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**Monks Orchard Residents'  
Association  
Planning**

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**10<sup>th</sup> June 2022**

**TOWN AND COUNTRY PLANNING ACT 1990**

Appeal (W) under Section 78

Location: 46 The Glade Croydon CR0 7QD

LPA Application Ref: 21/05741/FUL

Appeal Ref: L5240/W/22/ 3295431

Written Representation Close: 30 Jun 2022

Dear Ms Opolska - Case Officer

Please accept this representation from the Monks Orchard Residents' Association as a request for the Appeal to be **Dismissed** on the grounds as listed in our submission as follows. We fully support the Local Planning Authority (LPA) Case Officer's Report for a refusal and provide the following analysis to support the Delegate Committee decision for a refusal.

We objected to the proposal in our submission to the LPA which you should have received copy, if not we could supply a copy on request to [planning@mo-ra.co](mailto:planning@mo-ra.co)

It is our belief that although there is a 'need' for additional housing, all proposals should meet Planning Policies irrespective of that 'need.' Additionally, the housing 'need' has been defined across all London Boroughs by the GLA and the allocation for the London Borough of Croydon has been 'apportioned' across the Borough against the **"Places"** of Croydon.

We have structured this representation quoting extracts from the Appellant's "Grounds of Appeal" and our response to those statements using evidence of Planning Policies as published in the NPPF (July 2021), the National Model Design Codes and Guidance (Jan & June 2021) by the Department of Levelling Up, Housing & Communities (DLUHC), the London Plan (March 2021), the Croydon Local Plan (2018) and the Revised Local Plan (Dec 2021).



**Front & Rear Elevations of Proposed Development**

**Representing, supporting and working with the local residents  
for a better community**



## Proposals' Parameters:

46 The Glade				Ref: 21/05741/FUL											
Post Code	CR0 7QD	Population	68	Dwellings	28	Residential Density (hr/ha)	313.73	Floor Area Ratio	0.6958	39.16%	PTAL 2011	Zero			
Units	Site Area	1020	sq.m.	Post Code	CR0 7QD	Residential Density (bs/ha)	313.73	Post Code Density	18.54	Units/ha	PTAL 2031	Zero			
9	Site Area	0.102	ha					Housing Density (U/ha)	88.24	Area Post Code CR0 7QD	1.51	ha			
Dwelling	Type	Bedrooms	Bedspaces	Habitable Rooms	Functional Areas	GIA offered	GIA Required	Built-In Storage Offered	Amenity Space Offered	Amenity Space Required	Car Parking	Probable Adults	Probable Children	Play Space Offered	
Flat 1	M4(3)	3	4	4	6	86.0	74.0	Not Stated	Private Gdn	7	6	2	2	4.60	
Flat 2	M4(2)	3	4	4	6	86.0	74.0	Not Stated	Private Gdn	7		2	2	4.60	
Flat 3	M4(2)	2	3	3	5	73.8	61.0	Not Stated	7.00	6		2	1	1.20	
Flat 4	M4(2)	2	3	3	5	64.0	61.0	Not Stated	7.00	6		2	1	1.20	
Flat 5	M4(2)	2	4	3	5	79.4	70.0	Not Stated	7.37	7		2	2	1.20	
Flat 6	M4(2)	2	3	4	6	73.0	61.0	Not Stated	7.00	6		2	1	1.20	
Flat 7	M4(2)	2	3	4	6	64.3	61.0	Not Stated	7.00	6		2	1	1.20	
Flat 8	M4(2)	2	4	4	6	77.9	61.0	Not Stated	7.37	6		2	1	1.20	
Flat 9	M4(2)	2	4	3	5	105.3	70.0	Not Stated	7.00	7		2	2	1.20	
Totals		20	32	32	50	709.7	593.0	Not Stated	49.74	58.00	7	18	13	17.6	

## Extracts from the Appellant's Statement:

### 1 The Appellant's Case

4.1. The Appellant maintains that the proposal will cause no planning harm and that the Council's reasons for refusal are unjustified. In accordance with the presumption in favour of **sustainable** development planning permission should have been granted and this appeal should therefore be allowed.

#### 1.1 Policy Background: The NPPF and the London Plan

4.2. It is relevant to this appeal that the 2021 NPPF places an even greater emphasis than its predecessor on the role of "small sites" in contributing to housing **need** and provision.

4.3. NPPF Paragraph 60 confirms that *"it is important that a sufficient amount and variety of land can come forward where it is needed, that the **needs** of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay"*. Paragraph 69 confirms that *"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly"*

4.6. LP Paragraph 4.2.4 confirms that the incremental intensification of existing residential areas is expected to play an important role in contribution towards housing targets for small sites: *"This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's **needs**."*

## Sustainability and Housing Need

### 2 Sustainability

#### 2.1 NPPF Para 7

2.1.1 *"The purpose of the planning system is to contribute to the achievement of **sustainable** development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own **needs**<sup>1</sup>..."*

<sup>1</sup> Resolution 42/187 of the United Nations General Assembly

- 2.1.2 For **Sustainability**, developments require adequate **supporting infrastructure** but there is **NO planned improvement** in the provision or delivery of new or improvements to the existing Infrastructure<sup>2</sup> for Shirley over the life of the Plan.

## 2.2 Housing Need

- 2.2.1 Similarly, the allocation of housing **“need”** assessed for the **“Shirley Place”** over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan<sup>3</sup> 2021 **Table 3.1**). This equates to **≈14 dwellings per year**.

- 2.2.2 In relation to meeting housing **“need”** we raised a Freedom of Information (FOI) request **Ref: 4250621** on **31st January 2022**. The FOI Requested data on the **Outturn** of Developments since **2018** for the **Shirley “Place”** plus the **Area, Housing** and **Occupancy** of the **Shirley Place** for which our analysis of the response is as follows:

- 2.2.3 The FOI response indicated, the **Shirley “Place”** as defined in the Local Plan has an area of approximately **≈770 ha** and comprises **Shirley North** and **Shirley South Wards** and therefore the FOI response suggests completions for **Shirley “Place”** can be calculated by adding the completion figures together for each **Shirley Ward**. **This is ‘NOT True’ as is described later.**

Shirley North				
	2018	2019	2020	2021 (partial)
Gross units	48	94	73	16
Net units	45	87	69	12
Shirley South				
	2018	2019	2020	2021 (partial)
Gross units	12	17	3	5
Net units	10	15	0	5
Shirley Place				
	2018	2019	2020	2021 (partial)
Gross units	60	111	76	21
Net units	55	102	69	17

- 2.2.4 The FOI Response indicates:

- The Council does not hold the information we requested in a reportable format.
- The Council does not know the **exact Area** in hectares of any **“Place”**
- The Council does not hold the **Number of Dwellings per “Place.”**
- The Council does not hold the **Number of Persons per “Place”**

- 2.2.5 Analysis of this limited information (FOI response) supports our assumption that completions are recorded but **NOT** against the **“Places”** of Croydon and no action is taken by the LPA as a result of those completions. In addition, the **“Shirley Place” Area does NOT** equate to the sum of the Shirley North & South Ward Areas (See Table below.

<sup>2</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

<sup>3</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf>

- 2.2.6 Analysis of the recorded data shows over the **‘three’ full years 2018 to end of 2020**, the **Net Increase** in Dwellings for Shirley = Shirley North Ward + Shirley South Ward = **55 + 102 + 69 = 226 ≈ 75** per yr. (However, this is **NOT The Shirley “Place”** at **≈770ha** but the net increase for the **Shirley North + Shirley South Wards**).

TARGET OUTTURNS (Estimates)							
Locality	Area (ha)	Dwellings	Population	Percentage of ALL Shirley	Units over 20 yrs (Estimate)	Per Year (Target Outturn)	Actual (Outturn/yr)
Shirley North Ward	327.90	6555	15666	45.85%	127	6	67
Shirley South Ward	387.30	5919	14147	54.15%	151	8	8
All Shirley	715.20	12474	29814	100.00%	258	13	75
Shirley "Place" (Approximately)	770.00	?	?	107.66%	278	14	?
MORA AREA	178.26	3884	9283	24.92%	69	3	36

**Estimated Target Outturns for Shirley and the MORA Area of 178ha (24.92%) portion of All Shirley Ward Wards of 715.20ha**

- 2.2.7 The **MORA Area** of **178.2ha** (which we monitor) is only **24.92%** of **All Shirley (715.2ha)**, but at a rate of **36dpa** over the **20yr** period **≈720 dwellings**, would exceed the **Target for the Shirley “Place”** of **278** by **442 Dwellings** **for the Whole of the Shirley “Place”** (≈770ha FOI response).
- 2.2.8 This is  $(720-278)/278 = 158.99\%$  Increase for the **Shirley “Place”** when the **MORA Area** is only  $(770-178.2)/178.2 = 23.15\%$  of the area of the **estimated Shirley ‘Place’** and  $(178.26-715.2)/715.2 = 24.92\%$  of all Shirley. **This is definitely NOT respecting the character of the locality when the locality is “Inappropriate for Incremental Intensification” with a PTAL of Zero and there is no probability for increase in supporting infrastructure.**
- 2.2.9 The Build rate delivery of dwellings for all **Shirley** is averaging at **55 + 102 + 69 = 226 ≈ 75.33 dwellings per year**, so over **20** years the **Net Increase** will be **≈ 1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The **Target for the Shirley “Place”** at **Table 3.1** of the Revised **Croydon Local Plan** indicates a **Target of 278 dwellings over the period 2019 to 2039**.
- 2.2.10 This would exceed the Target over 20 yrs. of **278** by:  $(1507 - 278)/278 = 442.1\%$ . From the **FOI Request**, the Area of the **Shirley “Place”** is **≈770ha**. The total Area of **Shirley North & South Wards** is **715.2ha** (GLA figures) therefore, there is **≈54.8ha** excess of land in other adjacent Wards which numerically means the **Target for Shirley Wards of 278** should be reduced by **7.12% = 258** (and the difference added to the Targets of the relevant **adjacent Wards**).
- 2.2.11 We are confident that **this analysis completely refutes** any suggestion that **“Housing Need”** is a reason for approval in this locality as the assessed **‘Housing Need’ for this area has already been satisfied. All Development proposals should be judged on compliance to adopted Planning Policies and NOT on the basis of meeting Targets to support a Housing “need” especially so if that need has already been met.**



## Effective Use of Land

### 3 Site

#### 3.1 'The Appellant's Case

4.4 NPPF Paragraph 119 states that "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". Paragraph 120(d) states that planning decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively".

