



Milena Opolska - Case Officer  
The Planning Inspectorate, Room 3/10  
Kite Wing,  
Temple Quay House,  
2 The Square, Temple Quay  
Bristol  
BS1 6PN.

**Monks Orchard Residents' Association  
Planning**

18<sup>th</sup> February 2022  
Emails: [planning@mo-ra.co](mailto:planning@mo-ra.co)  
[chairman@mo-ra.co](mailto:chairman@mo-ra.co)  
[hello@mo-ra.co](mailto:hello@mo-ra.co)

---

Town and Country Planning Act 1990. Appeal under Section 78. Planning Appeal (W)

Location: 211 Wickham Road  
Application Number: 21/00222/FUL  
Appeal Reference: APP/L5240/W/21/3279454  
Case Officer: Milena Opolska  
Start Date: 19 Jan 2022  
Consultation close: 23 Feb 2022

---

Dear Milena Opolska

Please accept this formal letter supporting the LPA refusal of the proposed development **Ref: 21/00222/FUL** as our written Statement for request for **Dismissal** of the **Appeal Ref: APP/L5240/W/21/3279454** against the LPA's refusal for: *"Demolition of the existing outbuildings to the rear of the shop and erection of a two-storey building containing four flats, with car parking and other associated alterations"*

**1 Reason(s) for Refusal:**

- 1.1 The proposed development would fail to offer suitable living conditions for future residents due to single aspect outlook for the flats on the upper floors and poor-quality garden layouts for the ground floor flats. The development would therefore conflict with Policy DM10 of the Croydon Local Plan (2018) and the Suburban Design Guide (2019).
- 1.2 The proposed development would by way of its excessive scale and close proximity to neighbouring windows, which serve habitable rooms, cause harm to neighbouring living conditions through the creation of a sense of enclosure and loss of outlook. The development would therefore conflict with Policy DM10 of the Croydon Local Plan (2018) and the Suburban Design Guide (2019)
- 1.3 The proposed off street, car parking arrangements would harm pedestrian and highway safety due to the need for drivers to reverse onto the road and the lack of visibility splays. The development would also result in the loss of on street parking bays creating additional and unacceptable on street parking pressures. The proposal would therefore conflict with Croydon Local Plan (2018) policies SP8, DM29 and DM30.

