

Representation Form for Croydon Local Plan Review

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

Name of the Local Plan to which this representation relates:

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

Please return to [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="████████████████████
██████████"/>	<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="██████████"/>	<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 **SP4.16** 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.

Intensification Areas

SP4.16 In the locations identified as Areas of Focussed Intensification and Moderate Intensification, high quality developments that increase density and evolve character will be supported. They will be expected to enhance and sensitively respond to positive aspects of existing local character by being of high quality.

Assessment:

These designations are **NOT** defined, and therefore, 'Applicants' and 'Planning Officers' have **NO** *comprehension* what an acceptable (or unacceptable) level of 'intensification' with respect to the "Setting" or "Designation" of Intensification would be. This can be demonstrated by the various Development Proposals of recent periods in the MORA Area. (See Graphical illustration below).

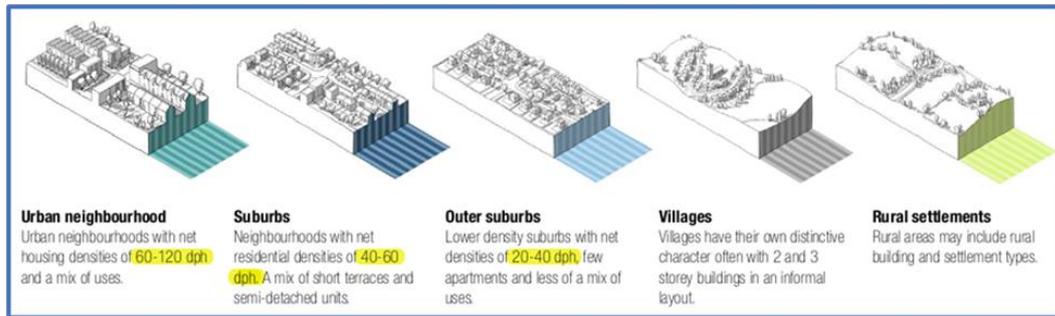
There is **NO** definition of "High Quality" that increases Density to evolve character.

The requirement to sensitively respond to positive aspects of existing local character is also undefined and extremely subjective.

The important parameters defined in the National Model Design Code, Part 1, Section 2B Coding are the dph (dwellings per hectare) = (units/ha) for "Outer Suburban" or "Outer (London) Suburban" at 20 to 40 units/ha, "Suburban" at

40 to 60 units/ha and “Urban” at 60 to 120 units/ha.

The following is an extract from NPPF Model Design Code Part 1 The Coding Process Section 2B - Figure 10 page 14

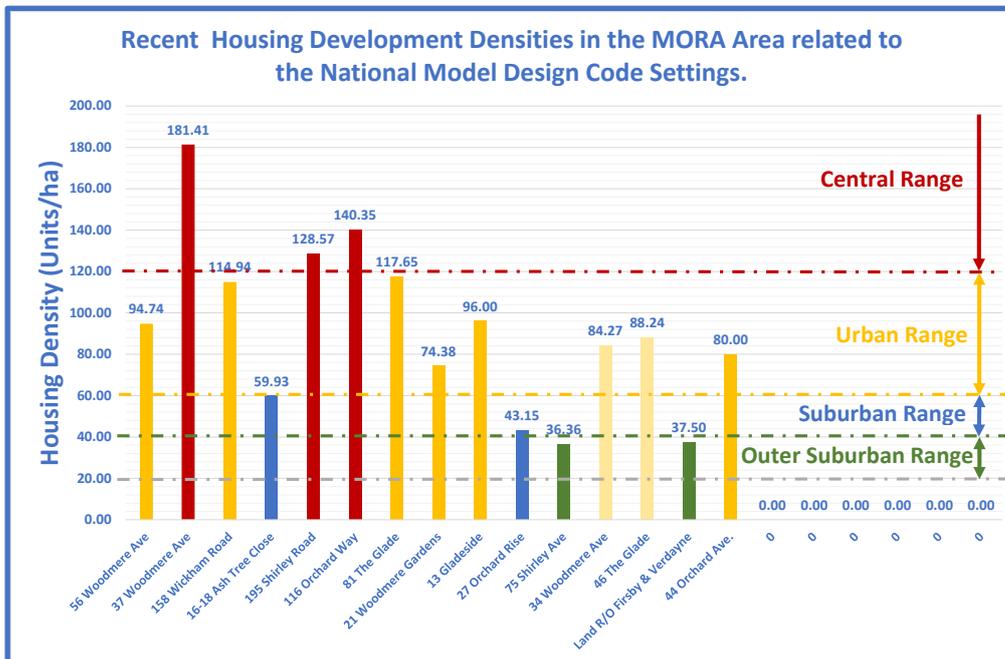


These illustrations, extracted from the National Model Design Code, Part 1, show the ‘explicit definitive’ Housing Densities for the various Settings (Highlighted).

Outer-Suburban or Outer (London) Suburban is a new designation (for Croydon LPA) and will mean limitations for future development proposals as ‘Site Capacities’ in this setting will require proposed dwellings with a Design Code within the prescribed ranges of 20 to 40 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 8S(*)	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

Analysis of various areas within Shirley to establish the local Design Code



Recent Development Density as defined by the National Model Design Code.