- 3.1.1 **NPPF Para 119 indicates** *Planning policies and decisions should promote **an effective use of land** in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.*
- 3.1.2 **NPPF Para 124.** States *"Planning policies and decisions should support development that makes **efficient use of land**, taking into account:*
- a) the identified need for different types of housing and other forms of development, and the availability of land **suitable for accommodating it**;*
  - b) local market conditions and viability;*
  - c) the **availability and capacity of infrastructure and services** – both existing and proposed – as well as their potential for further improvement and the scope to promote **sustainable travel modes that limit future car use**;*
  - d) the desirability of **maintaining an area's prevailing character and setting (including residential gardens)**, or of promoting regeneration and change; and*
  - e) the importance of securing well-designed, attractive and healthy places.*

#### 3.2 Site Capacity

- 3.2.1 The '**efficient use of Land**' requires assessment of a proposals "**Site Capacity**" in relation to the **Area Type Setting Design Code** taking due account of local existing and planned **infrastructure**, including **Public Transport Accessibility (PTAL)** and **respecting the prevailing character of the Area Type Setting** in the immediate locality. It is recognised that there is **NO prospect** of any increase in local Infrastructure<sup>4</sup> likely over the life of the Plan in the **Shirley "Place" or Shirley Wards**.
- 3.2.2 The Croydon LPA **Local Plan Review, Planning Interim Bulletin (2020)**<sup>5</sup> indicated:
- *"Omitting the **Shirley FIA (Focussed Intensification Area)** as it looks **increasingly unlikely** that **significant improvements to the public transport capacity in the Shirley area will be delivered over the period covered by the local plan** and hence the area only has **capacity for limited future growth**. The **limited development potential** significantly reduces the strength of the argument for major*

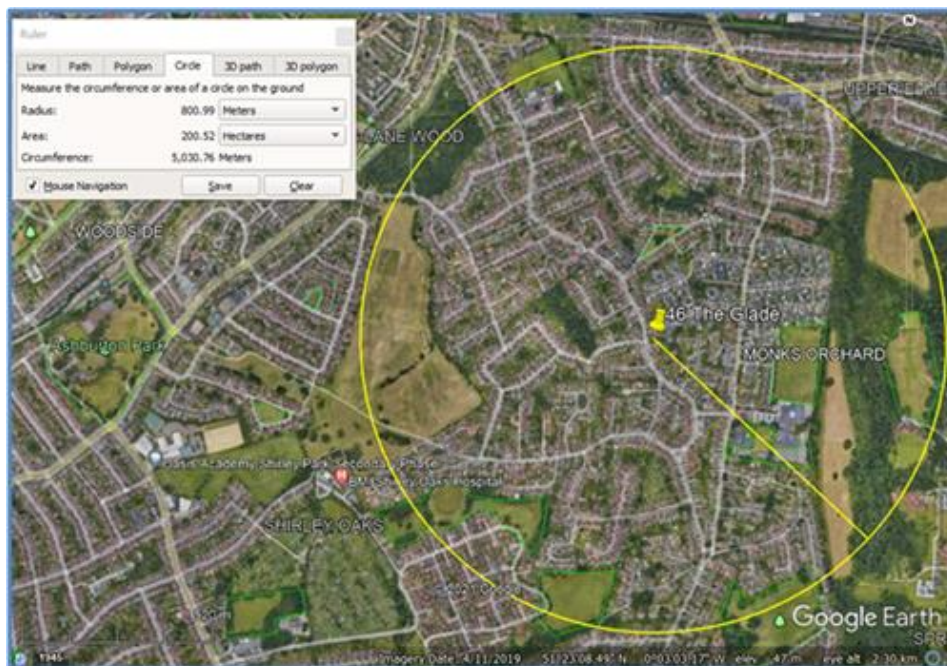
<sup>4</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

<sup>5</sup> <https://www.croydon.gov.uk/sites/default/files/Planning/Planning%20Interim%20Bulletin%20June%202020%20FINAL.pdf>

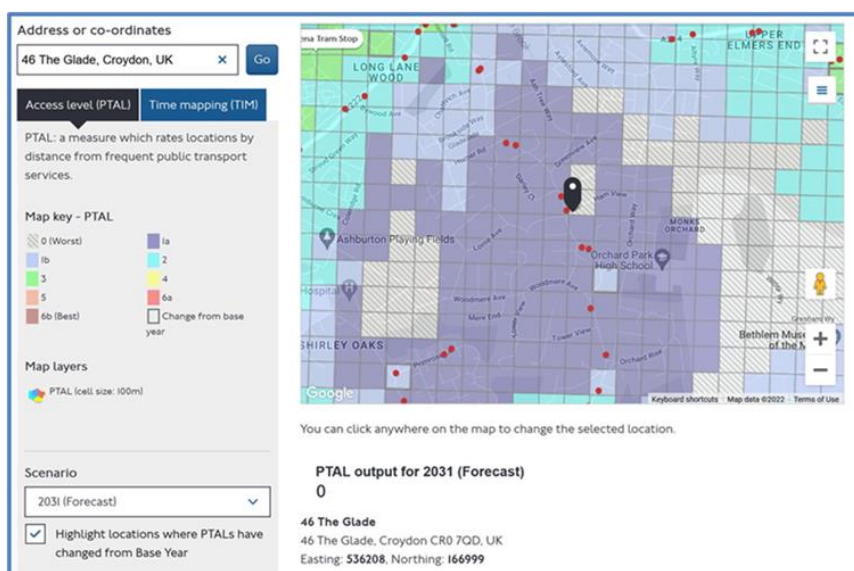
*transport investment, although improvements are needed from a sustainability perspective.”*

3.2.3 The new **London Plan Policy H2** at para **4.2.4** states:

*“Incremental intensification of existing residential areas {should be} within **PTALs 3-6** or within **800m** distance of a station<sup>6</sup> or town centre boundary<sup>7</sup>”*



**Google Image illustrating the 800m Radius from 46 The Glade does NOT embrace any Tram/Train Stations or District Centres.**



**TfL WebCAT PTAL for 46 The Glade as forecast up to 2031 with PTAL Zero.**

<sup>6</sup> Tube, rail, DLR or tram station

<sup>7</sup> District, major, metropolitan and international town centres

3.2.4 Conversely, **46 The Glade** has a **PTAL** of **Zero** and is greater than **800m** from a Tram/Train Station or District Centre and as such is ***inappropriate for incremental intensification***.

3.2.5 If the Inspector is minded to recommend that this Appeal be allowed, we request **Density** and **Residential Density** for this proposal at this Setting at **PTAL Zero** in contradiction to the **London Plan Policy H2 at para 4.2.4.** as incremental intensification is 'inappropriate' as defined in the **London Plan Policy H2.**

### 3.3 Design-Led Approach (Design Codes)

#### 3.3.1 London Plan Policy D3 States:

3.3.1.1 *"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<sup>8</sup>**), and that best delivers the requirements set out in **Part D**."*

3.3.1.2 **Policy D3 Para 3.3.2** *"A **design-led approach** to optimising **site capacity** should be based on an **"evaluation"**<sup>9</sup> of the **site's attributes**, its surrounding context and its **capacity for growth to determine the appropriate form of development for that site**."*

3.3.1.3 **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**."*

3.3.1.4 **The NPPF para 129 states:** ***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. ... 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**."*

3.3.1.5 This is **extremely conclusive guidance** if the Local Plan does NOT provide guidance, *which both the London Plan and the revised Croydon Local Plan does **NOT***.

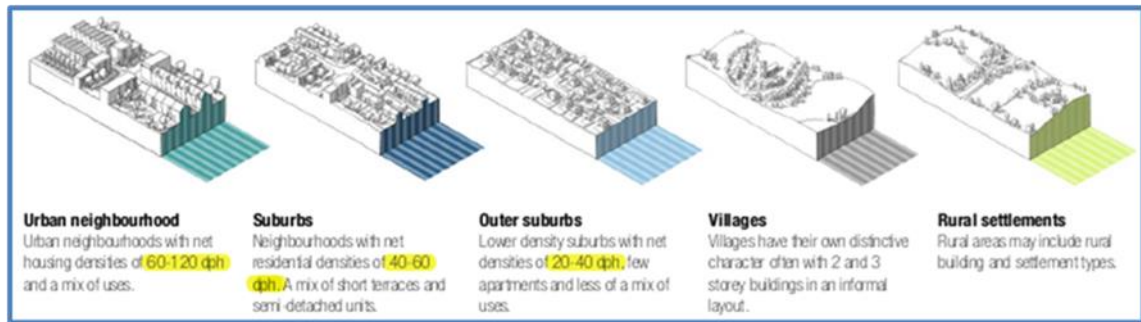
#### 3.4 The DLUHC National Model Design Code & Guidance<sup>10</sup> Pts 1 & 2.

