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Monks Orchard Residents' Association Planning

20th June 2022

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Reference: 22/02015/FUL
Application Received: Sat 14 May 2022
Application Validated: Mon 16 May 2022
Address: 44 Orchard Avenue Croydon CR0 7NA
Proposal: Demolition of an existing detached dwelling and construction of a new three storey building comprising 7 apartments with associated private and communal amenity space, refuse and cycle storage.
Status: Awaiting decision
Consultation Expiry: Fri 01 Jul 2022
Determination: Mon 11 Jul 2022
Case Officer: Jeni Cowan

Dear Ms Cowan

Please accept this letter as a formal objection to **Application Ref: 22/02015/FUL** for Demolition of an existing detached dwelling and construction of a new three storey building comprising 7 apartments with associated private and communal amenity space, refuse and cycle storage at **44 Orchard Avenue Croydon CR0 7NA**.

The delay in submitting our representation has been due to the unavailability of a Design and Access Statement which is required by "Statute" to be provided by the Applicant on submission. The Design & Access Statement along with a Planning Statement was not uploaded on the Public Register until **16th June** when the consultation for this proposal closes on Friday 1st July (15 days). This short period for completing and rechecking our submission has caused difficulties, but we do appreciate that your team are equally extremely busy.

1 The Proposed Parameters:

44 Orchard Avenue				22/02015/FUL											
Post Code CR0 7NA Population				36	Dwellings				18	Residential Density (hr/ha)				180.00	hr/ha
Units				1000	sq.m.				1.97	Residential Density (bs/ha)				210.00	bs/ha
7				0.1	ha				9.14	Housing Density (U/ha)				70.00	Units/ha
Floor Area Ratio				0.4657						Post Code Density				9.14	Units/ha
PTAL 2011				2						Post Code CR0 7NA				1.97	ha
PTAL 2021				2						PTAL 2031				2	
Dwelling	Type	Bedrooms	Bedspaces	Habitable Rooms	GIA Offered	GIA Required	Built-In Storage Offered	Built-In Storage Required	Amenity Space Offered	Amenity Space Required	Probable Adults	Probable Children	Communal Open Space	Play Space Required	Car Parking
Apt 1	M4(2)	1	2	2	50.2	50.0	1.5	1.5	20.0	5	2	0	84	0.00	4
Apt 2	M4(2)	3	4	4	77.3	74.0	2.0	2.5	20.0	7	2	2		20.00	
Apt 3	M4(3)	1	2	2	55.8	50.0	1.5	1.5	82.0	5	2	0		0.00	
Apt 4	M4(2)	1	2	2	52.5	50.0	1.7	1.5	6.1	5	2	0		0.00	
Apt 5	Studio	1	2	2	39.9	39.0	1.5	1.5	5.6	5	2	0		0.00	
Apt 6	M4(2)	2	4	3	76.2	70.0	2.5	2.0	7.0	7	2	2		20.00	
Apt 7	M4(2)	3	5	3	113.8	86.0	2.5	2.5	10.2	8	2	3		30.00	
Totals		12	21	18	465.7	419.0	13.2	13.0	150.9	42.00	14	7	84	70	4

2 General observations:

2.1 Separation:

The separation distance between **No 6 Potters Close** as measured from the supplied plans, is only **≈7.5m**. **6 Potters Close** has facing windows in their flank wall toward the proposed development as illustrated in the photograph at Section 2 Page 3 of the Design & Access Statement. This proximity with **No. 6 Potters Close** is unsatisfactory with regard to overlooking and invasion of privacy to the occupants of **6 Potters Close** and is considered inappropriate for the **Design Code** relationships for separation, in this locality.

- 2.1.1 This reduced separation does **NOT** respect the **SPD2 para 2.9.10 (Fig 2.9f)** relationship guidance of **18m “New to Existing”** 3rd Party dwelling of **Separation** from the **rear elevation of 44 Orchard Avenue** to the **flank elevation of 6 Potters Close**. The flank wall of **6 Potters Close** has windows and these will be overlooked at this close distance.
- 2.1.2 The **rear building line** does not respect the existing, extending from **44 to 50 Orchard Avenue** and the separation between existing properties in **Potters Close** and **Russet Drive**.



Illustrations of failure to meet minimum separation guidance SPD2

2.2 Minimum Space Standards:

- 2.2.1 **Apartment 2 at 3b4p** requires minimum **“Built-In” Storage space of 2.5sq.m.** as defined in the **London Plan Policy D6 Housing quality and standards, Table 3.1** but only **2 sq.m. “Built-In” Storage** is offered.
- 2.2.2 The **London Plan para 3.6.2** states: *“The space standards are minimums which applicants are encouraged to exceed. The standards apply to all new self-contained dwellings of any tenure, and consideration should be given to the elements that enable a home to become a comfortable place of retreat.”* **Therefore, application proposals which do not meet at least the ‘minimum’ requirement should be refused.**

3 London Plan Policy D3 Design

3.1 Planning Statement

- 3.1.1 The applicant’s Planning Statement at paragraph **6.20** states:

“Policy D3 (Optimising Site Capacity Through the Design-led Approach) states that 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.”

- 3.1.2 However, the proposal does **NOT** address these **Policy requirements**. There is no analysis or implementation of a “**Design-Led Approach**” to assess the “**Site Capacity**” appropriate for the local **Setting** or the assessment of a “**Local Design Code**” to establish the appropriate **Densities** supported by the available and planned future **infrastructure** for **sustainable** developments.

