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CR0 1EA

**Monks Orchard Residents'  
Association  
Planning**

15<sup>th</sup> June 2022

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Reference: 22/02202/FUL  
Application Validated: Wed 25 May 2022  
Address: 19 Orchard Avenue, CR0  
Proposal: Demolition of existing property and construction of a block containing 8 flats with associated centralised drop kerb and parking.  
Status: Awaiting decision  
Consultation Expiry: Wed 23 June 2022  
Determination: Thu 20 July 2022  
Case Officer: Christopher Grace

Dear Mr Grace

Please accept this letter as a formal objection to Application **Ref: 22/02202/FUL** for Demolition of existing property and construction of a block containing **8 flats** with associated centralised drop kerb and parking. We understand the need for additional housing, but that new housing developments and Residential Extensions & Alterations must be within the "Site Capacity" of the Area Type & Setting and be **sustainable**, respecting the **local character** and **Design Codes** for the locality. **The Development should** meet the current **National, Regional, Local** and emerging **planning policies** to ensure future occupants have acceptable living standards and acceptable accessibility to Infrastructure and Public Transport.

**1 Parameters of proposal and Initial Assessment**

| 19 Orchard Ave. Ref: 22/02202/FUL   |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |
|---|-----------|---------------|---------------------|---------------|---------------------|----------------------------------|-----------------------------------|---------------------------------|--------------------------|-----------------|-----------------------|--------------------------|-----------------------|
| Site Area (3)   | 0.06518   | ha            |                     |               | Housing Density     | 122.74                           | Units/ha                          | Floor Area Ratio                | 0.80                     |                 |                       | Parking                  | 3                     |
| Site Area (3)   | 651.8     | sq.m.         |                     |               | Residential Density | 368.21                           | hr/ha                             | PTAL                            | 2011                     |                 |                       | Disabled                 | 1                     |
| Units   | 8         |               |                     |               | Residential Density | 429.58                           | Bs/ha                             | PTAL                            | 2031                     |                 |                       | Total                    | 4                     |
| Unit  | Bedrooms  | BedSpaces (1) | Habitable Rooms (2) | GIA (Offered) | GIA (required)      | In-Built Storage Space (Offered) | In-Built Storage Space (Required) | Private Amenity Space (Offered) | Amenity Space (Required) | Probable Adults | Probable Children (4) | Play Space (Offered) (5) | Play Space (Required) |
| Apartment 1   | 2         | 4             | 3                   | 69.7          | 70                  | Not Stated                       | 2                                 | 32.5                            | 6                        | 2               | 2                     | Garden                   | -                     |
| Apartment 2   | 2         | 4             | 3                   | 67            | 70                  | Not Stated                       | 2                                 | 31.0                            | 6                        | 2               | 2                     | Garden                   | -                     |
| Apartment 3   | 2         | 4             | 3                   | 69.7          | 70                  | Not Stated                       | 2                                 | None                            | 6                        | 2               | 2                     | 3.5                      | 20                    |
| Apartment 4   | 2         | 4             | 4                   | 72.3          | 70                  | Not Stated                       | 2                                 | None                            | 6                        | 2               | 2                     | 3.5                      | 20                    |
| Apartment 5   | 2         | 4             | 3                   | 69.7          | 70                  | Not Stated                       | 2                                 | None                            | 6                        | 2               | 2                     | 3.5                      | 20                    |
| Apartment 6   | 2         | 4             | 4                   | 72.3          | 70                  | Not Stated                       | 2                                 | None                            | 6                        | 2               | 2                     | 3.5                      | 20                    |
| Apartment 7   | 1         | 2             | 2                   | 50            | 50                  | Not Stated                       | 1.5                               | None                            | 5                        | 2               | 0                     | -                        | 0                     |
| Apartment 8   | 1         | 2             | 2                   | 50.2          | 50                  | Not Stated                       | 1.5                               | None                            | 5                        | 2               | 0                     | -                        | 0                     |
| <b>Totals</b>   | <b>14</b> | <b>28</b>     | <b>24</b>           | <b>520.90</b> | <b>520</b>          | <b>0</b>                         | <b>15</b>                         | <b>63.48</b>                    | <b>46</b>                | <b>16</b>       | <b>12</b>             | <b>14</b>                | <b>80</b>             |
| Note (1) The floor Plans show bed spaces to be as listed above but the Design and Access Statement infers 2b3p and 1b2p = 22persons and GIA 466sq.m.                                |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |
| Note (2) Kitchen/Dining & Lounge Open Plan classed as one Habitable Room.   |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |
| Note (3) Site Area given in Design & Access Statement para 2 as 651.8 sq.m.   |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |
| Note (4) The Communal Open Space (after deducting the Private amenity Space for Apartments 1&2) is shared between occupants of Apartments 3 to 8 including children.                |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |
| Note (5) The Design & Access Statement indicates rear garden amenity at 181sq.m with 14sqm is playspace but the Play Space is not separate from the total available Communal Space. |           |               |                     |               |                     |                                  |                                   |                                 |                          |                 |                       |                          |                       |

