

Representation Form for Croydon Local Plan Review

 www.croydon.gov.uk	Local Plan Publication Stage Representation Form	Ref: (For official use only)
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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="[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 **62f, & 62k** Policy **SP4** Policies Map **Focused intensification**

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.

Focused intensification

6.62f Focused intensification aims to maximise use of the existing growth capacity and to support sustainable spatial vision for the borough through an increase in density of development. Sites will be redeveloped with denser forms of development of an evolved and enhanced character to that which exists in the local area currently. At the heart of each area of focused intensification is an area with a variety of characters. As each area of focused Intensification is currently low density it would not be justified, when there is unmet housing need, to seek to move towards a more consistent character that replicates surrounding low density development types.

6.62k Developments located on the edge within the boundary of intensification areas should create a respectful transition in scale, height, and density, stepping down to lower density adjacent sites that fall outside of the boundary

Assessment:

6.62f Sites will be redeveloped with denser forms of development of an evolved and enhanced character to that which exists in the local area currently. At the heart of each area of focused intensification is an area with a variety of characters. **As each area of focused Intensification is currently low density it would not be justified, when there is unmet housing need, to seek to move towards a more consistent character that replicates surrounding low density development types.**

Focused intensification is undefined and therefore there is no **quantifiable assessment** on whether a proposal is or is NOT acceptable.

The Policy states that each designated area for **“Focussed Intensification”** is currently **“Low Density”** meaning **NOT** a **“Central” Setting** but **“Outer Suburban,” “Suburban”** or **“Urban”** as defined by the **National Model Design Code & Guidance**.

A forensic evaluation of the statement “As each area of focused Intensification is currently low density it would not be justified, when there is unmet housing need, to seek to move towards a more consistent character that replicates surrounding low density development types”

- 1 “Housing Need” is defined by the Targets. The GLA have evaluated housing need and defined Targets of the London Borough of Croydon to meet that need.
- 2 Croydon LPA have distributed the Target **“Housing Need”** across the Borough as Targets for the **“Places”**
- 3 If the Targets do not meet **“housing need,”** the GLA Targets are wrong.
- 4 The LPA is NOT monitoring those set allocated Targets (yearly outturns) to ensure the outturns meet the Targets, so it is unclear whether the **“Housing Need”** for Croydon is being satisfied or met. (See representation #1)
- 5 It is acknowledged ‘in the statement’ that the areas designated for **“Focussed Intensification”** are **“low density”** which means they are either **“Outer Suburban,” “Suburban”** or **“Urban”** Settings, as defined by the National Model Design Code & Guidance.

So, the assessment of the Policy for **“Focussed Intensification”** is:

- a) Disregard the local **“Setting”**
- b) Disregard the local limits of the Site Capacity.
- c) Disregard Communal Amenity Outdoor Space requirement.
- d) Disregard the local **“Targets”** if being met or exceeded.
- e) Targets are unmonitored so it is not known if the local Place Target is **‘unmet.’**
- f) Treat all **“Focussed Intensification”** designated areas as being in a **“Central” Setting**.

- g) Give “Carte Blanche” unconditional authority and full discretionary power to Developers, to ignore the local “Setting” policy in “Focussed Intensification” designated areas.
- h) Squeeze as many Dwellings onto the available Site as possible with the only limiting criterion to meet “minimum, internal Space Standards.”
- i) Disregard of National Policy.

The single phrase “As each area of focused Intensification is currently low density it would not be justified, when there is unmet housing need, to seek to move towards a more consistent character that replicates surrounding low density development types” encapsulates and demonstrates the ethos of Croydon LPA.

In summary; The Croydon LPA are failing in their prime role of “Development Management” as they are NOT meeting the requirements of a) to i) above.

We are of the view that the Policies need to be congruous and appropriate such that Developments can be “Managed” by the current custodians of the LPA to meet the objectives of the requirements for all areas of Croydon.

These “Focussed Intensification” requirements need careful Development Management to ensure that localities are not overdeveloped to the extent they become unsustainable due to lack of supporting infrastructure.

There is no mitigating Policy to define the level of Infrastructure to support “Focussed Intensification.”

6.62k Developments located on the edge within the boundary of intensification areas should create a respectful transition in scale, height, and density, stepping down to lower density adjacent sites that fall outside of the boundary

The Policy is vague and subject to various interpretations:

There is **NO** definition what depth of “Edge” within a boundary means.

The depth should be defined and the incremental change of density over the distance between the boundary of the “Intensification designated area” and the limit of the “Edge” should be expressed as a gradual transition to the home scale, height, and density.

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.