3.1.3 London Plan Policy D3 States:

*“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**¹), and that best delivers the requirements set out in **Part D**.”*

Policy D3 Para 3.3.2

*“A **design-led approach** to optimising **site capacity** should be based on an “**evaluation**”² of the **site’s attributes**, its surrounding context and its **capacity for growth** to determine the appropriate form of development for that site.”*

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**.”*

- 3.1.4 The applicant’s proposal does **NOT** provide any evidence of meeting **London Plan Policy D3** with respect to the “**Design-Led Approach**” or meeting or optimising the development within the “**Site Capacity**” at the local “**Setting**” or “**Area Type**”. This should have been a topic discussed during the **Pre-Application Meeting** as the new **London Plan** was published in **March 2021**. **None of these London Plan Policy D3 requirements have been considered or met.**

3.2 London Plan Policy H2

¹ https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

² Definition of “**evaluation**”: The making of a judgement about the **amount, number, or value** of something.

3.2.1 Policy H2 Small Sites para 4.2.5 States:

*"The small sites target represents a small amount of the potential for intensification in existing **residential areas**, particularly in **Outer London**, therefore, they should be treated as minimums. To proactively increase housing provision on small sites through '**incremental**' development, Boroughs are encouraged to prepare area-wide housing Design Codes, in particular, for the following forms of development: **Residential Conversions**, **Redevelopments**, **extensions of houses and/or ancillary residential buildings**."*

3.2.2 The issue here is that there is '**NO definition**' of the magnitude of "**incremental**" or "**Intensification**" but this should be defined in the '**Design Code**' for the **Site** or **Locality**, taking account of its **Setting** and **supporting infrastructure**.

3.2.3 There is **NO** mention of the **London Plan Policy D3 or H2 Para 4.2.5** in either the Current adopted or the **Draft Revised Croydon Plan** and there is **NO** mention of "**Design Codes**" assessment or their parameters for a "**Design-Led Approach**" in either the current adopted **Croydon Local Plan** or the **Revised Local Plan**³.

3.2.4 This, also, should have been a topic discussed during the **Pre-Application Meeting** as the **National Model Design Code & Guidance** was first published in **January 2021** and revised in **June 2021** and the new **London Plan** was published in **March 2021**. Therefore, it would be '**inappropriate**' for the LPA **Development Management** to **ignore** or **disregard** these **higher hierarchical Levels of Planning Policy**. **Clear and precise 'justification' should be provided if any of these policies are disregarded during assessment and prior to determination of this proposal.**

4 Croydon Local Plan (Current & Revised)

4.1 Croydon Local Plan (2018) 'Growth' Policies

4.1.1 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**' for the '**Setting**', '**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 **3 storeys** or **2 storeys** plus accommodation in the roof space

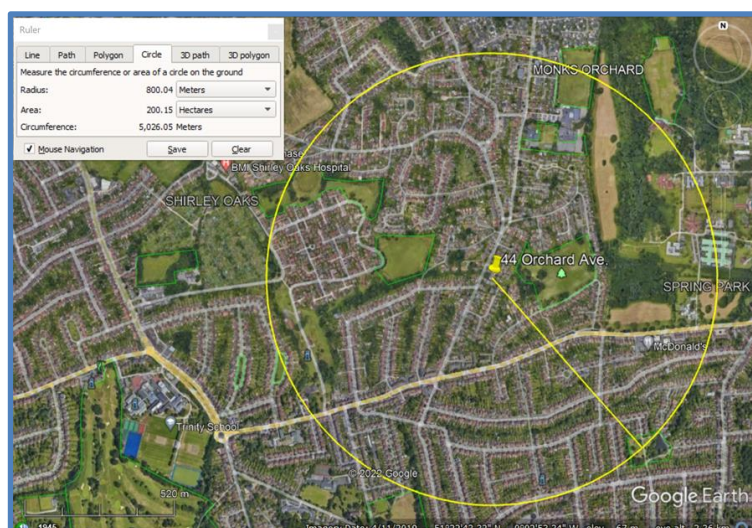
4.1.2 The current Policy Fails to meet the guidance required in **NPPF (2019-21) Section 3. Plan-making** and specifically **NPPF para 16 d)** or **Para 35**, a) Positively prepared, b) Justified, c) Effective and d) **Consistent with National Policy** or, more importantly, the **Statutory requirement** 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.

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

- 4.1.3 However, it is understood that the **Revised Croydon Local Plan (2021)** 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., again No defining parameters*). **Paragraph 6.62** has been modified to include a **“Moderate Intensification”** category and at **6.56a** to include a **“Gentle densification”** category, but again, there is no definition for what is meant by **“Moderate” or “Gentle”**. These are abstract objectives, **NOT** policies.
- 4.1.4 The 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 **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** has been **completely disregarded**.
- 4.1.5 There is **NO definition** of any limiting parameters for **“Incremental Intensification”** in the Adopted **London Plan** or the **Revised Croydon Local Plan**. There is **NO definition** of any limiting parameters for **“Moderate Intensification”** in the Adopted **London Plan** or the adopted **Croydon Local Plan** or the revised **Local Plan**. There is **NO definition** of any limiting parameters for **“Gentle Intensification”** in the Adopted **London Plan** or the adopted **Croydon Local Plan** or the revised **Local Plan**.
- 4.1.6 **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.**
- 4.2 **The new London Plan Policy H2 at para 4.2.4 states:**

“4.2.4 Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station⁴ or town centre boundary⁵...”

- 4.2.1 **44 Orchard Avenue has PTAL of 2 and is greater than 800m from a Tram/Train Station or District Centre and as such is inappropriate for incremental intensification.**



Google Image of 800m radius from 44 Orchard Avenue showing that it is over 800m from Tram/Train Station and District Centre

⁴ Tube, rail, DLR or tram station.