Recent Development proposals which show that Applicants and Planning Officers have NO comprehension on the Housing Density appropriate for a Setting.

If **Croydon LPA** do not agree with these parameter definitions as explicitly defined in the **NPPF Model Design Codes and Guidance**, we need to know what their proposals are to replace them for Croydon – and, they need to justify:

- a) Why ignored, and
- b) Why different?

NPPF Compliance:

16. Plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development¹¹;

The Policy for **SP4.16**, has no definition and as such has no methodology to ensure development proposals are **intensified** within the parameters of the developments’ “**Settings**” or the “**Site Capacity**” and therefore “sustainability” of the developments is not assured.

- b) be prepared positively, in a way that is aspirational but deliverable;

As the Policy for **SP4.16** has no quantifiable parameter, there is no definite limit and therefore the Policy is NOT deliverable.

- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

The Policy for **SP4.16** is unclear in its requirement and therefore it is not evident how a decision maker should react to development proposals or how an Applicant can be sure a proposal would reasonably be acceptable.

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 needs²¹; 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 for **SP4.16**, has no definition and as such has no methodology to ensure development proposals are **intensified** within the parameters of the developments “**Setting**” or the “**Site Capacity**” and therefore the Policy is NOT positively prepared.

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

The Policy for **SP4.16**, has no definition and as such has no methodology to ensure development proposals are **intensified** within the parameters of the developments “**Setting**” or the “**Site Capacity**”

when there are alternative **National Policies** which would meet the requirement within the **Site Capacity** appropriate for the “**Settings**”.

- 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 for **SP4.16** is NOT consistent with **National Policy** as defined in the **National Model Design Code and Guidance**¹ published by the **Department for Levelling Up, Housing and Communities (DLUHC)** (January 2021 & July 2021).

(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:

Intensification:

The Revised Local Plan Intensification Areas:

SP4.16 In the locations identified as Areas of Focussed Intensification and Moderate Intensification, high quality developments that increase density and evolve character will be supported. They will be expected to enhance and sensitively respond to positive aspects of existing local character by being of high quality.

However, these designations are **NOT** defined, and Applicants and Planning Officers have **NO comprehension** what an acceptable (or unacceptable) level of **intensification** would be with respect to the “Setting”, or the “Designation” of **Intensification** as can be demonstrated by the various Development Proposals of recent periods in the **MORA Area** (See Graphical Illustration above).

However, using the **National Model Design Code and Guidance** in the National Model Design Code, Part 1, Section 2B Coding are the dph, the **Housing Densities** units/ha for “**Outer Suburban**” or “**Outer (London) Suburban**” at **20 to 40 units/ha**, “**Suburban**” at **40 to 60 units/ha** and “**Urban**” at **60 to 120 units/ha** and therefore we are able to recommend values for “**Focussed**”, “**Moderate**” and “**Gentle**” **Densification**.

Assuming that “**Intensification**” within a “**Setting**” as defined by the **National Model Design Code & Guidance**, retains the “**Setting**” designation, then the **Intensification** should remain in the defined **Range of that Setting**.

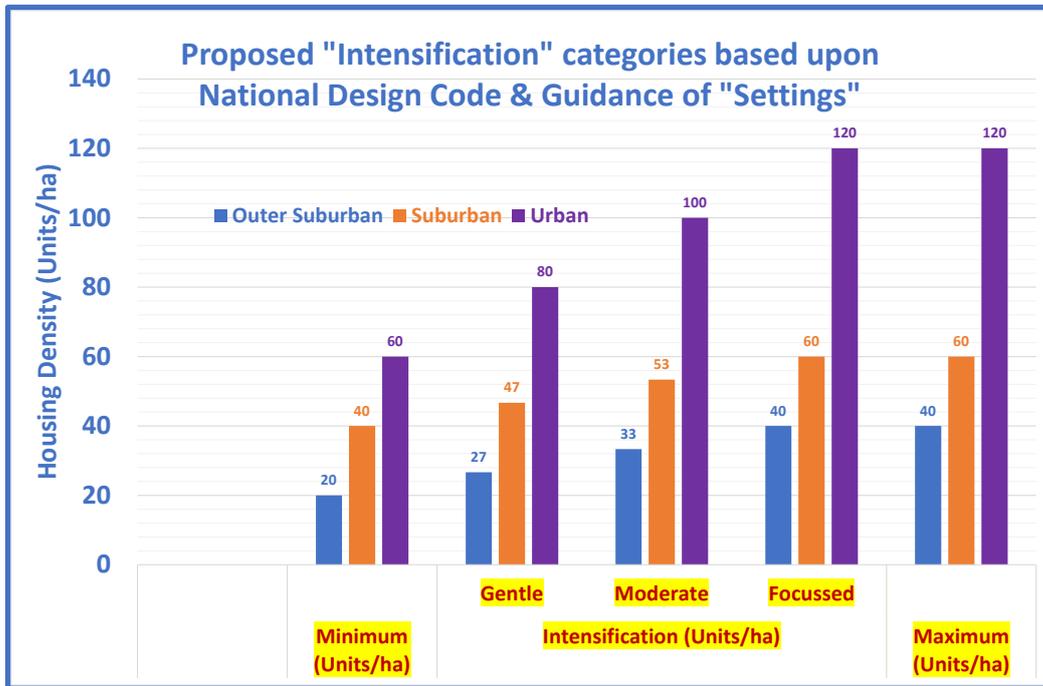
Therefore, we can define an estimate of the ‘**Intensification**’ categories within each of the “**Settings**” and the “**Focussed Intensification**” should **NOT** exceed, but be equal to, the maximum range of that “**Setting**”.