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## 2 Design and Access Statement at: 2.0 SITE & AREA ANALYSIS:

- 2.1 The application site has an area of **0.065 hectares** (651.8 sqm). The Application Form indicates a Site Area of **0.6ha**
- 2.2 We have assessed the Site Capacity on the basis of the Design and Access Statement quoted at 651.8 sq.m = **0.06518ha** as this results in a more generous assessment of the “**Site Capacity**” availability.

## 3 The Applicant's Design and Access Statement at: 6.0 PROPOSED DESIGN “Layout” States:

- 3.1 Following the National Technical Standard - Internal Space Assessments (see p15), to the proposed apartment GIAs. I have added the actual requirements as follows:

### Stated in D&A Statement

### Revised

- |  |                 |
|--|-----------------|
| • Apartment 1: 2 Bed <b>69.7sqm</b>    | 2b4p = 70 sq.m. |
| • Apartment 2: 2 Bed <b>67.0sqm</b>    | 2b4p = 70 sq.m. |
| • Apartment 3: 2 Bed <b>69.7sqm</b>    | 2b4p = 70 sq.m. |
| • Apartment 4: 2 Bed and study 72.3sqm | 2b4p = 70 sq.m. |
| • Apartment 5: 2 Bed <b>69.7sqm</b>    | 2b4p = 70 sq.m. |
| • Apartment 6: 2 Bed and study 72.3sqm | 2b4p = 70 sq.m. |
| • Apartment 7: 1 Bed 50.0sqm           | 1b2p = 50 sq.m. |
| • Apartment 8: 1 Bed 50.2sqm           | 1b2p = 50 sq.m. |

- 3.2 However, the Floor Plans provided, clearly show all beds to be “**Double**” person capacity and therefore although the applicants **Design and Statement** occupancy for the development is  $3 \times 6 + 2 \times 2 = 22$  sleeping capacity (bedspaces), the actual capacity is  $(4 \times 6) + (2 \times 2) = 28$  **bedspaces**. If approved, when occupied, the occupants could simply furnish the accommodation with double or two single beds as the plans illustrate this would be possible.
- 3.3 This changes the Residential Density from  $22/0.06518 = 337.5$  to  $28/0.06518 = 429.47$  **bedspaces/ha**. The **required GIA** also needs to increase from  $(61 \times 6) + (50 \times 2) = 466$  **sq.m.** to  $(70 \times 6) + (50 \times 2) = 520$  **sq.m.** The offered **GIA is 520.9 sq.m.**
- 3.4 The proposal provides a total **GIA of 520.9 sq.m.** exceeding the required **520 sq.m.** but does **NOT** then meet the **Minimum Space Standard** requirements defined in the **London Plan Table 3.1** for **Apartments 1, 2 & 3** or **5**. Although meeting the overall Minimum **GIA** Space Standards, the individual apartments **1, 2, 3 & 5 fail** to meet the required **Minimum Space Standards**. The **London Plan LPG ‘Housing Design Standards at C2.2 states:**

|             |  |  |
|-------------|--|--|
| <b>C2.2</b> | <b>Best Practice:</b> Exceed the minimum overall floor areas by at least 5% (see standards C2.5 to C2.11 and C3.6). <b>[All]</b> |  |
|-------------|--|--|