⁵ District, major, metropolitan and international town centres.

- 4.2.2 **44 Orchard Avenue** has a **PTAL 2** forecast to remain at **2** until at least **2031**. Therefore, as the location is greater than **800m** from a **Tram/ Train Station or District Centre**, the site is inappropriate for **“incremental”** intensification.

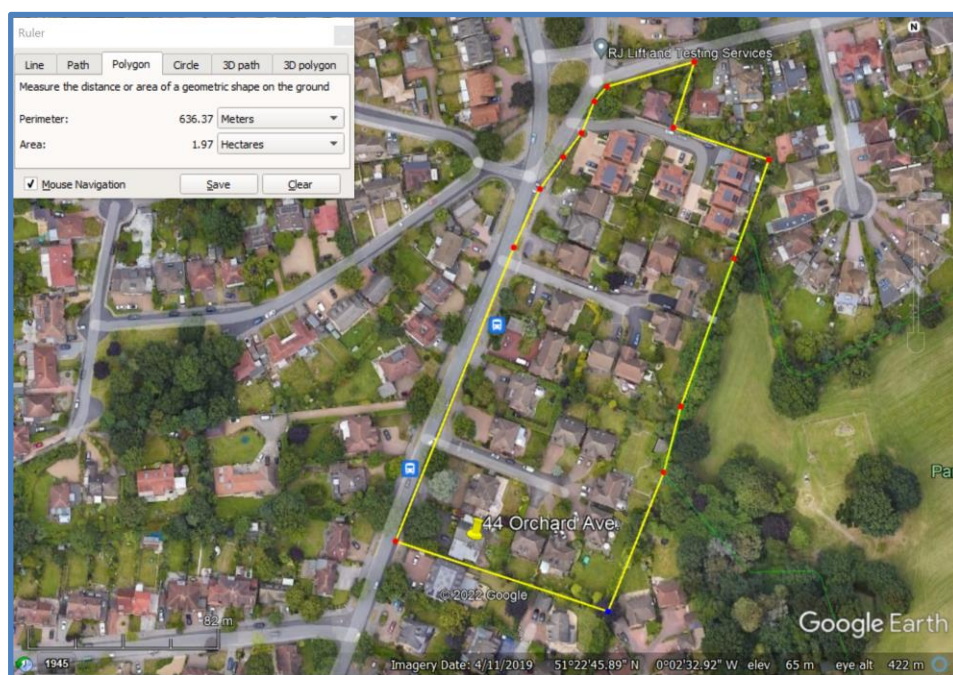
5 Assessment of Design Codes & Site Capacity

- 5.1.1 Based on the guidance in the National Design Code Part 1 we have assessed the Design Code Densities for the following 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 7NA	1.97	36	18	9.14	18.27	< Outer Suburban
MORA Area	178.26	9283	3884	21.79	52.07	Outer Suburban
Average for the Locality	322.13	13789	5770	16.73	42.81	< Outer Suburban
44 Orchard Avenue (Proposal)	0.1	21	7	70.00	210.00	Urban
Percentage of proposal above average	(This cannot be considered a moderate or gentle incremental increase)			318.45%	390.58%	This clearly is NOT Moderate or Gentle Intensification!

Design Code Analysis for the various local areas shows all < or within “Outer Suburban” Settings whereas the proposal would require an Urban Setting.

- 5.1.2 In order to evaluate the local Design Code a range of parameters need to be assessed based upon the Local Character. The Post Code approximate Area is defined from Google Earth and Post Code Boundaries from searches on the internet⁶. The number of dwellings are obtained from The Valuation Office Agency⁷.



CRO 7NA Post Code approximate Area at 1.97hectares

⁶ <https://www.postcodearea.co.uk/>

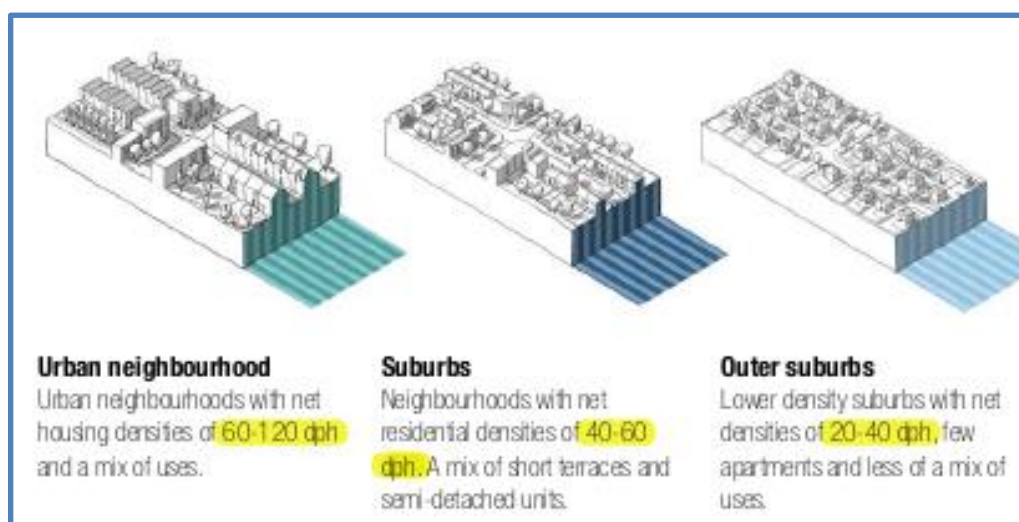
⁷ <https://www.gov.uk/government/organisations/valuation-office-agency>

- 5.1.3 The Post Code Area **CR0 7NA** has a current **population** of **36** Housed in **18 Dwellings** in an approximate Area of **≈1.97hectare** which equates to a **Housing Density** of **9.14Units/ha** and a **Residential Density** of **18.27 persons/ha**. Which places the **Post Code** in an **‘Outer Suburban’ Design Code Setting** as defined by the **National Model Design Code & Guidance**.