3.4.1 The **'Settings,' 'Outer Suburban,' 'Suburban,' 'Urban'** and **'Central'** are defined in the **National Model Design Code Part 1 The Coding Process, 2B Coding Plan.**

<sup>8</sup> [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

<sup>9</sup> Definition of **"evaluation"**: The making of a judgement about the **amount, number, or value** of something.

<sup>10</sup> <https://www.gov.uk/government/publications/national-model-design-code>



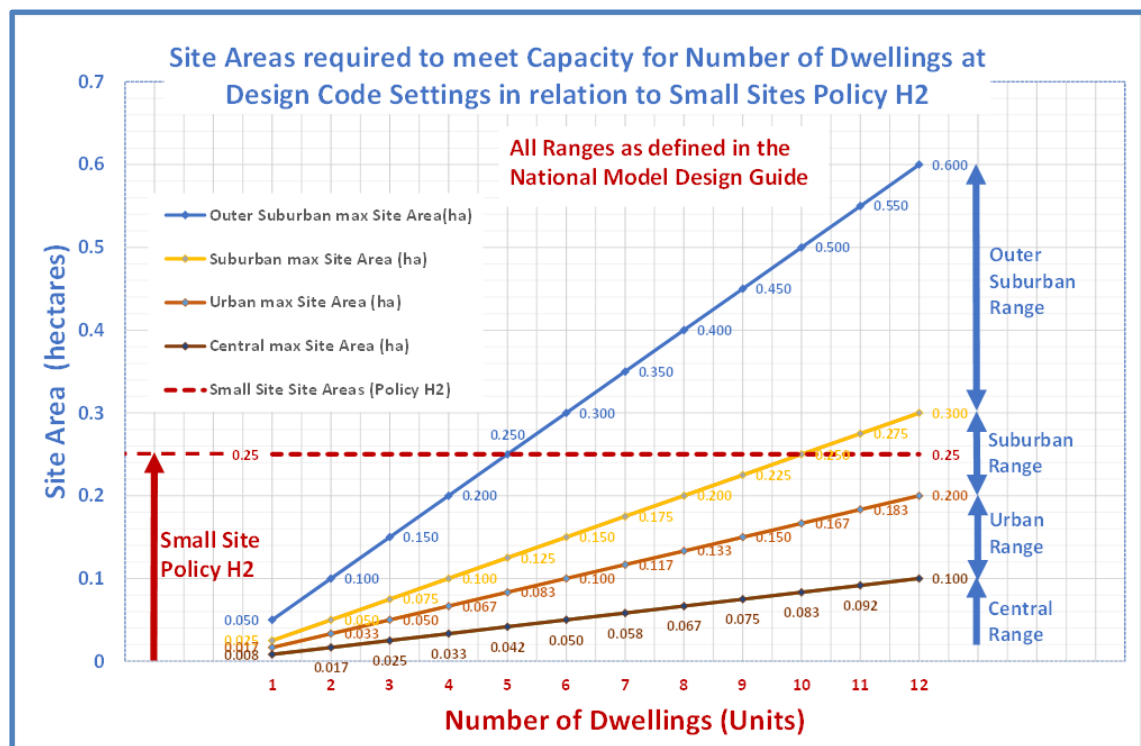
### The National Model Design Code Parameters Definitions for Local Settings.

3.4.2 The Site Areas for the Ranges or Area Types and the appropriate Site Capacities for the Number of Units per site is given in the following Table and Graphical illustration which shows Development Site Areas for each of the National Model Design Code 'Outer Suburban', 'Suburban', 'Urban' and 'Central' Area Types. and their Site Capacities for the incremental number of Dwellings (Units).

Site Capacities:												
Number of Dwellings	1	2	3	4	5	6	7	8	9	10	11	12
Outer Suburban max 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 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)	0.025	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)	0.017	0.033	0.050	0.067	0.083	0.100	0.117	0.133	0.150	0.167	0.183	0.200
Urban 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)	0.008	0.017	0.025	0.033	0.042	0.050	0.058	0.067	0.075	0.083	0.092	0.100
Central max 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

### Site Area for incremental number of Dwellings at each Area Type or Setting.

3.4.3 Site Capacities (Units/hectare) and London Plan Small Site Policies H2:



### Graphical Illustration of Site Area Capacity ranges (ha) for Number of Units for Settings, Outer-Suburban, Suburban, Urban and Central (1-12 Units).



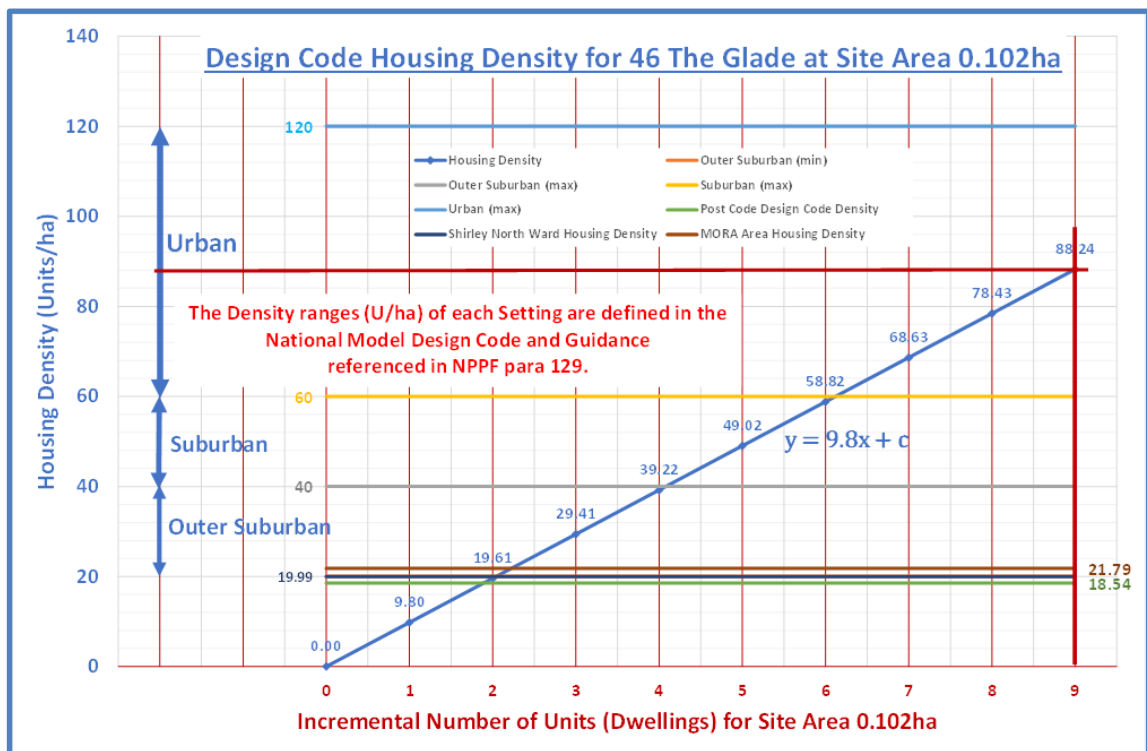


### 3.4.4 Design Code Assessments for 46 The Glade and Local Areas.

Design Code Area	Area (ha)	Population	Dwellings	Housing Density (Units/ha)	Residential Density bs/ha	Setting (as defined by the National Model Design Code)
Shirley North Ward	327.9	15666	6555	19.99	47.78	< Outer Suburban
Shirley South Ward	387.3	14147	5919	15.28	36.53	< Outer Suburban
Shirley	715.2	29814	12474	17.44	41.69	< Outer Suburban
Post Code CR0 7QD	1.51	68	28	18.54	45.03	< Outer Suburban
MORA Area	178.26	9283	3884	21.79	52.07	Outer Suburban
Average for the Locality	322.03	13795.59	5772.12	18.61	42.84	< Outer Suburban
New Development at 46 The Glade	0.102	32	9	88.24	313.73	Urban
Percentage above average	(This cannot be considered a moderate or gentle incremental increase)			374.14%	632.34%	This clearly is NOT Moderate or Gentle Intensification!

**This Table lists the local Area Type “Setting” Design Code based upon an evaluation criterion of the National Model Design Code & Guidance**

- 3.4.5 The foregoing **Policy Assessment** based on the **National Model Design Code** and **Guidance**, the **NPPF** and the **London Plan** clearly establishes the **Area Type** and **Setting** of **46 The Glade** to be **“Outer Suburban”**. The proposal with a **Site Area** of **0.102hectares** at **Design Code Density** for **“Outer Suburban”** **Area Type Setting** should be between **20 and 40 Units** per hectare but the proposal is for **88.61Units/hectare** which is more appropriate for an **“Urban”** **Area Type or Setting**. It should be appreciated that the locality is inappropriate for **Intensification** either #Incremental, Moderate or Focussed as it has **Zero PTAL** and is greater than **800metres** from a **Train/Tram Station** or **District Centre**. Shirley is definitely **NOT Urban**.