- 3.5 There is no specified Apartment for **M4(3) Wheelchair user** occupancy.

## 4 Built-In Storage Minimum Space Standards

- 4.1 The **Design and Access Statement**, nor the provided **Floor Plans** identify **any Built-In Storage Capacity** as required of the **London Plan Policy D6 Table 3.1**
- 4.2 The **minimum Built-In Storage** is required for the minimal normal living needs of future occupants. Guidance suggest these Minimum Standards should be exceeded if possible.

- 4.3 The Applicant's **failure to provide the minimum Space Standards** is a clear indication that the proposal exceeds the **Site Capacity** as it is not possible to squeeze the **minimum standards** required into the proposed development.

## 5 Private Amenity Space

- 5.1 Apartments 3 to 8 have **NO Private Amenity Space** (i.e., Balconies or veranda).

- 5.2 Private outside space London Plan Policy D6

- 9) *Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. This does not count towards the minimum Gross Internal Area space standards required in Table 3.1.*

- 5.3 Apartments 3 to 6 each require 6 sq.m. and Apartments 7 & 8 require 5 sq.m. each of Private Amenity Space, preferable as a Balcony or veranda. **None of the Apartments 3 to 8 have any Private Amenity Space.** There is no Excess GIA to compensate so this non-compliance is unacceptable.

## 6 Communal Open Space and Play Space For Children

- 6.1 The Communal Open Space Requirement is defined in the emerging Revised Local Plan at **Policy DM1A.1** "All proposals for new residential development will need to provide private amenity space that:

|                              |     |       |
|------------------------------|-----|-------|
| Amenity Space D&A Statement  | 181 | sq.m. |
| Communal Open Space required | 57  | sq.m. |
| Play Space required          | 80  | sq.m. |
| total open space required    | 137 | sq.m. |
| excess                       | 44  | sq.m. |

- e). *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."*

- 6.2 The Design & Access Statement States:

*"In addition, the proposal also provides an extensive rear communal garden amenity at 181sq.m with 14sqm of playspace which would be accessible by all users of the apartments and would provide playspace in excess of London Plan standards."*

- 6.3 Assuming this is correct, the proposal provides rear communal garden amenity at **181sq.m.** The Communal Open Space required is **57sq.m.** (see 1.5.1 e) above) and for the probable **8** children without a **private garden** area would require a Play Space of **10 sq.m.** per child equals **80 sq.m.** thus the total required Communal plus Play Space = 57 + 80 = **137sq.m.** The available space is stated as **181 sq.m.** which is within this requirement.

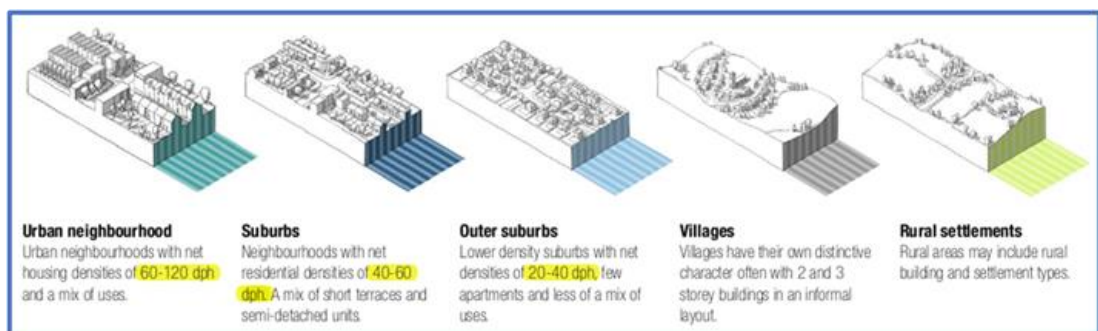
- 6.4 It would be preferable if the Children's Play Space were to be separated from the Communal Open Space for the positioning of exercise and play equipment for the children.