NPPF Compliance:

16. Plans should:

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

The Policy does NOT consider the need to ensure supporting

infrastructure appropriate for a Lower Setting is appropriate for sustainability of “Focussed Intensification” designated areas within an area of lower “Setting.”

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

It is considered that due to the lack of policy definition, the Policy is Undeliverable.

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

The Policy is NOT sufficiently clearly written and therefore applicants and decision makers would not have a definite understanding of the appropriate Densities for a development in an area of “Focussed” intensification in a lower “Setting” than Central.

- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

The Policy conflicts with National Model Design Code & Guidance referenced from 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 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 is NOT Positively Prepared as it conflicts with the Policies for the Setting of the location.

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

The Policy is Not Justified as it is based upon a presumption that there is an “unmet Housing need” when the Housing Target for the Locality (Place) in NOT monitored for outturns.

An alternative implementation of the Policy is possible.

- 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 NOT effective as the supporting infrastructure for the locality is sufficient to support the local Setting and NOT sufficient to support “Focussed Intensification” without limits appropriate for the locality.

- 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.

Is NOT Consistent with National Policy e.g., the National Model Design Code & Guidance

(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 “increased Density” required for “Focussed Intensification” is dependent on the local “Setting” to meet the requirement of the local character and existing supporting infrastructure even with due consideration of its evolution.

The areas designated for “Focussed Intensification” are presumed to have a setting defined by the National Model Design Code and Guidance of either “Suburban,” “Urban” or “Central.”

The Maximum Density for an “urban” Setting is 120units/ha which is the minimum Density for a “Central” Setting.

The Maximum Density for a Central Setting is undefined but will be limited by the need to meet the London Plan **Minimum Space Standards**.

In order to meet the **National Model Design Code and Guidance** it is assumed the “**Intensification**” will be within the “**Setting**” range for the locality, but the interpretation of the **Policy 6.62f** means it will be considered to be at a “**Central**” “**Setting.**” We believe this to be unacceptable on grounds that the local infrastructure supports the “Setting” of the locality and would be inadequate to support **significant intensification**.

Our recommendation is therefore that “Focussed Intensification” be guided by the Maximum Density of the localities “Setting.”

The data shown in the following analysis and tables are derived from the National Model Design Code and Guidance as reference from **para 129 of the NPPF**.

Units (Dwellings)	1	2	3	4	5	6	7	8	9	10
Outer Suburban (max Site Area ha)	0.05	0.10	0.15	0.20	0.25	0.30	0.35	0.40	0.45	0.50
Outer Suburban (min Site Area ha)	0.03	0.05	0.08	0.10	0.13	0.15	0.18	0.20	0.23	0.25
Suburban (max Site Area ha)	0.03	0.05	0.08	0.10	0.13	0.15	0.18	0.20	0.23	0.25
Suburban (min Site Area ha)	0.02	0.03	0.05	0.07	0.08	0.10	0.12	0.13	0.15	0.17
Urban (max Site Area ha)	0.02	0.03	0.05	0.07	0.08	0.10	0.12	0.13	0.15	0.17
Urban (min Site Area ha)	0.01	0.02	0.03	0.03	0.04	0.05	0.06	0.07	0.08	0.08
Central (max Site Area ha)	0.01	0.02	0.03	0.03	0.04	0.05	0.06	0.07	0.08	0.08

The **National Design Code” Setting”** defines the **Housing Density Range** which defines “**Site Capacity**”. Any “**Intensification**” therefore should be restricted to within the “**Density Range**” specified by the “**setting**”.

Thus, assuming that “**Intensification**” within a “**Setting**” as defined by the **National Model Design Code & Guidance**, retains the “**Setting**” designation,

