

## Representation Form for Croydon Local Plan Review

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|---|---|---|
| <br>www.croydon.gov.uk | <b>Local Plan</b><br>Publication Stage Representation<br>Form | <b>Ref:</b><br><br><b>(For<br/>official<br/>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\*

*\*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.*

#### 2. Agent's Details (if applicable)

|                                    |   |                      |
|------------------------------------|---|----------------------|
| 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<br>(where relevant)      | <input type="text" value="Not Applicable"/>                       | <input type="text"/> |
| Organisation<br>(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<br>(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**

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

Paragraph **11.197A** Policy **DM45** Policies Map

4. Do you consider the Local Plan is :

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

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.

**11.197A** Shirley is predominantly a **suburban** residential settlement surrounded by areas of open land, countryside and Green Belt, situated to the east of Croydon borough and bordering the London Borough of Bromley. This place is defined by the tree lined streets, the regular rhythm of well-spaced buildings with well-kept landscaped areas to the front, that allow oblique long range views beyond the rear gardens.

### **We question the Suburban Setting of Shirley.**

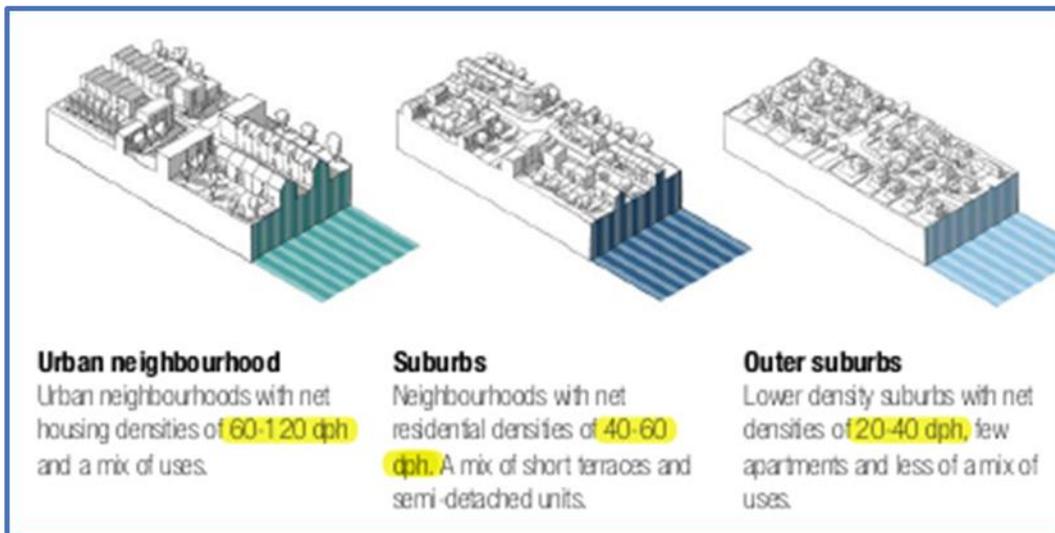
Based upon the **National Model Design Code & Guidance** (January 2021 & updated June 2021) published by the **Department for Levelling Up, Housing and Communities** as referenced from **NPPF para 129**. We have evaluated the Design Code Settings for various areas within the Shirley Area.

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 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 Table below has been calculated based upon GLA data, Post Code Occupancy<sup>1</sup>; Post Code Dwellings<sup>2</sup> from the valuation Office; and approximate Areas from Google Earth polygon measurement in hectares.