**Design Code Housing Density against the 0.102hectares available Site Capacity for 9 Dwellings at 46 The Glade would require a Housing Density of 88.24U/ha.**

- 3.4.6 The above graphical illustration shows the **Design Code Housing Density** proposed for the available **site capacity** of **0.102hectares** for **9 Dwellings** at **46 The Glade** equates to **88.24 Units per Hectare** which is in the **National Model Design Code** range of **60 to 120 Units for an Urban Area Type or Setting** when all analysis assessments show **46 The Glade** to be in an **“Outer Suburban” Area Type or Setting**. The Maximum Capacity for this Site in a **Suburban setting** is **6 Units** and for an **Outer Suburban Setting**, **4 Units** as determined from the graphical illustration at the mathematical analysis of  $y = mx + c$  where

$$y = \text{housing density}, m = \frac{\delta y}{\delta x}, x = \text{Units and } c = y \text{ when } x = 0.$$

$$y = \left(\frac{88.24}{9}\right)x - 0.$$

$$\text{Therefore } 60 = 9.8x \text{ Suburban \& } 40 = 9.8x \text{ Outer Suburban}$$

$$x = 6.11 \text{ units} \approx \mathbf{6 \text{ units}} \text{ (max suburban)}$$

$$x = 4.08 \text{ units} \approx \mathbf{4 \text{ units}} \text{ (max outer suburban)}$$

- 3.4.7 This is clearly extremely convincing evidence of **over development** for the locality based upon the **National Model Design Code guidance** which is referenced from **NPPF para 129**. This supports the inappropriateness for either **“Incremental Intensification”**, **“Moderate Intensification”** or **“Focussed Intensification”** as defined by the **London Plan**, the **Revised Croydon Local Plan** and as recommended by the **National Model Design Code and Guidance**, referenced from **Para 129** of the **NPPF**. We would respectfully request **full justification and quantifiable reasoning** to be promulgated by the Planning Inspectorate **‘if this Appeal were to be allowed.’**

## Incremental Intensification

### 4 The Appellant’s Case

- 4.1 4.5. London Plan (LP) Policy H2 is also consistent with the 2021 NPPF in that it acknowledges the contribution that “small sites” make to housing delivery and the local economy. The supporting justification in paragraph 4.2.1 states *“For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority.”* LP Table 4.2 confirms that the small sites minimum target for the LB Croydon is 6,410 (net housing completions) between 2020 and 2029.
- 4.1.1 We have clearly demonstrated above that the **LPA Target of 278 Dwellings** over the **20-year life** of the Plan on a yearly outturn of **≈14 Units** per year for the Shirley “Place” over the three years since 2018 has already been over provided and therefore negates the **Appellant’s Statement** at para 4.5.
- 4.2 4.6. LP Paragraph 4.2.4 confirms that the incremental intensification of existing residential areas is expected to play an important role in contribution towards housing targets for small sites: *“This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London’s needs.”*

- 4.2.1 The **London Plan para 4.2.2** States: *Incremental Intensification of existing residential areas within PTALs 3-6 or within 800m distance of a (Train/Tram) station or town (District) centre boundary*; and therefore, conversely is inappropriate for 46 The Glade at PTAL Zero i.e., less than <3 and greater than >800m from a Train/Tram Station or District Centre as previously indicated which demolishes the Appellant's Statement at Para 4.6.

- 4.3 4.7. This site is a small site, and the proposed development will clearly contribute to meeting the strategic priorities of the London Plan.

- 4.3.1 We have clearly demonstrated above that that the appellant's statement of 4.7 is untrue and that the **LPA Target of 278 Dwellings** over the **20-year life** of the Plan on a yearly outturn of **≈14 Units** per year for the Shirley "Place" over the three years since 2018 has already been over provided and therefore negates the **Appellant's Statement** at para 4.5.

## **Focussed, Moderate & Gentle "Intensification"**

### **5 The Appellant's Case**

#### **5.1 Policy Background: The Croydon Plan and SPD2**

- 5.1.1 4.8. In considering this Appeal the Inspector must be made aware of **Croydon Council's pro-development stance** in relation to the intensification of its suburbs and its support for contemporary buildings. The Council's planning policies and decisions are very much in favour of new residential development throughout the Borough. There are numerous examples that will be evident when the Inspector travels through the Borough on their site visit, and some examples are evidenced in *Appendix B* to this Statement.

- 5.1.2 4.9. The "residential intensification" encouraged by the Council is facilitated by the Croydon Suburban Design Guide (2019) (SPD2) that sets out how suburban intensification can be achieved by thinking creatively about how housing can be provided on windfall sites so as to achieve high quality outcomes. It is acknowledged that the housing targets that have to be accommodated within the London Plan will not be met without these windfall sites coming forward.

#### **5.2 Croydon Local Plan (2018) 'Growth' Policies**

- 5.2.1 The current **Croydon Local Plan (2018) 'Growth' Policies**, as defined in **Table 6.4**, 'purports' to describe "**Growth**" by either "Redevelopment" or "Evolution" by "Regeneration", but gives no definition of the acceptable magnitude of '**growth**' in terms of '**Site Capacity**', '**Local and future infrastructure**' or '**Public Transport Accessibility**' and therefore the Policy is 'unenforceable' and 'undeliverable' as it has no measurable methodology, is imprecise, indeterminate and devoid of any Policy definition other than guidance to "seek to achieve" a minimum height of 3 storeys at specific locations. This proposal is 4 storeys or 3 storeys plus accommodation in the roof space.
- 5.2.2 The current **Croydon Plan** and **Revised Croydon Plan** Policy Fails to meet the guidance required in **NPPF (2019-21) Section 3. Plan-making** and specifically **NPPF** para 16 d) or Para 35, a) Positively prepared, b) Justified, c) Effective and d) Consistent with National Policy or, more importantly, the Statutory requirement to

ensure **‘Sustainable Developments’**. In fact, the Policy is quite “*meaningless*” and “*nugatory*” but subject to the “*professional*” prejudicial judgment of Case Officers without any objective justification.

5.2.3 However, it is understood that the **Draft Revised Croydon Local Plan<sup>11</sup>** (consultation now closed and schedule for Examination In Public early June 2022 but likely to be further delayed), omits **Table 6.4** and replaces it with a modified version of **Table 6.5** which is just a tick box guide to evolution (*i.e., still No defining meaningful parameters*). **Paragraph 6.62B to 6.62E** has been modified to include “**Moderate Intensification**” designation and **6.62F to 6.62J** to include “**Focussed Intensification**” designation. The limitation distances for Public Transport accessibility PTAL and distances from Tram/Train Stations or District Centres are provided, but again, there is no definition for what is meant by “**Moderate**” or “**Gentle**” in terms of “**Density**” or “**Site Capacity**”. These are abstract objectives, **NOT policies** and NOT sufficiently adequately defined to be enforceable!

5.2.4 The revised Croydon Local Plan at **Para 6.56A** states:

**6.56A** The character and growth policies respond to the **London Plan** which says that **gentle densification** should be actively encouraged by boroughs in **low** and **mid-density locations** to achieve a change in **densities** in the most appropriate way. This should have regard to the target set for development on small sites by **Policy H2** of the London Plan. To achieve the housing needs for the borough, areas where sustainable development can be focused for **growth** according to a series of **sustainable indicators** and **characteristics of an area have been identified**.

5.2.4.1 We have the following response to both the Revised Croydon Plan and the Appellant’s Appeal Statements:

- a) The location of the proposed development at 46 The Glade is “Outer Suburban” from any assessment as defined in the National Model Design Code & Guidance.
- b) The Location is NOT within an area designated “Focussed” or “Moderate Intensification.”
- c) The Policy appropriate for this location should therefore be “Gentle” Densification.
- d) The Policy does NOT define **any** parameters for “**Gentle**” densification.
- e) The only sensible and meaningful requirement for defining “**Growth**” limitations is to define the “**Site Capacity**” acceptable for the **Area Type and/or Setting**, thus respecting local character. This is the fundamental reasoning addressed by the **London Plan Design-Led Approach at Policy D3** and endorsed by the **National Model Design Code & Guidance** Referenced from **NPPF para 129**.