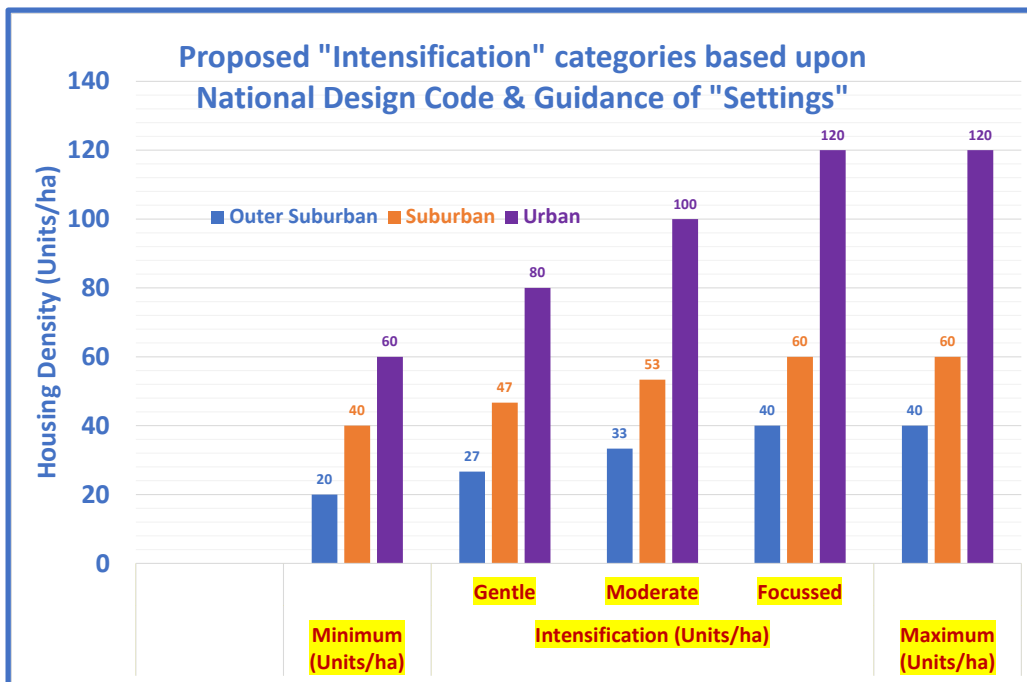
then the **Intensification** should remain within in the defined **Range of that Setting**.

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**”.

The “**Gentle**” and “**Moderate**” **Intensifications** within the “**Setting**” are proposed as **1/3rd & 2/3rd** of the **Range** at the “**Setting**”, but could be any **recommended values within the setting as shown in the Table below**:

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

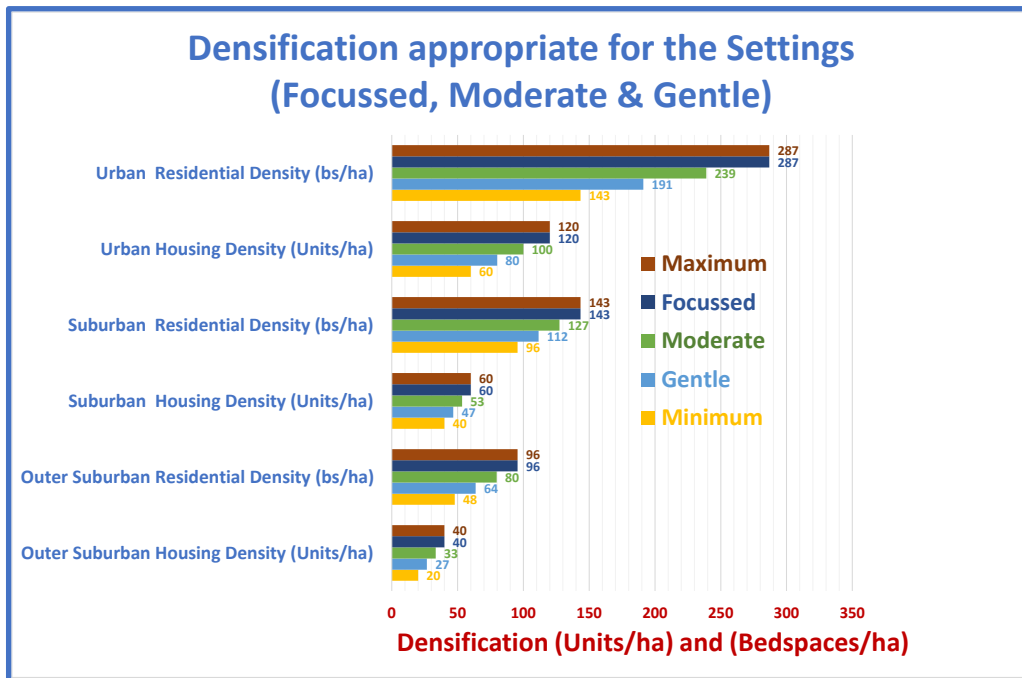
The “**Focussed intensification**” for a “**Setting**” is therefore the **Maximum Density at the Local Setting “Setting”**



This proposed Policy definition takes account of the Local Setting, the local Targets, the Local available infrastructure to support the increased density and also allows Development Management to Manage the development proposals to meet the requirements of the locality. It also gives guidance to prospective developers in drafting their proposals.

Any deviation or allowed tolerance from the defined allocations to a proposal would require **justification** from both **Applicant** and **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.



Housing & Residential Densities appropriate for intensification at the various Settings as defined by the National Model Design Code

Local Residents and Residents’ Associations would have greater confidence in the Planning Process as it could be clearly seen that Policies were reasonable and were being implemented as compared to the current unmanaged, uncontrolled determinations.

(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:

