

## Representation Form for Croydon Local Plan Review

 www.croydon.gov.uk	<b>Local Plan</b> Publication Stage Representation Form	<b>Ref:</b>  <b>(For official use only)</b>
---	---	---

Name of the Local Plan to which this representation relates:

**Croydon Local Plan  
(Revised) December 2021**

Please return to [[ldf@croydon.gov.uk](mailto:ldf@croydon.gov.uk)] BY [5:00pm on 17/02/2022]

*NB - LPA to include data protection / privacy notice, see para 4 of Explanatory Note*

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Derek"/>	<input type="text"/>
Last Name	<input type="text" value="Ritson"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Not Applicable"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Monks Orchard Residents' Association"/>	<input type="text"/>
Address Line 1	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Line 2	<input type="text" value="Shirley"/>	<input type="text"/>
Line 3	<input type="text" value="Croydon"/>	<input type="text"/>
Post Code	<input type="text" value="[REDACTED]"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text" value="planning@mo-ra.co"/>	<input type="text"/>

## Part B – Please use a separate sheet for each representation

Name or Organisation: **Monks Orchard Residents' Association (MORA)**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="text" value="✓"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

**5.19 Encouraging design that is sensitive to the character of the area is an important way to improve the quality of the built environment in the borough. Development should consider its orientation on site with respect to main roadways, providing clear signage and landscaping where appropriate. Addressing the interface between industrial and non-industrial sites as well as the streetscape should be used to improve the quality of the environment. Design considerations that address placemaking should be integrated into industrial sites to improve conditions for employment and worker amenity.**

**Assessment:**

The Policies for '**sensitivity**' to the **local character** of the area is more precisely defined by an analysis of the **Local 'Design Code'** which is more appropriately assessed from guidance in the **National Model Design Code and Guidance<sup>1</sup>** published by the **Department for Levelling Up, Communities and Housing** (January & updated in June 2021), or the **Design-Led Approach** as required of the **London Plan Policy D (D1 to D6 and H")**.

<sup>1</sup> <https://www.gov.uk/government/publications/national-model-design-code>

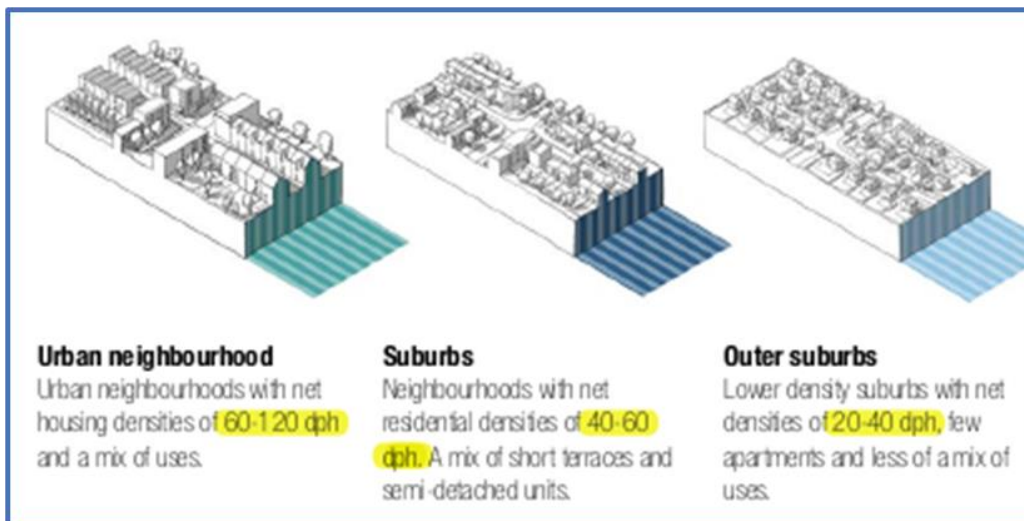
## National Model Design Code & Guidance

The National Model Design Code Part 1 states: The document provides design guidance and needs to be used alongside the National Design Guide to inform local design guides and codes as well as decisions on planning applications. The area covered by the design code and the level of detail is to be determined locally.

Part 2 provides a checklist of content for design guidance or policies that local authorities may consider included in their local plans if a design code is appropriate. The requirement to be “**Sensitive to the character of the area**” is subjective which allows various interpretations and as a definition of a requirement is indeterminate.

The definition of local “**Design Codes**” embraces the local ‘**Build form**’ and ‘**development Densities**’ appropriate for the local ‘**Setting**’ and the available ‘**Site Capacity**’ of a proposed development, also determined by the local “**Setting**” and includes a number of other supporting parameters required of the local ‘**Design Code**’, plus other **character parameters, such as Floor Area Ratios (GIA/Site Area)** which should be considered as defining the “**Design Code**” for **Development proposals**.