<sup>11</sup>

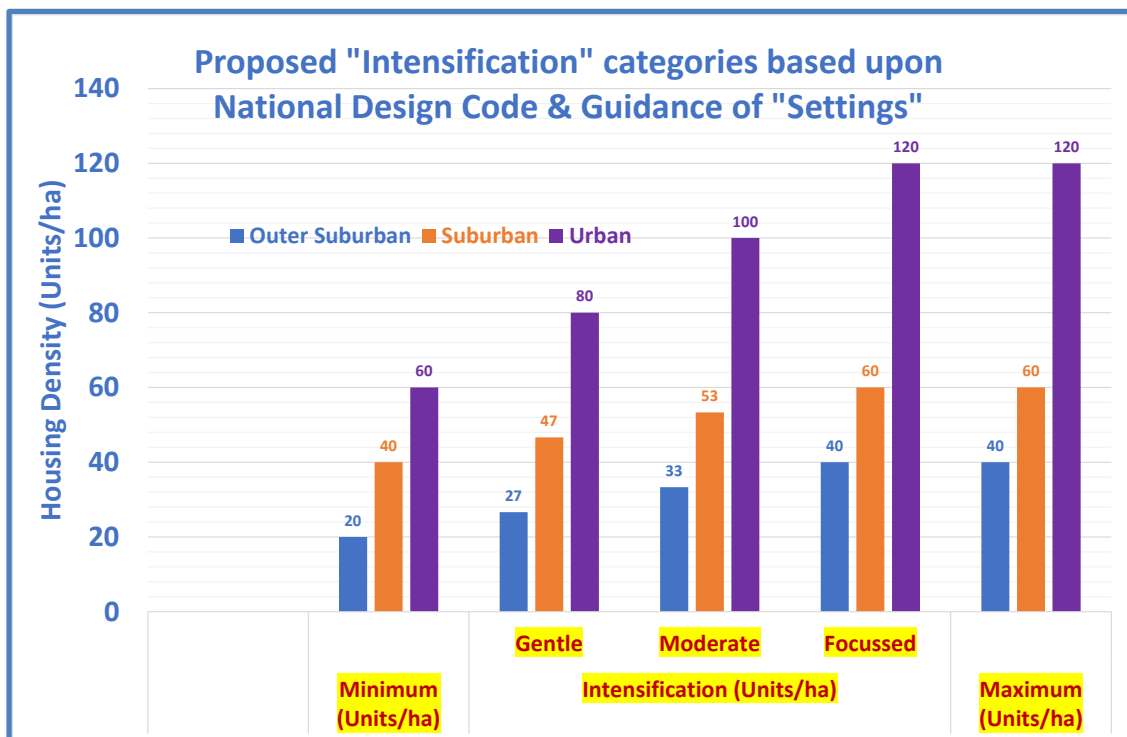
<https://democracy.croydon.gov.uk/documents/s34159/Appendix%201%20Proposed%20Submission%20Draft%20of%20Croydon%20Local%20Plan.pdf>



### 5.3 National Model Design Code & Guidance

3.2.1 As the **National Model Design Code** Area Types exist on the availability of supporting infrastructure, any intensification within an **Area Type or Setting** relies on the **existing Supporting infrastructure** and therefore the **Design Code Density** should remain **within** the **Setting** or **Area Type "Ranges"** as defined ("Outer Suburban", "Suburban", "Urban" or "Central"). It is suggested that **poor infrastructure** would require the **Design Code Density** to **tend toward** the **lower value**, and, **higher infrastructure** provision **tend toward** the **higher** of the **Setting Range**. Similarly, the **Intensification** or **densification** should follow the same principles as follows:

#### 5.3.2 Incremental "Intensification" Ranges"



**Suggested ranges for Gentle Moderate and Focussed intensification to remain within infrastructure limitations of the Setting and Area Type**

5.3.3 We have shown an **incremental** increase in **Design Code Density** of  $\frac{1}{3}$  &  $\frac{2}{3}$  between Settings for "Outer Suburban", "Suburban" and "Urban" for "**Gentle**", "**Moderate**" and "**Focussed**" Intensification or densification. There is **NO** equivalent for "Central" Area Type setting, as there is **NO** defined maximum. The Maximum Density at "Central" Area Types or Settings is defined by the proposal's requirement to meet the **Minimum Internal Space Standards** and **Private Amenity Standards**. This is our interpretation of Local Plan Policy as there is no meaningful guidance in the Croydon Revised **Local Plan** or the **London Plan**.

5.3.4 Thus for **46 The Glade**, with a site capacity limitation the "**Gentle**" **Densification** should NOT exceed a housing Density **>27Units/ha** but it actually reaches **88.24/ha** which is  $(88.24-27)/27 = 226.8\%$  increase above the "**Gentle**" **densification** appropriate for the locality. This is clear evidence of excessive overdevelopment of the locality for the proposed development at **46 The Glade**.

- 5.3.5 The Draft Revised Croydon Local Plan at **Table 1.1** Croydon's Planning Policy Framework indicates **The London Plan** has been an input to the production of the **Revised Croydon Plan**. However, the **Draft Revised Croydon Plan** does **NOT** reference **London Plan Policies of 'Chapter 3 - Design'** other than **D9** (Tall Buildings) and **D13** (Impact of Change). Therefore, the *main thrust* of **London Plan's "Design-Led Approach," "Site Capacity limitations"** and requirement for definition of **"Design Codes"** for **Residential localities** have been completely disregarded.
- 5.3.6 There is **NO definition** of any assessment limiting parameters for **"Incremental Intensification"** in the Adopted **London Plan** or the adopted **Croydon Local Plan**. There is **NO definition** of any assessment limiting parameters for **"Moderate Intensification"** in the adopted **London Plan** or the adopted **Croydon Local Plan** or the revised draft Local Plan. There is **NO definition** of any assessment limiting parameters for **"Gentle Intensification"** in the adopted **London Plan** or the adopted **Croydon Local Plan** or the revised draft Local Plan. In summary these designations are *'meaningless,' in fact, there is NO meaningful management Policy of "Growth,"* a fundamental requirement of the job description for Development Management.
- 5.3.7 We have already clearly shown above that the **Design Code Housing Density** proposed for the available **site capacity** of **0.102 hectares** for **9 Dwellings** at **46 The Glade** equates to **88.24 Units per Hectare** which is in the **National Model Design Code** range of **60 to 120 Units** for an **Urban Area Type** or **Setting** when **46 The Glade** is in an **"Outer Suburban"** Area Type or **Setting** by all assessment analysis and is therefore a **significant over development**.
- 5.3.8 In addition we have also shown that the proposal at this locality is **inappropriate** for **"Incremental Intensification"**, **"Moderate Intensification"** or **"Focussed Intensification"** as defined by the **London Plan**, the **Revised Croydon Local Plan** and as recommended by the **National Model Design Code and Guidance** as referenced from **Para 129** of the **NPPF**. and that the **Housing "need"** and **targets Outturn run rate** have been significantly exceeded in the **Shirley North Ward**.

## Residential Densification

### 6 The Appellant's Case

- 6.1 4.11. Furthermore, the Council's pre-application response confirms that the site is suitable for residential intensification. The policy requirement is very much in favour of developing this site for residential purposes, and the Appellant maintains that the proposal is "well-designed" and suitable in the local context. If there is any "planning balance" to be weighed, then the housing need policies of the 2021 NPPF, the London Plan and the Croydon Plan provide a strong case to allow this proposal in the Appellant's favour.
- 6.2 46 The Glade location as defined by **TfL WebCAT** at **PTAL Zero** (i.e., significantly less than **<PTAL 3** and more than **>800m** from either a **Tram/Train Station** or a **District Centre** is therefore **"Inappropriate for Incremental Intensification"** *irrespective* of any *'pre-application'* discussion – as the policies do not support intensification locally.

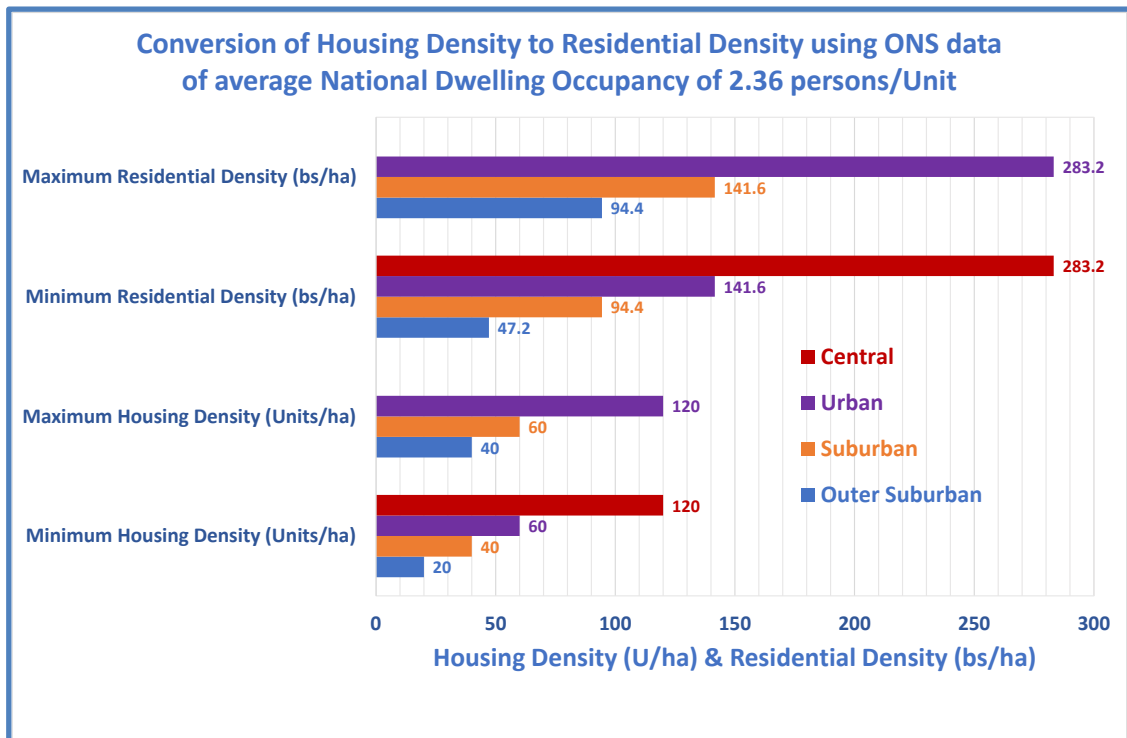
- 6.3 Additionally, we have already provided detailed analysis of **NPPF** and **London Plan** evidence to establish the **inappropriate intensification** both from the perspective of the **Local Design Code Area Type** and assessment being of “**Outer Suburban**” when the proposal has a **Site Capacity** which equates to Density of **88.24Units/hectare** which would be appropriate for an **Urban Setting** and the fact that as there is no prospect of improvement of infrastructure from **PTAL Zero** over the life of the Plan.
- 6.4 **London Plan Policy D2 para 3.2.4** states: *“3.2.4 Minor developments will typically have incremental impacts on local infrastructure capacity. The cumulative demands on infrastructure of **minor development** should be addressed in boroughs’ **infrastructure delivery plans** or programs. Therefore, it will not ‘**normally**’ be necessary for minor developments to undertake infrastructure assessments or for boroughs to refuse permission to these schemes on the grounds of infrastructure capacity.”*
- 6.5 Shirley is **not** included in the Croydon Borough’s **Infrastructure Delivery Plans**<sup>12</sup> or programs and therefore it would be reasonable and appropriate for the cumulative effects of ‘**Minor**’ **Developments** in the **Shirley Wards** to require an “**infrastructure assessment**”, in terms of Services e.g., School Places, GP Surgeries etc., and facilities e.g., Water delivery pressure, rain and foul water extraction capacities, gas pressure and especially for **Public Transport Accessibility**, all of which are necessary and appropriate to support proposed developments for **sustainability**. With the excessive number of recent developments within the locality, these Services and facilities need to be upgraded and there are absolutely **NO plans for doing so!**
- 6.6 It is also people who require supporting infrastructure, **NOT** Dwellings, units, or habitable rooms, so we need to establish equivalent **Residential Density** ranges for the ‘Settings’. This can be achieved using the Office of National Statistics (ONS) data and Statista™<sup>13</sup> data. In 2020, the average number of persons per household in the United Kingdom was **2.36** compared with 2.39 in the previous year.
- 6.7 We can use this latest data as a National factor to convert the National equivalent **Units/ha** to **Bedspaces/ha** as shown in the following Table and Graphical illustration below. This is the only known factor for conversion from Units/ha to Bedspaces/hectare unless the Inspectorate Case Officer has other procedures to assess local Residential Density.