5.2 NPPF

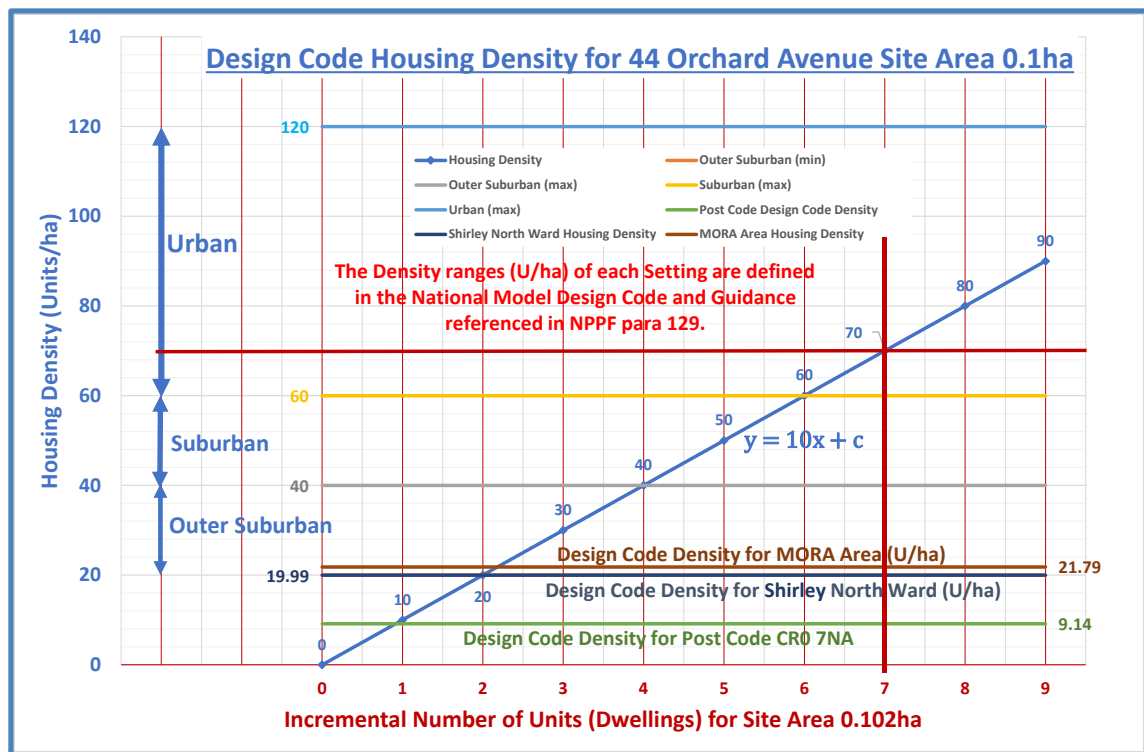
5.2.1 NPPF Para 129 States:

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. Landowners and developers may contribute to these exercises but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on **effective community engagement** and reflect local aspirations for the development of their area, taking into account the guidance contained in the **National Design Guide and the National Model Design Code**. **These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.**



The National Design Code Housing Densities appropriate for local Settings as published in the National Model Design Code Part 1.

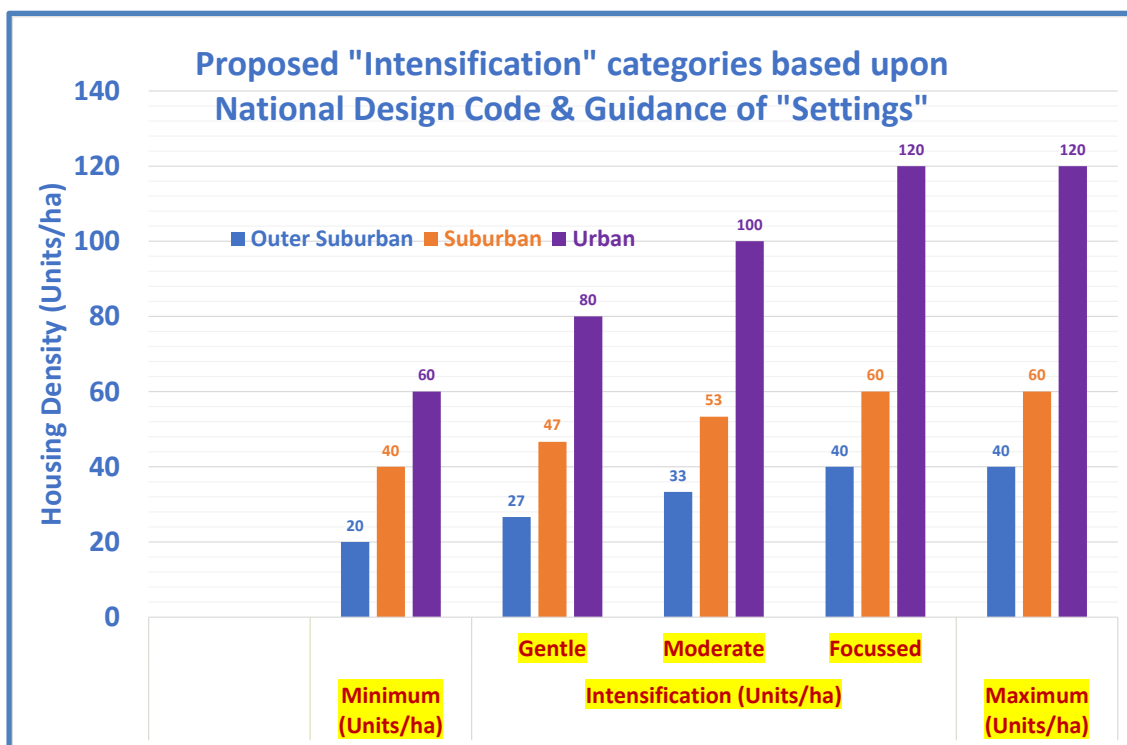
- 5.2.2 **National Model Design Code Part 1 page 14** provides guidance on **Housing Densities** for local **“Settings”**.
- 5.2.3 As the Croydon Local Plan has **NO** guidance on the local **Design Codes** (see **NPPF Para 129** and **Para 5.2.1** above) **“The National Model Design Code & Guidance should be used in the absence of locally produced design guides or Design Codes”**.
- 5.2.4 The graphical illustration below plots the **Design Code Housing Density** (Units/ha) over the range **0 to 9 dwellings** for the **Site Area (0.1ha)** of **44 Orchard Avenue**, against various examples of **Design Codes of the local Areas** to show that the prevailing **Design Code ‘Setting’** for the locality is **well within** the prescribed parameters for **“Outer Suburban” (or Outer London Suburban) Setting**.