This is also supported by the **London Plan Policies** on preparation and use of **Design Codes** at **Policies D1 to D6 and H2** which advocate a ‘**Design-Led**’ **Approach** to development proposals.



Site Capacities:	1	2	3	4	5	6	7	8	9	10	11	12
Number of Dwellings												
Outer Suburban Min Site Area(ha)	0.050	0.100	0.150	0.200	0.250	0.300	0.350	0.400	0.450	0.500	0.550	0.600
outer Suburban Max Site Area (ha)	0.025	0.050	0.075	0.100	0.125	0.150	0.175	0.200	0.225	0.250	0.275	0.300
Suburban Min Site Area (ha)	0.025	0.050	0.075	0.100	0.125	0.150	0.175	0.200	0.225	0.250	0.275	0.300
Suburban Max Site Area (ha)	0.017	0.033	0.050	0.067	0.083	0.100	0.117	0.133	0.150	0.167	0.183	0.200
Urban Min Site Area (ha)	0.017	0.033	0.050	0.067	0.083	0.100	0.117	0.133	0.150	0.167	0.183	0.200
Urban Maxn Site Area (ha)	0.008	0.017	0.025	0.033	0.042	0.050	0.058	0.067	0.075	0.083	0.092	0.100
Central Min Site Area (ha)	0.008	0.017	0.025	0.033	0.042	0.050	0.058	0.067	0.075	0.083	0.092	0.100

## **NPPF Para 129**

**129.** Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. **These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.**

### **London Plan Policy D3 Optimising Site Capacity through the Design-Led Approach:**

**London Plan Policy D3 States:** “A ‘All’ development must make the best use of land by following a Design-Led Approach that optimises the “capacity” of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and ‘capacity for growth’, and existing and planned supporting ‘infrastructure capacity’ (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.”

**Policy D3 Para 3.3.2** “A design-led approach to optimising site capacity should be based on an “evaluation” of the site’s attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that site.”

**Policy D3 Para 3.3.4** Designating appropriate development capacities through site allocations enables boroughs to proactively optimise the capacity of strategic sites through a consultative design-led approach that allows for meaningful engagement and collaboration with local communities, organisations and businesses.

**Policy H2 Para 4.2.5.** “The small sites target represents a small amount of the potential for intensification in existing residential areas, particularly in Outer London, therefore, they should be treated as minimums. To proactively increase housing provision on small sites through ‘incremental’ development, Boroughs are encouraged to prepare area-wide housing Design Codes, in particular, for the following forms of development: Residential Conversions, Redevelopments, extensions of houses and/or ancillary residential buildings. (The issue is there is NO definition of the magnitude of “incremental”, but a definition could be embodied in the Design Code).”

**The Revised Croydon Local Plan does NOT include any reference to either the London Plan Policies or the National Model Design Code and Guidance Documents.**

**Examining plans:**

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

**b) Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

**The Policy 5.19 does NOT take account of alternative National Policies which provide detailed guidance on the production of 'Design Codes' for localities to assist guidance to respect local character and Densities appropriate for Developments at local Settings. The London Plan Design Policies D1 to D4 and H2 and the National Model Design Codes and Guidance are reasonable, and of higher hierarchy than the Croydon Local Plan and thus have more weight for Planning guidance and Policy definitions.**

**d) Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

**The statement at Para 5.19 is NOT consistent with National Policy – as evidenced by NPPF para 129 which references the National Model Design Codes and Guidance, or the London Plan Design Led Approach which are both relevant to statement 5.19. The NPPF gives the following guidance.**

**NPPF Para 129.**

*“129 Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. **These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.**”*

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

**Recommendation:**

**Para 5.19** should either include references to the **NPPF para 129** and the **National Model Design Codes and Guidance**<sup>2</sup> Policies including the adoption of the principles therein for the **Croydon Plan Policies** for development guidance or reproduce the basis and requirement of assessing of the **National Model Design Code guidance as a Policy to be met**.

**NPPF Paragraph 129:**

**129.** Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. **These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.**

The Local Plan should therefore list the **“Settings” and “Site Capacities”** appropriate for localities within the **“Places”** of Croydon in line with this guidance.

**The process of the “Design-Led Approach” concept has been completely disregarded in the formulation of policy for the Revised Croydon Plan.**

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

<sup>2</sup> <https://www.gov.uk/government/publications/national-model-design-code>