**2 Reason 1:**

**2.1 We support the LPA's Reason 1 for a Refusal.**

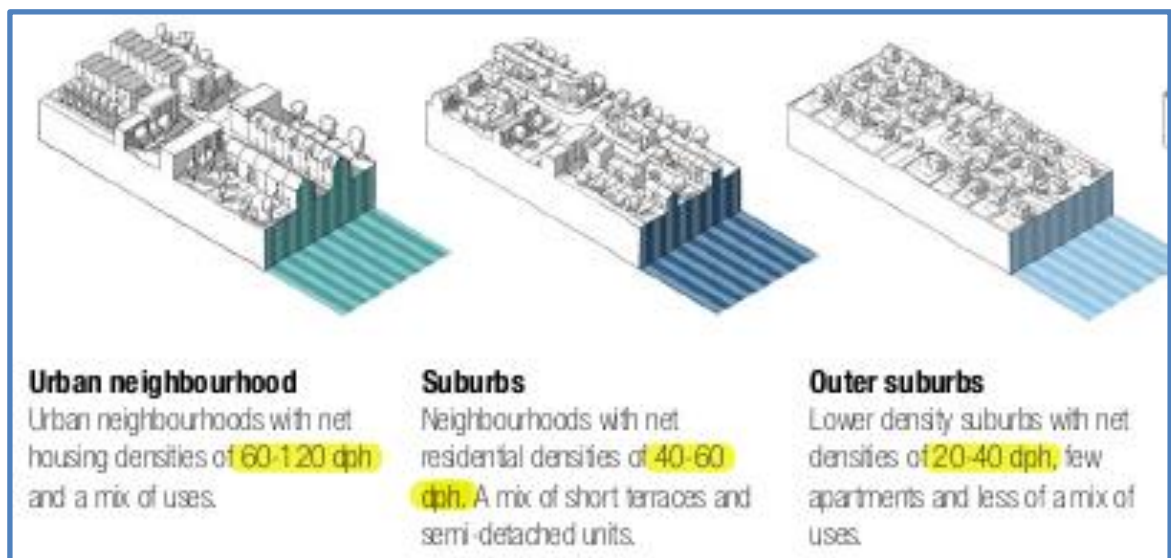
**3 Reason 2:**

3.1 The proposed development would by way of its excessive scale and close proximity to neighbouring windows, which serve habitable rooms, cause harm to neighbouring living conditions through the creation of a sense of enclosure and loss of outlook. The development would therefore conflict with Policy DM10 of the Croydon Local Plan (2018) and the Suburban Design Guide (2019).

3.2 The appellant's response is:

3.2.1 *"The appeal proposal is not excessive in scale and it's not in close proximity to neighbouring windows which serve habitable room. The Council's Suburban Design Guide requires a gap of 15m from the host dwelling to a back land development with the intention of maintaining adequate levels of privacy and outlook for existing dwellings. The 15m is a guide and not a requirement. Windows serving the flat on the upper floors of 211 Wickham Road would be within 6.5m of the flank of new building and approximately 10.5m from the two-storey part. Distances would be similar from the rear facing windows at 213 Wickham Road. It is considered that the two-storey design with pitched roof above would not significantly restrict outlook from them, harming living conditions."*

3.2.2 The local **"Settings"** as defined by the National Model Design Code and Guidance<sup>1</sup> are **"Outer Suburban"** at **20 to 40 dwellings/ha**, **"Suburban"** at **40 to 60 dwellings/ha** and **"Urban"** at **60 to 120 dwellings/ha** with **"Central"** Setting above **120 dwellings/ha**.



**Extract from the National Model Design Code Part 1 'The Coding Process', Section 2B Coding Plan, Figure 10, Page 14.**

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

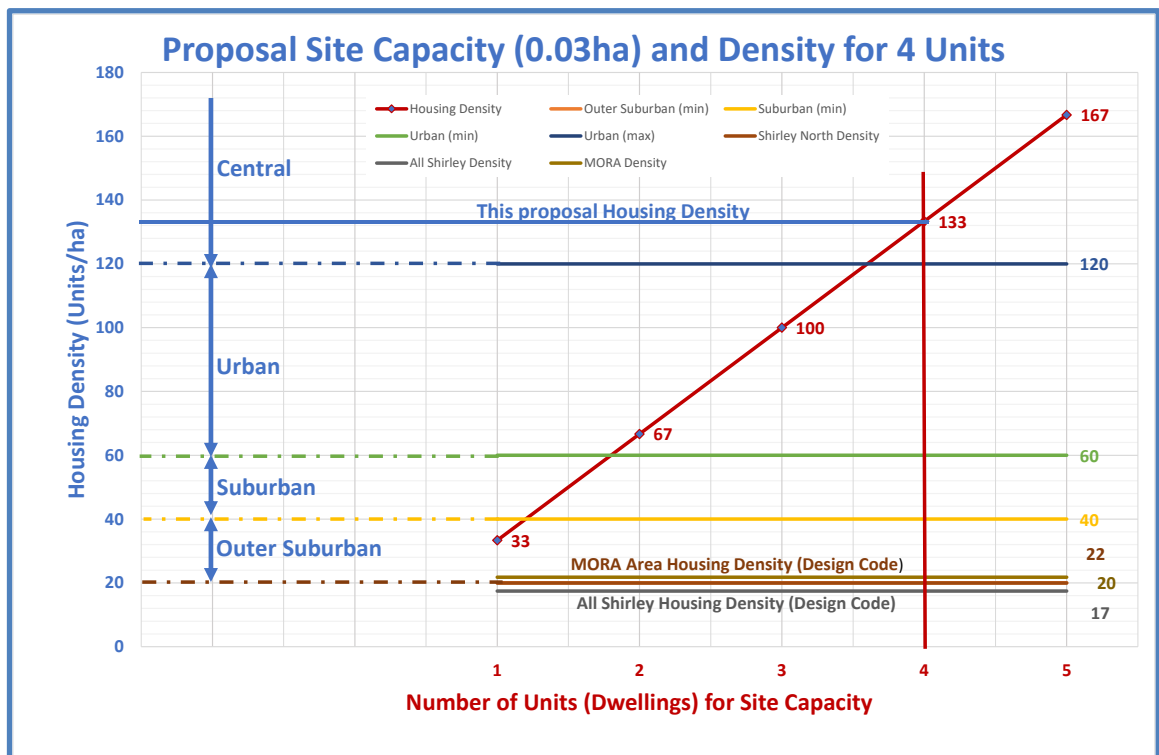
3.2.3 We have analysed our locality and the assessment of the local “Setting” for various local areas are:

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 CRO 8S(*)	16.95	627	237	36.99	13.98	<Outer Suburban
Post Code CRO 8T(*)	11.82	644	246	54.48	20.81	Outer Suburban
Post Code CRO 7PL	1.73	47	19	27.17	10.98	<Outer Suburban
Post Code CRO 7QD	1.51	68	28	45.03	18.54	<Outer Suburban
Shirley "Place" <sup>1</sup> (approx)	770.00	?	?	?	?	?
Average	205.08	8787	3670	42.72	17.35	<Outer Suburban
All Shirley	715.20	29814	12474	41.69	17.44	<Outer Suburban
Shirley Place (Estimates)	770.00	33414	13981	43.39	18.16	<Outer Suburban

**This Table gives the local “Setting” for Shirley as defined by the National Model Design Codes & Guidance.**

3.2.4 Therefore the locality is clearly less than, or within the lower range of the “Outer Suburban” Setting, which is in or below the 20 to 40 dwellings/ha range.

**Graphical illustration of Site Capacity for 0.03 ha Housing Density in**



**relation to the National Model Design Code Settings for the Locality.**

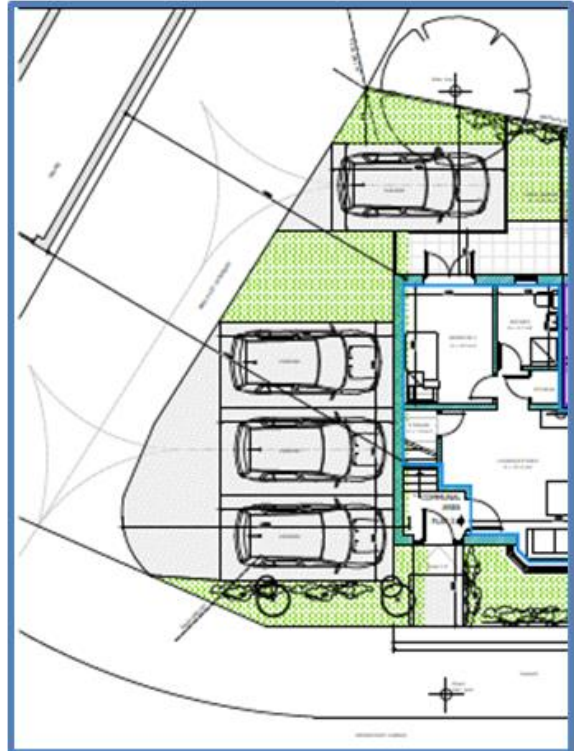
- 3.2.5 The proposal is for **4 dwellings** on a **Site Area of 0.03ha** which equates to a Housing Density of **133.33 dwellings/ha**. This would require the **Setting** to be **Central** as defined by the **National Model Design Code and Guidance<sup>2</sup>**. Shirley is **clearly NOT** a '**Central**' **Setting** as shown by all the analysed evidence of the local area assessment at the Table shown at 3.2.3 above.
- 3.2.6 The graphical illustration above clearly demonstrates that the proposal for 4 dwellings on the proposed Site Capacity at this Housing Density would require a "**Central**" **Setting** and is clearly a significant over development for an **Outer Suburban Setting**. **This supports the LPA's Refusal on grounds of excessive scale and overdevelopment for the locality.**
- 3.3 The foregoing evidence provides overdevelopment for the local "Setting" providing clear justification for the dismissal of this appeal.**
- 4 **Reason 3:**
- 4.1 **We would like to make additional comments on reason for refusal #3**
- 4.1.1 The offered ground floor plan purports to show ingress and egress to and from the parking bays are possible by what the Appellant believes are "**Swept Path Diagrams.**"
- 4.1.2 The indication on the ground floor plans show the swept paths of a '**point of zero dimensions**' rather than '**the path of a vehicle**' and especially the path of the forward and rear wheels and front & rear bodywork overhang. The depicted paths appear to assume on the first reversal, that the front wheels **jump** from  $\approx 40^\circ$  to  $\approx 80^\circ$  without any manoeuvre taking place, which is a physical impossibility.
- 4.1.3 It was suggested that proper **full effective swept path illustrations** which would require proprietary specialised software to plot entrance and exit to/from each parking bay, with all other bays occupied to show the possibility of access and exit, avoiding any collision with the boundary fencing, be provided for a family sized car of nominal dimensions and wheelbase. This was requested in our submission to the LPA case officer for examination prior to a decision being made as these vehicle movements would apply for the life of the development. However, the appellant has NOT provided this analysis and therefore, our concerns thus remain unanswered.
- 4.1.4 Accepting that the vehicles are parked as shown on the plans provided, i.e., parked in a forward direction, and that the Access Drive is  $\approx 4.7\text{m}$  wide, it is still unclear how each would park in a forward direction and then exit from the parking bay (if all other Bays were occupied) and then exit the driveway across the footpath safely with adequate sight lines, **in a forward gear**.
- 4.1.5 Let us now assess entering the bay in a forward gear from the road. To enter the bays in a forward direction as shown on the plans it would be necessary to get the front wheels facing the bay nearly straight in line with the bay as there is extremely limited sideways space, the length of the bays once entered. Entering the drive would require the vehicle to be parallel and close to the fence on the nearside, however, once closing in on the parking bay, it would be necessary for a tight right hand steering lock to align the front wheels with the entrance to the parking bay which would very likely cause the rear overhang of the vehicle (distance between rear wheel in contact with the road surface,