Design Code Housing Density for a Site Area of 0.1ha compared to Local Area Design Codes.

- 5.2.5 **Shirley is definitely NOT Urban** as defined in the current adopted **Local Plan**. At 70 Units/ha appropriate for an “Urban” Setting, this proposal is clearly an over development for the localities average Design Code ‘**Outer Suburban**’ Setting.
- 5.2.6 The assessment therefore is that the proposed development significantly **exceeds** the appropriate **Housing Density** for the **Local ‘Setting’** which by evaluation of the local areas of **Shirley North** and **Shirley South Wards**, **All Shirley**, the **Local Post Code** for **44 Orchard Avenue** and the **MORA Area**, **ALL** show that the **Local Setting** is clearly **Outer Suburban** in the range of 20 to 40 Units/ha and NOT **Urban** which is in the range **60 to 120units/ha** as defined by the **National Model Design Code & Guidance**.
- 5.2.7 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 “Range”** as defined (Outer Suburban, Suburban, Urban or Central) to ensure ‘**Sustainability**’. 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:
- 5.2.8 We have shown (below) 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**.

- 5.2.9 This is our interpretation of Local Plan Policy as there is no meaningful guidance in the **Croydon Revised Local Plan (2021)** or the **London Plan (2021)**.



Suggested limits of Intensification for "Gentle," "Moderate" & "Focussed" for each Area Type or Setting

- 5.2.10 Thus for **44 Orchard Avenue**, the **"Gentle" *Densification*** should **NOT** exceed a **Housing Density >27Units/ha** but it actually reaches **70 Units/ha** which is $(70-27)/27 = 159\%$ increase above the **"Gentle" *densification*** appropriate for the locality to retain **infrastructure sustainability**. This is clear evidence of **excessive overdevelopment** of the locality for the proposed development at **44 Orchard Avenue** for sustainability within the existing supporting infrastructure.
- 5.2.11 If the case officer is minded to recommend approval, we request detailed **'justification'** for allowing the proposed **'gentle densification'** in terms of Housing and Residential Density for this proposal at this **Setting** and PTAL 2 which is in contradiction to the London Plan Policy H2 at para 4.2.4 and the London Plan Policy D3 and **"Design Code"** and also the Department for Levelling Up, Housing and Communities **"National Model Design Code and Guidance"**.

6 Shirley Place Targets

- 6.1 The location at **44 Orchard Avenue** is, by definition at **London Plan Policy H2 para 2.4.2, 'inappropriate' for 'Incremental Intensification'**. It is understood the Policy for **"Gentle" densification** is the local contribution to satisfying the **'Housing need'** for Croydon **"Shirley Place"**. However, the **"Housing Need"** identified by the **GLA** for **Croydon** and the LPAs allocation of that **"need"** for the **Shirley Place** has already been met in the **Shirley North Ward** by recent cumulative developments. Therefore, there is **NO** pressure to meet further Housing **"need"** in the **Shirley North Ward**.



- 6.1.1 The **MORA Area of 178.2ha** (which we monitor) is only **24.92%** of **All Shirley**, but at a rate of **34dpa** over the **20yr** period, ≈ 680 would exceed the **Target for the Shirley "Place" of 278** by **402 Dwellings** for the whole of the Shirley "Place" ($\approx 770\text{ha}$ FOI Ref: 4250621 on 31st January 2022). This is $(680-278)/278 = 144.6\%$ Increase for the Shirley "Place" when the **MORA Area** is only **$\approx 23.14\%$** of the area of the Shirley 'Place'. This is **NOT** respecting the character of the locality.
- 6.1.2 The rate of new dwellings is averaging **$55 + 102 + 69 = 226 \approx 75.33$ per yr. dwellings per year**, so over **20** years will be $\approx 1,507$ dwellings. (Exceeding the Target by **$\approx 1,229$**). 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**.
- 6.1.3 From the **FOI Request**, the Area of the Shirley "Place" is $\approx 770\text{ha}$. The total Area of Shirley North & South Wards is **715.2ha** (GLA figures) therefore, there is a **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).
- 6.1.4 We are confident that this analysis refutes any attempt to argue that **"Housing Need"** is a reason for approval of this proposal in this locality as the assessed **"Housing Need" for this area has already been Met.**