	Outer Suburban	Suburban	Urban	Central
Minimum Housing Density (Units/ha)	20	40	60	120
Maximum Housing Density (Units/ha)	40	60	120	
Minimum Residential Density (bs/ha)	47.2	94.4	141.6	283.2
Maximum Residential Density (bs/ha)	94.4	141.6	283.2	

**Table showing Conversion from Housing Density (Units/ha) to Residential Density (bs/ha) using the National Average occupancy**

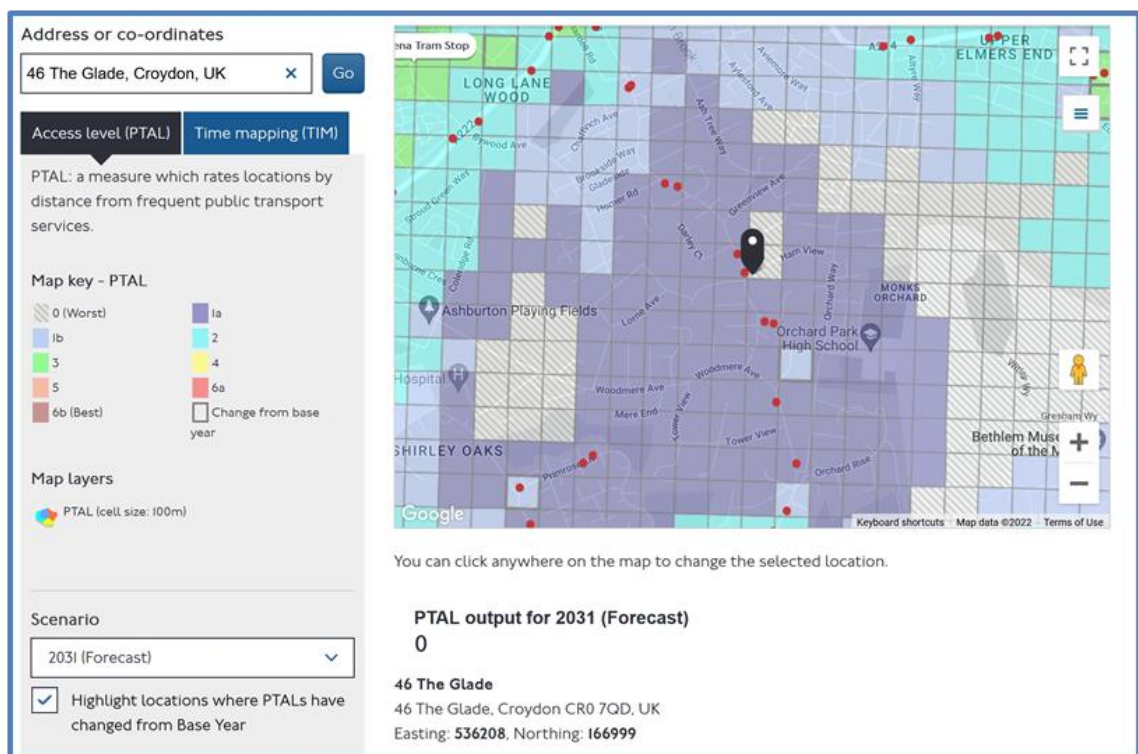
<sup>12</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

<sup>13</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



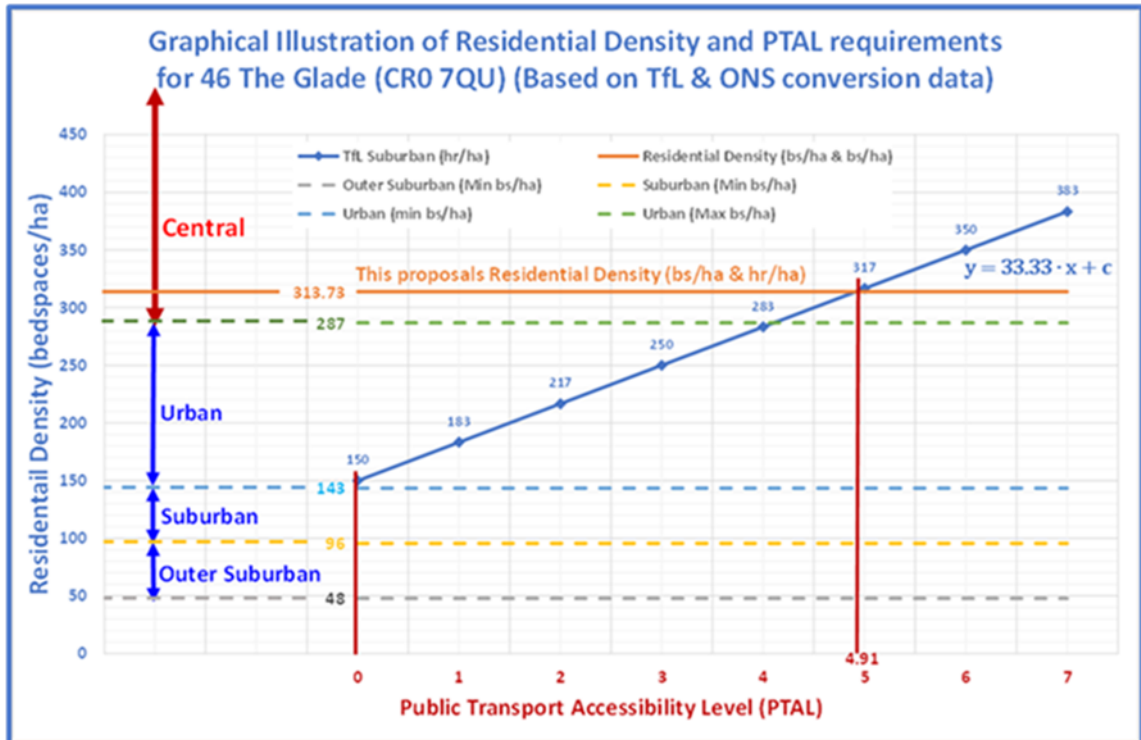
**Graphical Illustration of equivalent Densities for Area Setting Types based upon ONS and Statistica™ National Dwelling Occupancy factor**

## 6.8 TfL WebCAT PTAL for 46 The Glade



**TfL WebCAT PTAL for 46 The Glade as forecast up to 2031 with PTAL Zero.**





**Graph of Residential Density v TfL WebCAT Public Transport Accessibility for 46 The Glade requires PTAL of 4.91 but which has PTAL of Zero**

- 6.8.1 The above Graphical Illustration clearly shows that the proposed development at a **Residential Density** of **313.73 hr/ha** or coincidentally **313.73 bedspaces/ha** would require a **PTAL of 4.91** (in the range 0 to 6) based on a **linear incremental increase** in density over the **TfL range of 150 to 350 hr/ha**<sup>14</sup> for a **suburban setting**, when the actual **PTAL is Zero** and forecast to remain **Zero** up to at least 2031.
- 6.8.2 Additionally, the **Residential Density** of **313.73 hr/ha** or **bs/ha** would require an **Area Type Setting** within the “**Central**” range of greater than **>287 occupants per hectare (bedspaces/hectare)** assuming a **National average of 2.36 Occupants per dwelling**.
- 6.8.3 Therefore, this is further considerable evidence that the proposed development is inappropriate in terms of adequate supporting infrastructure for a sustainable development in this locality at the proposed **Design Code Housing and Residential Density** at the Area Type Setting of “**Outer Suburban**”.