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

The “Gentle” and “Moderate” Intensifications within the “Setting” are proposed as 1/3rd & 2/3rd of the Range at the “Setting”. Then:

Housing Density	Minimum	Intensification (Units/ha)			Maximum
Setting	(Units/ha)	Gentle	Moderate	Focussed	(Units/ha)
Outer Suburban	20	27	33	40	40
Suburban	40	47	53	60	60
Urban	60	80	100	120	120

Or graphically:



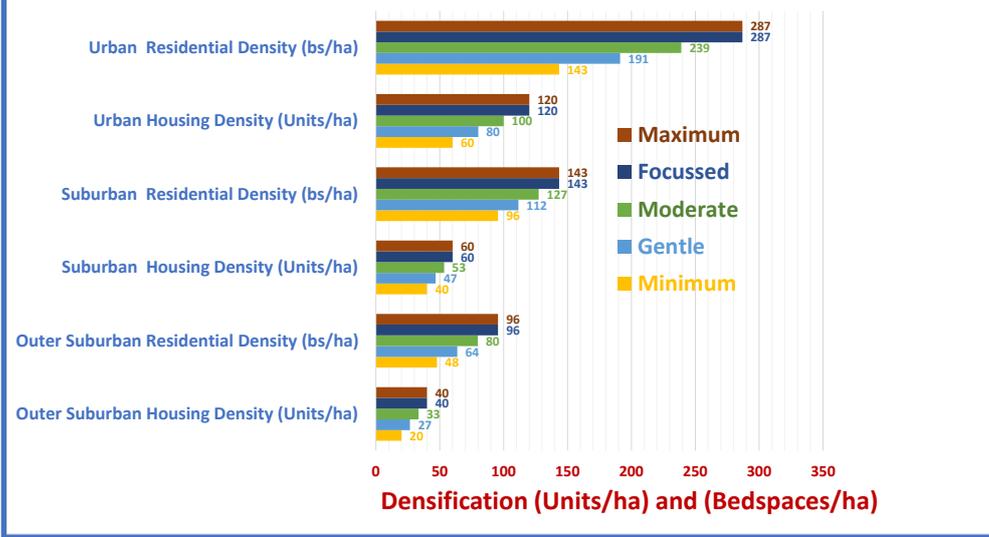
Graphical illustration of proposed Intensifications “Gentle, Moderate & Focussed” within the “Settings”

The Central “Setting” lower limit is 120units/ha but has no upper limit. However, the upper limit is determined by the requirement to meet the “Minimum Internal Space Standards” set by the London Plan Table 3.1 – Minimum Space Standards for new dwellings. As the evaluation of this analysis is based upon the National Model Design Code and Guidance, we can use National compiled data to convert Housing Density to Residential Density from National Statistics of Dwelling Occupancy from the Office of National Statistics (ONS) or Statista² National Average of 2.39 person per Unit.

Conversions	Housing Density Units/ha	Residential Density (bedspaces /ha)
Outer Suburban (min)	20	47.8
Outer Suburban (max)	40	95.6
Suburban (min)	40	95.6
Suburban (max)	60	143.4
Urban (min)	60	143.4
Urban (max)	120	286.8
Central (min)	120	286.8

² <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>

Densification appropriate for the Settings (Focussed, Moderate & Gentle)



This would be the equivalent Housing & Residential Densities at the Intensification designations

Residential Density Setting	Minimum (Persons/ha)	Intensification (Persons/ha)			Maximum (Persons/ha)
		Gentle	Moderate	Focussed	
Outer Suburban	48	64	80	96	96
Suburban	96	112	127	143	143
Urban	143	191	239	287	287

This proposed identification of the appropriate “Intensification” Densities at the various “Settings” would allow Applicants and Planning Officers a greater understanding of the appropriateness of development proposals for the different “Places” and localities across the Borough.

Any deviation or allowed tolerance from the defined allocations given to a proposal would require **justification** from both the Applicant and the Planning Officer in their Applications and determinations.

If the **Housing Target** for the “Place” which includes the designated **Intensification Area**, is met, or exceeded, then Housing need is satisfied, and “Intensification” is unnecessary.

Local Residents’ and Residents Associations would have greater confidence in the Planning Process as it could clearly be seen that Policies were reasonable and were being implemented rather than the current processes.

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