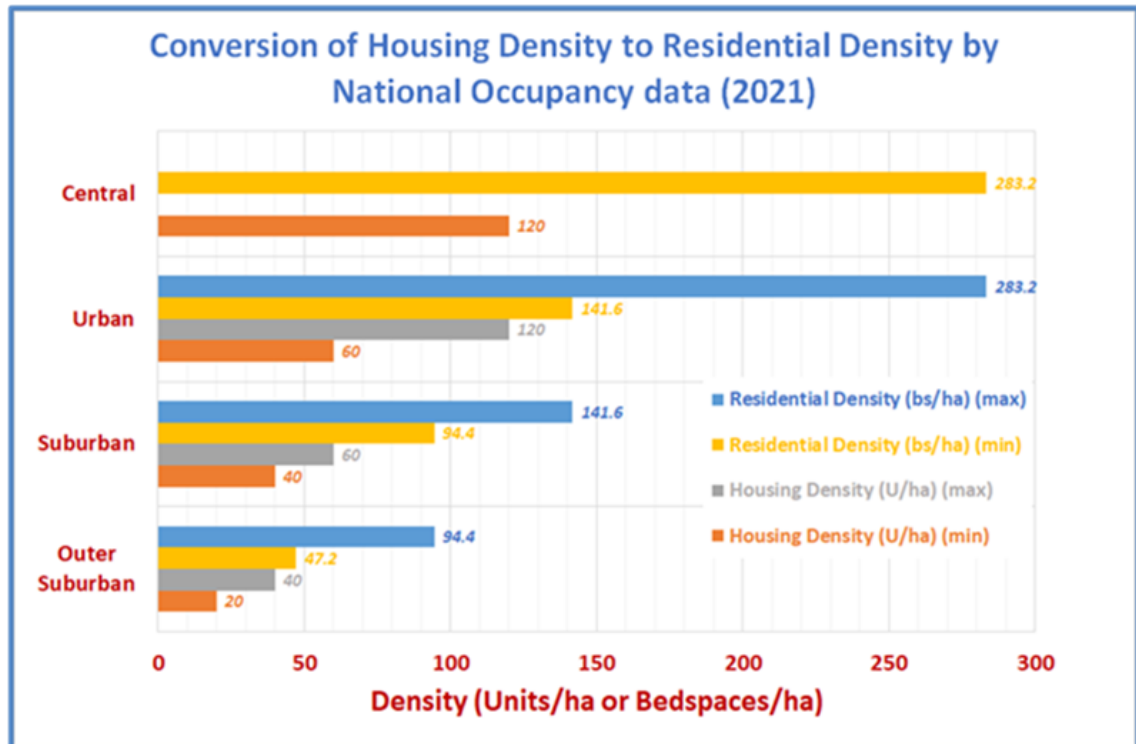
7 Residential Design Code

- 7.1 It is people who require supporting infrastructure, **NOT** Dwellings, so we need to establish equivalent **Residential Densities** ranges for the 'Settings'. This can be achieved using the **Office of National Statistic's** data and **Statista**⁸ data. In 2021, the average number of people per household in the United Kingdom was **2.36** compared with 2.37 in the previous year. As the **National Model Design Code** is based on **National Guidance**, we can use this as a **National** factor to convert **Units/ha to the equivalent Bedspaces/ha** as shown in the following **Graphical illustration**.
- 7.2 Using this data, and **TfL Connectivity data**, we can convert **Housing Density** to an average approximate **Residential Density**. However, we can plot and illustrate the required **Settings** for this proposed **Residential Density** in **bedspaces/hectare** which gives an estimated relationship between **Residential Density** and **PTAL** for each of the 'Settings' based upon **National Statistics**.
- 7.3 The evaluation of this proposal places **44 Orchard Avenue** in an **Urban Setting** when **all other assessment of the locality is either less than <Outer Suburban or within the Outer Suburban Settings** with **7 dwellings** at **Housing Density of 70Units/ha** clearly within the mid-range of an 'Urban' 'Setting', whereas **the locality** by the various local **Area evaluations** is well within or even below the **Outer-Suburban Design Code 'Setting'**. Additionally, at a **Residential Density of 210 Bedspaces/ha or 180 hr/ha**, the **Residential Density** confirms the capacity requires an '**Urban**' Setting whereas the actual Setting is '**Outer Suburban**'.