---

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

to the extremity of the rear bodywork) which would swing into and collide with the fence. There would be insufficient steering manoeuvrability for correction as there is little separation either side for any sideways movement, the length of the bay.

4.1.6 Initially, therefore it is extremely unlikely that it would be possible for a vehicle to enter the bay in a forward gear, but for the purpose of explanation, let us assume that it was possible. Once within the parking bay it would be nigh impossible to exit as the front wheels could not be steered whilst reversing the length of the parking bay due to the limiting width restriction the length of the bay. The vehicle would need to be almost out of the bay, reversing in a straight line before any anticlockwise steering on the front wheels could direct the rear of the vehicle to the left. But it would be too near the fence at that point to assist exiting. There would be very little space at the front to counteract the position as the front of the vehicle would be too near the entrance of the parking bay to afford enough clearance for a clockwise turn of the steering to try and negotiate the vehicle toward the exit other than to re-enter the bay. This manoeuvre could be attempted a number of times but would not allow any significant difference in the resulting position but virtually cover the same route each time clockwise and anticlockwise



4.1.7 Another option would be to enter the drive from the road in a forward gear but keep as close as possible to the right and once opposite the entrance to the bay, to swing the front hard to the left to position the rear wheels opposite but angled and aligned with entrance to the parking bay before a clockwise steering lock ready to reverse into the bay. The objective here would be to reverse into the parking bay. This manoeuvre is likely to be quite difficult and needs to be confirmed as possible by proper swept path proprietary software as the front of the vehicle could swing into the fence and thus prevent a manoeuvre of the rear wheels into the parking bay.

4.1.8 The next requirement is to be able to exit from a parked position with the front of the vehicle facing the driveway. As there is limited lateral movement between the edges of the parking bay, it would not be possible to steer toward the exit until approximately three quarters the length of the vehicle had exited in a straight path toward the driveway. This may be possible but might require a shuttle backwards and forwards to line the vehicle up with the direction of the drive to exit in a forward direction over the public footpath.