| Design Code Summaries (Housing Densities Units/ha) |           |            |                   |                             |                            |                                   |
|--|-----------|------------|-------------------|-----------------------------|----------------------------|-----------------------------------|
| Location   | Area (ha) | Population | Dwellings (Units) | Residential Density (bs/ha) | Housing Density (Units/ha) | "Setting" for Design Code Density |
| Shirley North Ward                                 | 327.90    | 15666      | 6555              | 47.78                       | 19.99                      | <Outer Suburban                   |
| Shirley South Ward                                 | 387.30    | 14147      | 5919              | 36.53                       | 15.28                      | <Outer Suburban                   |
| All Shirley  | 715.20    | 29814      | 12474             | 41.69                       | 17.44                      | <Outer Suburban                   |
| MORA Area  | 178.26    | 9283       | 3884              | 52.07                       | 21.79                      | Outer Suburban                    |
| Post Code CR0 85(*)                                | 16.95     | 627        | 237               | 36.99                       | 13.98                      | <Outer Suburban                   |
| Post Code CR0 8T(*)                                | 11.82     | 644        | 246               | 54.48                       | 20.81                      | Outer Suburban                    |
| Post Code CR0 7PL                                  | 1.73      | 47         | 19                | 27.17                       | 10.98                      | <Outer Suburban                   |
| Post Code CR0 7QD                                  | 1.51      | 68         | 28                | 45.03                       | 18.54                      | <Outer Suburban                   |
| Average  | 205.08    | 8787       | 3670              | 42.72                       | 17.35                      | <Outer Suburban                   |

All the results show that Shirley is defined by the National Model Design Code and Guidance as “<Outer Suburban” or within the lower limits of “Outer Suburban” (i.e., below, or just within the range of 20 to 40 Units/ha), whereas Paragraph 11.197A indicates Shirley is predominantly a suburban residential settlement. However, It is actually predominantly outer suburban,

<sup>1</sup> [https://www.nomisweb.co.uk/census/2011/postcode\\_headcounts\\_and\\_household\\_estimates](https://www.nomisweb.co.uk/census/2011/postcode_headcounts_and_household_estimates)

<sup>2</sup> <https://www.gov.uk/government/organisations/valuation-office-agency>

or **Outer London Suburban**.

**Shirley is less than or just within the **OUTER SUBURBAN** density range as confirmed by every area we have assessed as shown in the Table above, when compared to the National Model Design Code & Guidance as Referenced from the NPPF para 129.**

**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:

**a) Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>21</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

**The Policy indicates a local "Setting" which conflicts with the National Guidance and is therefore NOT Positively Prepared.**

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

**The Policy is Not Justified as the National Guidance gives a different interpretation of the Policy.**

**c) Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;

**The Policy is ineffective as there is conflicting guidance between local and National Policy.** and

**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 Policy is inconsistent with both National Policy which defines the National Model Design Code and Guidance and the London Plan Policy – Design "D" Policies D1 to D6 and H2 – Small Sites and the "Design Led Approach.**

(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:**

The Policy should reflect the **Design Led Approach** as defined in the **London Plan Policy D Design** (D1 to D4 & H2) and the **National Model Design Code & Guidance** (January 2021 & updated June 2021) published by the **Department for Levelling Up, Housing and Communities** as referenced from **NPPF para 129**.

The Shirley “Place” typography should define the character and ‘Setting’ as “**Outer Suburban**” NOT “suburban” as the assessment based on the **National Model Design Code & Guidance** indicate the current Densities less than or just with the Outer Suburban Range.

As Intensification of local Residential Areas is such a contentious issue with local residents, with significant historical inconsistencies, we would respectfully request that this representation be seriously considered by Croydon LPA and the Inspector, and in the event that Croydon LPA disagree with the National Model Design Code and Guidance requirements, we would request an explanation of:

- a) Why should Croydon LPA have a different policy to that defined by the National guidance?
- b) What is so different about Croydon’s Planning Policy for it not to implement National Policy?
- c) What would be their equivalent definitions for each Setting, and on what supporting evidence?

(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)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

**Reasons to participate in the Hearing Session [REDACTED]:**

To make the case for accepting the methodology of the **Design-Led Approach** to the assessment of “Intensification” of Development proposals at local “**Settings**” and the **National Model Design Code and Guidance**<sup>1</sup> concepts are embodied in the **Revised Croydon Local Plan**. This is the opportunity to modify the Local Plan to define “**Shirley as an “Outer-Suburban”, Setting such that any “Moderate” & “Gentle” Intensification** or densification is within the parameters of the correct “**Setting**” as Defined by the National Model Design Code and Guidance.

To provide further evidence if necessary or required.

[REDACTED]

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*