed development as required of Policy DM10 although there are only likely to be 4 children (max) in occupation.

Car Parking

The Applicant's Design & Access Statement at Section Para 6.49 Parking and Highway Safety.

6.49 The London Plan suggests that car parking standards for a residential development in this location should provide a maximum of 1.5 parking spaces for 3-bedroom units and less than 1 parking space for 1-2-bedroom units. Therefore, the proposed units would have a maximum standard of 3 - 4 parking spaces. The proposal would retain 1 off-street garage parking space accessed from the service road to the rear. This parking space can be utilised for the benefit of one of the three bed units.

Comment #5 There are insufficient car parking spaces allocated for the future occupants of this proposal and on-street parking in the locality is very limited due to access to the local shopping parade and the Pub clientele, There is no legislation to prevent car ownership and thus it is likely that future occupants of this proposed development will require on-street parking provision which will exacerbate local parking stress.

Cumulative recent Developments for MORA Post Code Area PTAL requirements.

Local Plan Review (2019) Targets:

	Target (2019 – 2039) 20 yrs.	Annual Average	9.687% Reduction (2019 – 2039)	Annual Reduced Target
Shirley	360 - 450	18 – 22.5	342 - 406	16.25 – 20.32 Average = 18.29

Reference	Status	Date Decided	Shirley Ward	House Number	location	dwelling lost	New Dwelling s	Overall Change	Parking Spaces	PTAL	Commen
18/05928/FUL	Granted	01/02/19	North	20 - 22	The Glade	2	2	2	2	1a	rear garden develop
19/00051/FUL	Granted	27/02/19	North	10 -12	Woodmere Close	0	1	1	2	1a	
18/06070/FUL	Granted	21/03/19	North	9a	Orchard Rise	1	9	8		1a	
19/00783/FUL	Granted	26/09/19	North	32	Woodmere Ave	1	7	6		1a	
19/01761/FUL	Granted	20/06/19	North	18a	Fairhaven Ave	1	9	8		1a	
19/03064/FUL	Granted	30/09/19	North	37	Woodmere Ave	1	8	7		1a	
19/02994/FUL	Refused	23/03/20	North	49-51A	Shirley Rd						
19/02839/FUL	Refused	11/10/19	North	36	Lorne Gdns						
19/01352/FUL	Granted	25/10/19	North	56	Woodmere Ave	1	9	8		1a	
19/00131/FUL	Granted	07/11/19	North	17	Orchard Ave	1	8	7	4	2	
19/01484/FUL	Granted	23/10/19	North	14 - 16	Woodmere Close	0	1	1	2	1a	
Total 2019						8	54	48	10		

48 New Dwellings in the MORA Post Code Area of Shirley North Ward – 2019

Comment #6

Dwellings Approved in the **MORA (Post Code Area)** i.e. **NOT all Shirley North Ward** during 2019 ≈ **48** which **significantly exceeds** the maximum yearly average target of **18.29** (i.e. an increase of **162.438%** over the target) for the **whole of Shirley i.e. Shirley North Ward & Shirley South Ward.**
Percentage increase = (Increase - Original) × 100. = ((48 - 18.29)/18.29) × 100 ≈ 162.438%

Similarly, for 2020 so far:

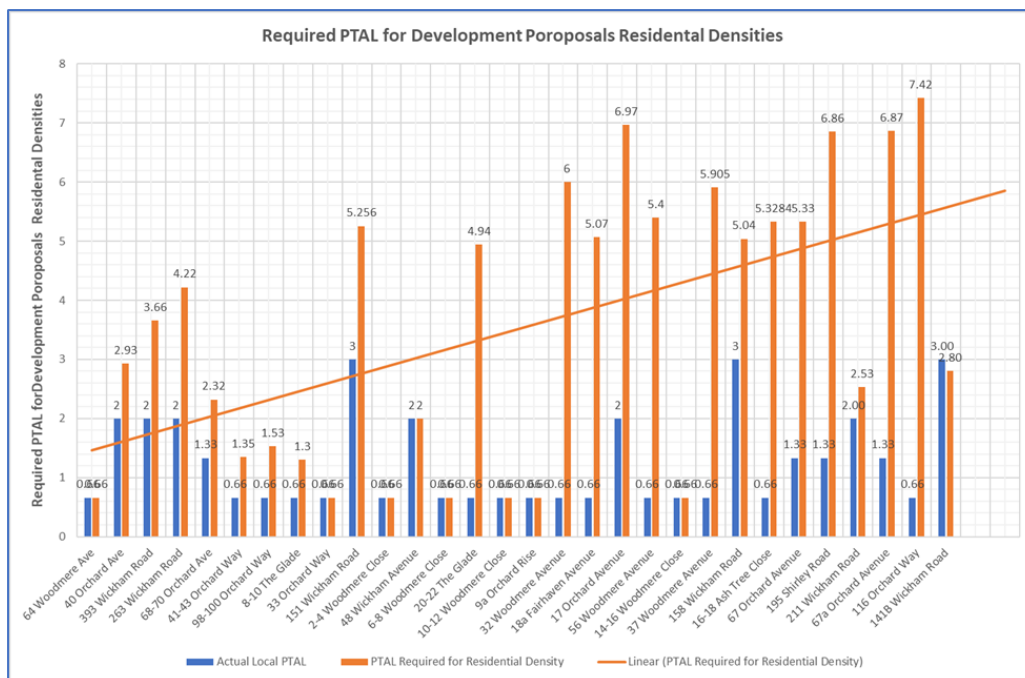
Reference	Status	Date	Shirley Ward	House Number	location	Dwellings lost	New Dwellings	Overall Change	PTAL	Car Parking
19/04699/FUL	Granted	12/02/20	North	141b	Wickham Rd	0	2	2	3	0
19/04136/OUT	Granted	14/02/20	North	104	Wickham Rd	1	9	8	2	3
19/04705/FUL	Granted	28/02/20	North	16-18	Ash Tree Close	2	8	6	1a	8
20/00299/FUL	Withdrawn	17/03/20	North	211	Wickham Road					
20/00092/FUL	Refused	20/03/20	North	67	Orchard Avenue					
19/04149/FUL	Granted	18/03/20	North	151	Wickham Rd	0	4	4	3	0
19/02994/FUL	Refused	23/03/20	North	49-51A	Shirley Rd					
20/00356/FUL	Granted	03/04/20	North	67a	Orchard Avenue	1	2	1	1b	2
20/01256/FUL	Refused	11/05/20	North	211	Wickham Rd					
20/01997/FUL	Pending	TBD	North	67	Orchard Avenue	1	6	5	1b	6
20/02022/FUL	Pending	TBD	North	141b	Wickham Road	0	4	4	3	0
19/05218/FUL	Granted	06/03/20	South	6&8	Sandpits Road	2	2	0	1b	0
Total 2020 so far						7	37	30		19