4.1.9 It would be inappropriate to exit by the same, but in reverse, as that used to enter as it would require an exit from the drive-in reverse gear across the public footpath with very limited visibility splays and the fact that the driver would be facing inward and not facing

outward toward the public footpath would be unsafe for any passing pedestrian on the public footpath. It would not be possible to manoeuvre the vehicle to exit the driveway in a forward gear.

- 4.1.10 For these apparent reasons, the parking arrangements are virtually impossible to actually use, especially after dark or during inclement weather, using headlights to assist spatial awareness as parking would be so difficult that occupants would prefer to avoid the difficulty by parking on the highway.
- 4.1.11 It is suggested that proper full effective swept path illustrations for entrance and exit to/from each parking bay, with all other bays occupied and avoiding any collision with the boundary fencing, be provided for a family sized car of nominal dimensions and wheelbase, to the case officer for examination prior to a decision being made as these extremely difficult vehicle movements would apply for the life of the development.
- 4.2 In addition, the 1.8m boundary fence with the adjacent property in Ridgemount Avenue up to the edge of the public footpath, prevents adequate safety sight lines when exiting over the public footpath.

## 5 Reason 4

- 5.1 The balconies to the front elevation of the development would appear out of keeping with the character and appearance of the area and the proposed building design. The development would therefore conflict with Policy DM10 of the Croydon Local Plan (2018) and the Suburban Design Guide (2019) and policies DM1, DM3 and DM4 of the London Plan 2021.
- 5.2 Supplementary Planning Guidance SPD2 Section 2.26 BALCONIES
- 5.2.1 Para 2.26.1 Balcony design is an integral part of a proposal and must be part of the initial design phase.
- 5.2.2 Para 2.26.2 Balconies supported by columns will generally not be acceptable to the **front of a property** but may be acceptable to the rear of a property where they are integrated into the design. Recessed and cantilevered balconies add less clutter to the external appearance of a development and may be acceptable to the front, as well as the rear of a property, where they are successfully integrated into the design of the proposal.
- 5.2.3 The proposal would not respect the character of adjacent or surrounding character of dwellings which are all Semi-detached single households without Balconies fronting the road.

## 6 Summary

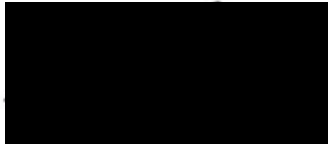
- 6.1 **The proposal is for 4 dwellings on a Site Area of 0.03ha which equates to a Housing Density of 133.33 dwellings/ha. This would require the Setting to be Central as defined by the National Model Design Code and Guidance . Shirley is clearly **NOT** a **'Central'** Setting as shown by all the analysed evidence of the local area assessment at the Table shown at 3.2.3 above.**



- 6.2 We believe this analysis clearly demonstrates that the proposal would be inappropriate for the local “setting” and local “Design Code” and therefore the appeal should be dismissed.
- 6.3 The Parking provision is unacceptably difficult to negotiate and would likely result in residents’ preference to park their vehicles elsewhere which would exacerbate on-street parking in the vicinity. The applicant has not provided convincing “Swept Path Diagrams” to prove egress and ingress to/from the Parking Bays to ensure an exit over the public footpath in a forward direction is possible. Thus, the Appeal should be dismissed.
- 6.4 The 1.8m boundary fence with the adjacent property in Ridgemount Avenue up to the edge of the public footpath, prevents adequate safety sight lines when exiting over the public footpath.
- 6.5 The Balconies facing the frontage would be uncharacteristic with the prevailing character of the street scene and therefore the Appeal should be dismissed.

Kind regards

Derek



**Derek C. Ritson** I. Eng. M.I.E.T.  
**MORA – Planning**  
Email: [planning@mo-ra.co](mailto:planning@mo-ra.co)

Cc:

Sarah Jones MP	MP Croydon Central
Nicola Townsend	Head of Development Management
Cllr. Sue Bennett	Shirley North Ward
Cllr. Gareth Streeter	Shirley North Ward
Cllr. Richard Chatterjee	Shirley North Ward

Bcc:

MORA Executive Committee, Local affected Residents & Interested Parties