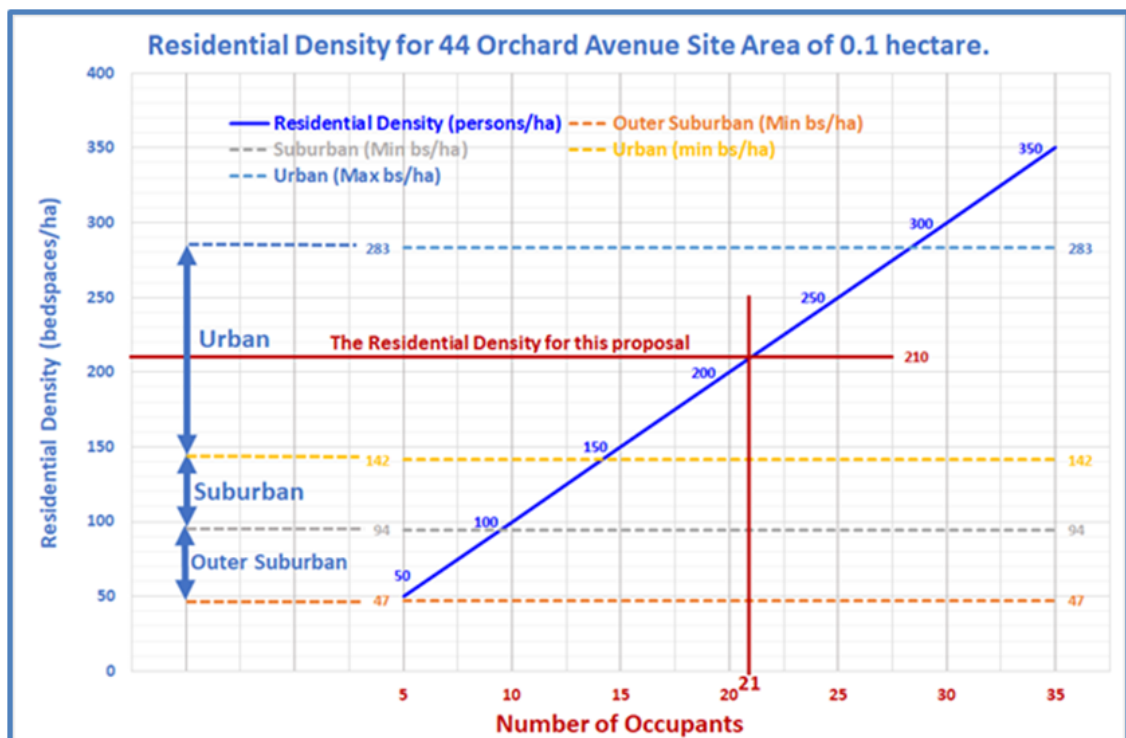
⁸ <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



- 7.4 The analysis also **confirms** the **Public Transport Accessibility (PTAL)** for the **Residential Density** is acceptable within the capacity of **PTAL 2**.



Conversion of Housing Density ranges per Setting to Residential Densities by National Average Occupancy Data⁸ (2021)



Residential Densities for Site Capacity of 44 Orchard Avenue relating Number of occupants and the equivalent National Model Design Code Settings.

- 7.5 If the Case Officer disagrees with the above evaluation and assessment, we would appreciate the **'recommendation report'** gives **full justification** why the guidance given in the **National Model Design Code** does **NOT** apply to this proposal and what would be the **Croydon LPAs** equivalent assessment of the local **"Setting"** and **"Housing Density"** appropriate for this **"Site Capacity"** and **by what methodology had been used to assess this proposal.**

8 Communal Open Space & Play Space for Children

- 8.1 It is understood that the Revised Croydon Plan at Policy **DM1A.1 e)** states:

- a. All new developments with 5 or more residential units should provide a minimum of 50 square metres of Communal Space with a further 1 square metres per additional unit thereafter.

Therefore, this proposal would require **52 sq.m. Communal Open Space** for the adult occupants and Play Space of this proposal requiring $70 + 52 = 122$ **sq.m. Communal Open Space** for this proposal.

8.3 Requirements for Play Space for Children

8.3.1 London Plan Policy

"B Development proposals for schemes that are likely to be used by children and young people should:

- 1) *increase opportunities for play and informal recreation and enable children and young people to be independently mobile*
- 2) *for residential developments, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child that:*
 - a) *provides a stimulating environment*
 - b) *can be accessed safely from the street by children and young people independently*
 - c) *forms an integral part of the surrounding neighbourhood*
 - d) *incorporates trees and/or other forms of greenery*
 - e) *is overlooked to enable passive surveillance*
 - f) *is not segregated by tenure ..."*

- 8.4 The proposed development would probably accommodate up to **7 children** which would require **70m²** Play Space as required by the **London Plan** and the **Revised Croydon Local Plan (2012)**

- 8.5 The **84m²** **'Communal Open Space'** may be a shared resource for both adults and children but a separated activity area of **70 sq.m.**, would be a preferred option but this would only provide **14 sq.m.** for the probable **14** adults who would occupy the proposed development.

Dwelling	Probable Children	Play Space Required	London Plan Play Space
Apt 1	0	0	0
Apt 2	2	20	20
Apt 3	0	0	0
Apt 4	0	0	0
Apt 5	0	0	0
Apt 6	2	20	20
Apt 7	3	30	30
Totals	7	70	70

- 8.6 This is further evidence that the available **Site Capacity** is **inadequate** for the proposed building and peripheral parking spaces and amenity space. The **Site Capacity** has been significantly exceeded as it is **NOT** possible to accommodate the development and all appropriate open space on the available site area of **0.1ha.**

9 Parking

9.1 Croydon Local Plan SP8 Transport and Communication Indicates:

The **Draft Revised Croydon Local Plan** proposes at **DM30 - Car and cycle parking in new developments**:

9.2 The Revised Draft Croydon Local Plan calculate Parking spaces on the spaces per Unit and for Areas with no controlled Parking, on the basis of number of Bedrooms of those Units at various PTALs. The Allocation is 0.75 Spaces per Unit for 1 & 2 Bedroom Homes and 1 to 2 Spaces per Unit for Homes with 3 or more Bedrooms (subject to parking Stress Surveys).

9.3 The **London Plan Policy T6 on Residential Parking** quotes at **Table 10.3 for Outer London at PTAL 2 to 3** quotes up to 0.75 spaces per Unit for dwellings on 1 to 2 beds (persons) and up to 1 space per dwelling for 3 and more Beds (persons).

9.4 Analysis of Residential Parking provision:

9.4.1 The analysis shows that for new developments in areas without controlled parking Zones and at **PTAL 2**, the Croydon Plan would require a limit of **6 spaces** for the Revised draft **Croydon Local Plan Policy DM30 Table 10.1** and **6 spaces** for the adopted **London Plan Policy T6.1 Table 10.3** when only **4 spaces** are provided.