## Character Assessment

### 7 The Appellant's Case

#### 7.1 Reason 1. Impact on Townscape and Local Character

<sup>14</sup> <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>

- 7.1.1 4.12. The Council's first reason for refusal opines that the proposal would result in an unsightly, dominant, and imposing form of development that would fail to integrate into the existing townscape or make a positive contribution to the setting of the local character.
- 7.1.2 4.13. It is the Appellant's opinion that the local character of the area is that of an eclectic mix of residential buildings of different forms, styles, and eras. It is not within or near a Conservation Area, nor is it a special character area. It is a residential area, but the built form is very mixed, comprising primarily two storey buildings, inter-mingled with bungalows and larger more complex developments, including infill and backland developments and the complete redevelopment of former single plots. Most of the older properties in the area have been extended or altered from their original form, and there is no cohesive form of development apparent. Recent developments continue the evolving nature of the area to provide three and four storey buildings comprising flats, as supported by the Council's current "intensification" planning policies and guidance.
- 7.1.3 This is NOT a reason to allow the proposed development. Proposals for any local development requires compliance to all current adopted Planning Policies from **NPPF** down to **Local Planning Policies**. Assessment of the **Local Character** should be managed by the **Design Code Assessment** of the Locality and the assessment of the Site Area Capacity for the Area Type and Setting along with the prevailing local character of existing dwellings and architecture. The Appellant has **NOT** made such an assessment as set out in the **National Model Design Code** and Guidance.
- 7.2 4.14. The Inspector will note from their site visit that the existing bungalow is somewhat at odds with the now prevailing character of the area of two storey houses and flats. The bungalow does not have a positive effect on the street scene, it does not form part of any local character to the area, and it does not make good use of the land.
- 7.2.1 There is now a significant shortage of Bungalows<sup>15</sup> which are sought after by the retired elderly who prefer the single level living accommodation with gardens to provide a healthy activity retirement living accommodation in the autumn of their lives. To demolish the remaining Bungalows in this area is destroying the opportunity of future elderly from living in such a pleasant environmental accommodation. It is therefore not advisable to decimate this type of accommodation from the local character for future generations when they become elderly.
- 7.2.2 We have already established above that Housing "Need" has been satisfied in the locality and that further development will significantly exceed the defined Target for the Shirley "Place".

## Planning Policy & Guidance

### 8 The Appellant's Case

- 8.1 4.15. The Appellant's proposal has been informed by the clear expectations set out in the Local Development Framework, including the NPPF Section 12 and the design policies of the Croydon Local Plan (CLP) and associated Supplementary Planning Guidance.
- 8.2 4.16. Notably CLP Policy DM10.1 requires a minimum height of 3 storeys in all new development and SPD2 paragraph 2.3.6 confirms that the Council will not support proposals that under-provide.
- 8.3 4.17. Furthermore, SPD2 provides specific examples, and encourages, the provision of three storey buildings between bungalows, and larger developments between two storey houses.

<sup>15</sup> <https://www.telegraph.co.uk/property/uk/great-bungalow-shortage-older-buyers-squeezed-young-families/>

- 8.4 4.18. SPD2 clearly supports the type of development proposed, although the Council considers that as a consequence of the scale, massing, and appearance of the building, that it would fail to integrate successfully in townscape terms or make a positive contribution to the setting of the local character.
- 8.4.1 In answer to the Appellant's para 4.15 to 4.18 – The locality at **46 The Glade** is **"inappropriate"** for significant **"Intensification"** However **all** redevelopments **MUST** comply with the current agreed adopted **Planning Policies**. We have conclusively shown that this proposal does **NOT** meet that criterion.
- 8.4.2 We have already assessed and established that the proposed **intensification** is inappropriate for **46 The Glade** and have suggested a limiting value reflecting the existing and available supporting infrastructure at this locality and in accordance with the **Area Type Setting** as defined in the **NPPF National Model Design Code and Guidance**.
- 8.4.3 By this analysis, for **46 The Glade** therefore, the maximum **"Gentle Intensification"** should be **≤ 27Units/ha**. However, as the **PTAL** of the locality is **Zero**, the Density should be **closer** to the **lower limit** of **≈20 Units/ha** for Sustainable development, whereas the proposal is for **88.24Units/ha** within the **Moderate intensification Range** of an **Urban** Area Type or Setting. This would be a **226.8%** increase above the appropriate "Gentle" Intensification allowed.

## Scale & Massing

### 9 The Appellant's Case

- 9.1 4.19. The Appellant contends that the design approach to the building is appropriate to achieving the scale and massing of development that the Council advocate within SPD2. Indeed, there are various parts of the SPD, with illustrative positive examples, that support the proposed massing of the appeal proposal (extracts in *Figures 3 and 4*). The degree of scale and massing that is considered appropriate by this Council is also evident in other implemented schemes throughout the Borough.
- 9.2 4.20. The siting of the building is appropriate to the plot and its relationship with the neighbouring properties. Notably the new building will present itself onto and create a more active frontage to the street than the existing bungalow. The staggered and recessed elevations will add interest and articulation and provide a suitable transition between the forward position of No.44 and the greater set back from the road of No.48. The new building will also assist in reducing the dominance of the northern flank elevation of No.44 when approaching from the north.
- 9.3 4.21. The elevational composition, materials and detailing are appropriate to the size and form of the building, comprising brick elevations, a tiled roof, glazed balconies, and grey powder coated fenestration. These are traditional materials and the primary materials that are prevalent in the area. A condition on the planning permission can ensure that all external materials are appropriate to secure the high design quality that the Appellant wishes to achieve. Consequently, the building will have a positive effect on the built environment within this somewhat eclectic area.
- 9.4 In response to the Appellant's statements at paras 4.19 to 4.21, we have earlier conclusively established that the locality, at **Zero PTAL** and greater than **800m from a Train/Tram Station or District Centre** and devoid of any prospect of **improved infrastructure delivery** over the life of the **Local or London Plan**, that this locality is **"Inappropriate"** for **Incremental Intensification**, irrespective of the content of **SPD2 Guidance**. **SPD2** is Guidance, **NOT Policy** and therefore has less weight than adopted Policies.

## 9.5 Reason 2. Impact on Neighbours

- 9.5.1 4.22. The Council suggests that the proposal would be intrusive and imposing to the occupiers of nos.44 and 48 The Glade. The Appellant maintains that the relationship with the neighbours is acceptable and in accordance with guidance provided within SPD2 1 .
- 9.5.2 4.23. The Appellant is somewhat aggrieved that Council officers are able to lend support to the proposed 4 storey development at No. 81 The Glade, opposite the site, that appears to be of a similar scale and form to the appeal proposal and exhibit an even closer relationship with its neighbours. The scheme is provided within *Appendix A* along with the Officer's report, that examines and accepts the relationship with neighbouring properties.
- 9.5.3 4.24. This appeal proposal will achieve greater separation distances and a better relationship with its neighbours than that considered acceptable at No.81. Both neighbouring houses are inset from the site boundaries, and the new development will at its closest point retain a minimum 1m gap to both boundaries, thereby ensuring that the new building will sit comfortably within the plot and maintain an appropriate space between buildings. The rear parts of the building will be inset further away from the boundary, and the staggered form of the building footprint will allow for articulation and variation in the elevations to reduce any perceived dominance. The hipped roof will also ensure that building will not be overbearing to its neighbours.
- 9.5.4 With respect to the reference to the Appellant's issue raised at para 4.22 to 4.24 to the development proposal at 81 The Glade and the Case Officer's Recommendation. This proposal was refused at the subsequent Planning Meeting and was the subject of an appeal. The Appeal was '**dismissed**'<sup>16</sup> on 30<sup>th</sup> May as, due to its **significant height** and **massing** compared to the surrounding lower density residential buildings, the proposed development would result in significant harm to the character and appearance of the area and would conflict with Policies SP4 and DM10 of the Croydon Local Plan (2018) and Policies D1 and D3 of The London Plan (2021). It is therefore inappropriate to use the Case Officer's recommendation of **81 The Glade** as a reason for the allowance of this appeal for **46 the Glade**.

## Effect on Adjacent Neighbours

### 10 The Appellant's Case

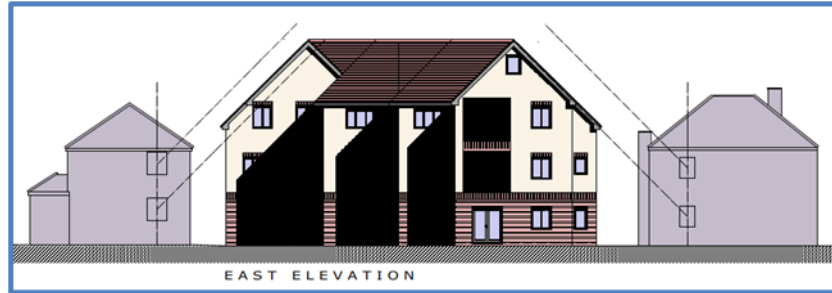
- 10.1 4.25. The building does not breach the 45-degree line from the closest rear windows of habitable rooms of both neighbours, as illustrated on the plans, and accordingly there will be no loss of outlook from the neighbouring properties.
- 10.1.1 Comparing the supplied Rear Elevation (West Facing) to the Aerial Apple Map Picture, it can be seen that there are errors in the supplied drawings which do not align with the physical evidence shown on the aerial view. The nearest Ground Floor Window at 44 The Glade seems to be a "Conservatory" and thus surrounded by windows. As the nearest window would therefore be much closer to the boundary, this would result in the 45-Degree elevation illustrated projection to be incorrect as the distance to the Centre of the Nearest Ground Floor Window could be much closer to the proposed development and therefore could fail the 45-Degree elevation Rule from 44 The Glade.
- 10.1.2 Additionally, the nearest rear ground floor window size shown on the Apple Map view of 48 The Glade is different than that illustrated in the supplied rear elevation drawings which again could result in a more critical 45-Degree projection which could fail the

<sup>16</sup> <https://acp.planninginspectorate.gov.uk/ViewDocument.aspx?fileid=47755748>



SPD2 2.11 c) rule. It is unfortunate that the Appellant failed to provide correct rear elevations of the proposal with the two adjacent dwellings as required of the council's validation checklist.<sup>17</sup>

- *"Any adjoining properties to show the relationship between them and the application site."*



44 The Glade	46 The Glade	48 The Glade
Rear Elevation	Rear Elevation	Rear Elevation



**Apple Map View East (Rear) Elevations of 44 to 48 The Glade**

## Parking & Highway Safety

11 Reason 3. Parking Provision  
 11.1 4.28. NPPF Paragraph 109 states *that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*. The Appellant contends that the impact on the local highway and parking provision would not be severe to prevent this development.