Comment #7

This gives an **indication that for 2020 the approx. half year totals already exceed the yearly 2020 targets for the "Shirley Place."**

The increase in number of dwellings by possibly **30** when the full year target average for the **whole of Shirley North Ward and Shirley South Ward is 18.29.**

An increase percentage of $((18.29 - 30)/18.29) \times 100 = 64.02\%$ for just approaching half a year.



Comment #8

The **cumulative** increase in local population has not seen a complementary increase in any local service provision such as GP Practice support, local improved infrastructure and school places or public Transport infrastructure etc. This level of **cumulative increase** contributes to local **Residents' total loss of confidence in the Planning Process.**

Further comments on the Applicant's Design & Access Statement:

Item 2 of refusal of previous application **Ref: 20/02258/FUL:**

2 The proposed rear extensions by way of their excessive scale and close proximity to neighbouring windows which serve habitable rooms would cause harm to neighbouring living conditions through loss of light, outlook and privacy. The development would therefore conflict with policies 7.4 and 7.6 of the London Plan (consolidated with alterations since 2011), Policy DM10 of the Croydon Local Plan (2018) and the Suburban Design Guide Supplementary Planning Document (2019)

Applicant's response:

"In order to address this issue with regards to dwellings located at 128 Orchard Way the new second floor is set back behind the 45° splay line of the nearest neighbouring habitable room at 128 Orchard Way. Furthermore, the access to the second floor will not be from the existing staircase used by residents at 128 Orchard Way since new internal staircase has been designed to address this issue.

*With regards to the issue with homes on Templeton Court, there will be no windows or balconies facing the homes to the rear on Templeton Court on first and second floor of the proposed development. **The only balcony that is towards Templeton Court will be protected by obscured glazed screens in order to not be overlooking the dwellings on this road.**"*

The Croydon Local Plan 2018

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
- d. Provide adequate sunlight and daylight to potential future occupants; and that
- e. They do not result in significant loss of existing sunlight or daylight levels of adjoining occupiers.

Applicant's Design & Access Statement Pare 6.45

6.45 The siting of the windows of the development and balconies and their orientation and distances would prevent any material overlooking and loss of privacy to neighbouring residents. In any event overlooking from balconies could be prevented from the erection of **suitable screening.**

Comment #9

Suburban Design Guide SPD2 Chapter 4 Page 136 States:

*"The introduction of **screening devices** to help prevent overlooking from terraces or **balconies** are **generally not considered acceptable** as these can be **detrimental to suburban character**."*
Which demolishes the applicant's argument?

Applicant's Design & Access Statement para 6.38

6.38 The proposed flats would be provided with 5 and 6sq.m balconies. It is noted that the 2-bedroom unit would face a marginal shortfall in amenity space in relation to London Plan standards. However, there is available Public Amenity Space nearby within easy walking distance at **Glade Wood 0.52km from site** and Parkfields 0.79 km from site. Furthermore, if required the applicant is willing to add the extra 1m² required to the amenity space.

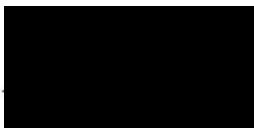
Comment #10

The reference to the availability of public access to Glade Wood is **not true**.
There is no public Access to 'Glade Wood'. The wood is surrounded by properties and there is no access from Littlebrook Close or Lorne Gardens. It is an isolated area of nature.

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.

Please register our submission on the on-line comments for this application as **Monks Orchard Residents' Association (Objects)** and inform us of your recommendation 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:

Ms Nicola Townsend	Head of Development Management (LPA)
Cllr. Gareth Streeter	Shirley North Ward Councillor
Cllr. Richard Chatterjee	Shirley North Ward Councillor
Cllr. Sue Bennett	Shirley North Ward Councillor

Bcc:

MORA Executive Committee
Local effected Residents