Parking Standards				
Dwelling	Bedrooms	Bedspaces	Residential Parking London Plan PTAL 0 - 1	Residential Parking Revised Local Plan ¹ (Table 10.1)
Apt 1	1	2	0.75	0.75
Apt 2	3	4	1	1.5
Apt 3	1	2	0.75	0.75
Apt 4	1	2	0.75	0.75
Apt 5	1	2	0.75	0.75
Apt 6	2	4	1	0.75
Apt 7	3	5	1	0.75
Totals	12	21	6.00	6.00
Parking Provided			4.00	4.00
Probable overspill			2.00	2.00
Percentage under provision			50.00%	50.00%
¹ All Homes in an area with no controlled Parking Zone (Table 10.1)				

9.4.2 This is a **50% deficiency** for both the Revised Draft Croydon Plan and the **London Plan Policy** which means a likely overspill of **2 cars**. This overspill would likely park in **Orchard Avenue**, a link road not sufficiently wide enough for both way traffic passing a parked vehicle, with high traffic density linking the **A232** with the **A222** and a **Bus Route**.

10 Summary & Conclusions

10.1 The inappropriate 7.5m separation between the existing dwelling at 6 Potters Close remains unacceptable and does not follow the established rear projection building line of Orchard Avenue with adjacent dwellings and is a further example of over development exceeding the "Site Capacity" at this setting.

10.1.1 This reduced separation does NOT respect the SPD2 para 2.9.10 (Fig 2.9f) relationship guidance of 18m "New to Existing" 3rd Party dwelling of Separation from the rear elevation of 44 Orchard Avenue to the flank elevation of 6 Potters Close. The flank wall of 6 Potters close has windows and these will be overlooked at this close distance.

10.1.2 The rear building line does not respect the existing, extending from 44 to 50 Orchard Avenue and the separation between existing properties in Potters Close and Russet Drive.



- 10.2 There is inadequate Children's **"Play Space"** in the very limited communal open space which is further evidence of over development, inappropriate for the "Site Capacity" at the Local "Setting". The Built-In Storage for Apartment 2 is deficient by 0.5sq.m. from the minimum space Standard requirement by London Plan Policy D6 Table 3.1.
- 10.3 The applicant professes to acknowledge a requirement to meet London Plan Policy D3 in the Design and Access and Planning Statement regarding the "Design Led Approach", "Design Codes" and to Optimise "Site Capacity" but fails to deliver on any of these Policies. However, NO account has been taken on the main thrust of the **New London Plan** (2021) since the omission of the Density Matrix, to assess the **'Site Capacity'** and the replacement Policies requiring a **Design-Led approach**.
- 10.3.1 The NPPF at Para 129 gives clear direction that in the absence of Local Design Codes and guidance, the National Model Design Code and Guidance should be used for assessing proposals.
- 10.3.2 Further, NO account has been taken of the Department for Levelling Up, Communities and Housing (LUCH) published National Model Design Codes and Guidance for local settings as defined and described above. **Clear and precise justification should be provided if these policies are disregarded.**
- 10.3.3 After a detailed assessment of Housing Densities for the Shirley North Ward, the Shirley South Ward, the combined all of Shirley, the MORA Area and the Post Code of the locality for the redevelopment, all showing a local "Setting" of or below "Outer Suburban" Housing Density in units/hectare, we would expect the Case Officer to respond to this analysis and if these Policies are disregarded, would respectfully request reasons.
- 10.3.4 In addition, if these Policies are not considered appropriate, we expect realistic detailed justification why and if alternative parameters were considered appropriate for determining the **Site Capacity**, we would respectfully request they be defined with justifiable criteria and reasoning.
- 10.4 Analysis of both the London Plan and the Revised Croydon Local Plan Residential Parking at PTAL 2 indicates under provision of 50% which would result in the deficiency in parking provision and a 2-vehicle overnight overspill to on-street parking in Orchard Avenue or Firsby Avenue.
- 10.4.1 The analysis shows that for new developments in areas without controlled parking Zones and at PTAL 2, the Croydon Plan would require a limit of 6 spaces for the Revised draft Croydon Local Plan Policy DM30 Table 10.1 and 6 spaces for the adopted London Plan Policy T6.1 Table 10.3 when only 4 spaces are provided.
- 10.4.2 This is a 50% deficiency for both the Revised Draft Croydon Plan and the London Plan Policy which means a likely overspill of 2 cars. This overspill would likely park in Orchard Avenue, a link road not sufficiently wide enough for both way traffic passing a parked vehicle, with high traffic density linking the A232 with the A222 and a Bus Route.
- 10.5 There is now no pressure to meet **"Housing need"** and **"Targets"** for provision of further developments in the **Shirley North Ward** as the housing need and targets for the whole of the **Shirley "Place"** has already been Met. The assessment is therefore that this proposal should be refused with the objective of the applicant re-applying with a more appropriate and suitable proposal.



- 10.6 We Object to this proposal on the forementioned grounds, and as MORA is a Registered RA with the LPA and meets the Planning constitution requirements Part 4k para 2.27, representing 3,884 Households in the Shirley North Ward, we meet the Criteria for Residents' Associations (RA) referral to Committee if the Case Officer recommends approval.

Kind regards

Derek



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Cc:

Cllr. Sue Bennett
Cllr. Richard Chatterjee
Cllr. Mark Johnson

Shirley North Ward
Shirley North Ward
Shirley North Ward

Bcc:

MORA Executive Committee, Local affected Residents & Interested Parties