11.1.1 The Glade is a Class C Road linking the A222 with the A232 and as such carries a high level of traffic including the 367 single decker bus en route (Bromley – Croydon). The elevation

Parking Standards				
Dwelling	Bedrooms	Bedspaces	Residential Parking London Plan PTAL 0 - 1	Residential Parking Revised Local Plan <sup>1</sup> (Table 10.1)
Flat 1	3	4	1.5	1.5
Flat 2	3	4	1.5	1.5
Flat 3	2	3	1.5	1.0
Flat 4	2	3	1.5	1.0
Flat 5	2	4	1.5	1.0
Flat 6	2	3	1.5	1.0
Flat 7	2	3	1.5	1.0
Flat 8	2	4	1.5	1.0
Flat 9	2	4	1.5	1.0
Totals	20	32	13.5	10.0
Parking Provided			7.0	7.0
Probable overspill			6.5	3.0
Percentage under provision			92.86%	42.86%
<sup>1</sup> All Homes in an area with no controlled Parking Zone (Table 10.1)				

<sup>17</sup> [https://www.croydon.gov.uk/sites/default/files/Planning/Validation Checklist - Jan 18.pdf](https://www.croydon.gov.uk/sites/default/files/Planning/Validation%20Checklist%20-%20Jan%2018.pdf)

height (ASL) at the **Glade Junction** with **Stokes Road** is **≈41m** and at **42 The Glade** at the crest of the incline is **≈55m**. The width at **46 the Glade** is **≈7.32m**. This width does NOT allow overtaking a parked vehicle against oncoming traffic and as such **on-street** parking on the glade should be **avoided at all times**. This contributes to hazardous situations. Thus, any overspill should be on side roads which creates issues with access and drop kerb entrances for the local affected residents. Generally, therefore, overspill in this area should be avoided.

11.2 4.29. The Council suggests that there would be inadequate on-site car parking, and that the cycle and refuse storage facilities are insufficient. The proposal provides 7 no. parking spaces for the 9 flats, together with cycle and refuse storage facilities integral to the building.

11.2.1 The Revised Croydon Local Plan which is to be Examined in Public early June 2022 and thus carries significant weight, indicates a required parking provision for the proposed development to be **10 spaces**, which would mean an overspill of **3 vehicles**, a **42.86% under provision**. The **London Plan Policy** would require **14 spaces** which would mean a **7 vehicle overspill** a **92.86% under provision**.

11.3 4.30. The Appellant's Transport Statement confirms that the level of parking provision is appropriate to the site and that any overspill on-street parking demand can be **safely** accommodated in the surrounding road network.

11.3.1 We do not agree that **on-street** parking in this vicinity on "The Glade" is safe at the peak of an incline and on a slight bend as this road is a link between the **A222** and the **A232** and thus carries a high traffic volume and the single decker 367 Bus route!

11.4 4.31. The same opinion is expressed in the Officer's consideration of the proposal for the redevelopment of No. 81 The Glade, which like the Appeal site comprises 9 flats. The Officer's report (Appendix A) states in paragraph 8.37 that *"7 car parking spaces are proposed on the front forecourt for the 9 flats. London Plan policy T6.1 would permit up to 1.5 spaces per 3+ bed unit and 1 space per 1-2 bed unit which equates to a maximum of 11 spaces. Maximum car parking provision is not supported because a balance needs to be struck between encouraging sustainable modes of transport on the one hand and ensuring highway safety and managing on-street parking on the other"*. The traffic survey undertaken for No.81 confirmed that there is low parking stress in the area, and that even cumulatively with other schemes in the area, that 7 car parking spaces for 9 flats is considered acceptable.

11.4.1 The required Parking provision is NOT supported due to insufficient Site Capacity. There is insufficient Site Area for Parking and Play Space for children.

11.5 4.32. It should be the same case for this appeal scheme. In addition, had the Applicant had the opportunity to do so, he would have been willing to consider the provision of a contribution towards sustainable transport initiatives, the installation of electric vehicle charging points, and providing every residential unit with membership of a local car club scheme.

11.5.1 The proposal for 81 The Glade was refused at committee and is now the subject of an appeal<sup>18</sup>.

## Other Matters

### 12 Other Matters

12.1 4.38. The Council does not object to the principle of the demolition of the existing bungalow and its replacement with a residential development of flats, indeed that is what local planning policies

<sup>18</sup> <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3286648&CoID=0>

encourage. The Council considers the housing mix to be appropriate to the site and that it will provide variable unit types to meet local housing needs, suitable for families, couples, or individuals. The quality and standard of accommodation to be provided is also acceptable, with all flats meeting or exceeding minimum floorspace standards and room sizes. The level of amenity space provision and landscaping around the building is also appropriate to its setting.

12.1.1 However, NPPF paragraph 60 relates to the provision of Land for development and Para 69 relates to the contribution of Small and medium sized sites to the provision of developments. Neither of these Policies relate specifically to this proposal's Design, or whether the proposed development is within the available **Site Capacity**.

12.1.2 NPPF Para 119 and Paragraph 120 relate to the housing "**need**" which again is not specific to the proposal but an overall objective unrelated to the specific design and capacity of the proposal. We have previously fully explained that the Housing "need" in Shirley has already been met. We do not dispute these overarching philosophical objectives, but we do not agree that these objectives should undermine or circumvent the Policies which define the acceptability or unacceptability of proposed developments in a locality.

12.1.3 The Appellant assesses the level of amenity space provision and landscaping around the building is appropriate to its setting, but this is NOT true as there is insufficient Play Space for the probable number of children of future occupants. The probable number of children is 13 which requires 10sq.m. per child equating to 130 sq.m. which is deficient by 112.4 sq.m.

Dwelling	Probable Children	Play Space Offered	London Plan Play Space	Play Space Deficient
Flat 1	2	4.6	20	15.4
Flat 2	2	4.6	20	15.4
Flat 3	1	1.2	10	8.8
Flat 4	1	1.2	10	8.8
Flat 5	2	1.2	20	18.8
Flat 6	1	1.2	10	8.8
Flat 7	1	1.2	10	8.8
Flat 8	1	1.2	10	8.8
Flat 9	2	1.2	20	18.8
<b>Totals</b>	<b>13</b>	<b>17.6</b>	<b>130</b>	<b>112.4</b>

## Summary and Conclusions

13 Local Residents have lost confidence in the Planning Process with the significant local redevelopments which, in the majority of cases, disregard Planning Policies and once that confidence is lost, it is extremely difficult to regain it. Confidence and support of local residents is necessary to ensure the general requirement of housing need is satisfied with the provision of appropriate sustainable developments. This can only be achieved by ensuring developments comply with the agreed National and local planning policies and guidance.

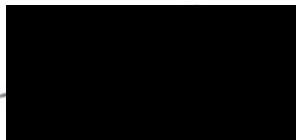
14 Developers note the Local Planning Authority to be lenient on "**Growth**" Policy **enforcement** as recognised by the **Appellant's statement** at **para 4.8**.

*"In considering this Appeal the Inspector must be made aware of Croydon Council's pro-development stance in relation to the intensification of its suburbs and its support for contemporary buildings."*

This impression attracts excessive development activity in the London Borough of Croydon compared to other Local Authorities and does NOT contribute toward affected Local Residents' confidence in the Planning Process but aggravates their concerns relating to overdevelopment of their localities.

- 15 The Growth Policies as specified in the Revised Local Plan are fundamentally flawed as they do NOT define "Growth" magnitude in their definitions. The only criterion of "Growth" is the location of the designated areas and the distance relationships with other supporting places or infrastructure. There is fundamentally NO actual mechanistic difference between the specified categories of 'Intensification' or 'densification.'
- 16 There are other non-compliance issues raised in our submission to the LPA such as inadequate In-Built Storage, inadequate Play Space for the likely number of children which all are due to the inadequate Site Area for the proposed development. We have clearly shown that the proposed development does NOT meet the adopted and emerging National and Local Planning Policies and that the LPA's refusal was correct and that this Appeal should therefore be dismissed.
- 17 We therefore urge the Inspector to Dismiss this appeal such that the Appellant can reapply with a more appropriate and compliant proposal. If this proposal is allowed, it would be absurd to believe that the Planning Policies have any meaningful weight and local residents would be quite correct in their current complete loss of confidence in the Planning Process.

**Kind Regards**



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