## 7 Local Design Code Area Type & Setting Design & Access Statement

- 7.1 The Design & Access Statement at **Introduction** (page 1) indicate:

- *"The site is situated in a sustainable **urban** location with good transport links where additional development should be encouraged to meet future housing needs."*

- 7.2 We strongly dispute that any part of **Shirley** is categorised as an “**Urban Area Type or Setting**” as we will demonstrate later in this representation submission. We have assessed the various locations of and within **Shirley** as analysed using the **National Design Code & Guidance** assessment and **ALL analyses** have shown that the local Area Type or Settings is of “**Outer Suburban**” Area Type for **Housing Design Code Standards Setting**.
- 7.3 The **NPPF at Paras 128 & 129** reference The **National Model Design Code and guidance definitions for Area Type Setting**. These **National Documents** were first published by the Department for Levelling Up, Housing & Communities (DLUHC) in **January 2021** and updated in **June 2021** and support the **London Plan Policy D3 Design-Led Approach Policy** objectives after the omission of the “Density Matrix”.
- 7.4 NPPF Model Design Code<sup>1</sup> Part 1 The Coding Process Section 2B - Figure 10 page 14:



**These illustrations, extracted from the National Model Design Code, Part 1, show the definitive' Housing Density ranges for the various Settings (Highlighted).**

- 7.5 The following Table illustrates confirmation of the Local Area Type Settings.

| Location                              | Area (ha) | Population | Dwellings (Units) | Residential Density (bs/ha) | Housing Density (Units/ha) | "Setting" for Design Code Density |
|---------------------------------------|-----------|------------|-------------------|-----------------------------|----------------------------|-----------------------------------|
| Shirley North Ward                    | 327.90    | 15666      | 6555              | 47.78                       | 19.99                      | <Outer Suburban                   |
| Shirley South Ward                    | 387.30    | 14147      | 5919              | 36.53                       | 15.28                      | <Outer Suburban                   |
| All Shirley                           | 715.20    | 29814      | 12474             | 41.69                       | 17.44                      | <Outer Suburban                   |
| MORA Area                             | 178.26    | 9283       | 3884              | 52.07                       | 21.79                      | Outer Suburban                    |
| Post Code CR0 8S(*)                   | 16.95     | 627        | 237               | 36.99                       | 13.98                      | <Outer Suburban                   |
| Post Code CR0 8T(*)                   | 11.82     | 644        | 246               | 54.48                       | 20.81                      | Outer Suburban                    |
| Post Code CR0 7PL                     | 1.73      | 47         | 19                | 27.17                       | 10.98                      | <Outer Suburban                   |
| Post Code CR0 7QD                     | 1.51      | 68         | 28                | 45.03                       | 18.54                      | <Outer Suburban                   |
| Post Code CR0 8UB                     | 1.70      | 71         | 30                | 41.89                       | 17.70                      | <Outer Suburban                   |
| Shirley "Place" <sup>1</sup> (approx) | 770.00    | ?          | ?                 | ?                           | ?                          | ?                                 |
| Average                               | 205.08    | 8787       | 3670              | 42.72                       | 17.35                      | <Outer Suburban                   |
| All Shirley                           | 715.20    | 29814      | 12474             | 41.69                       | 17.44                      | <Outer Suburban                   |
| Shirley Place (Estimates)             | 770.00    | 33414      | 13981             | 43.39                       | 18.16                      | <Outer Suburban                   |

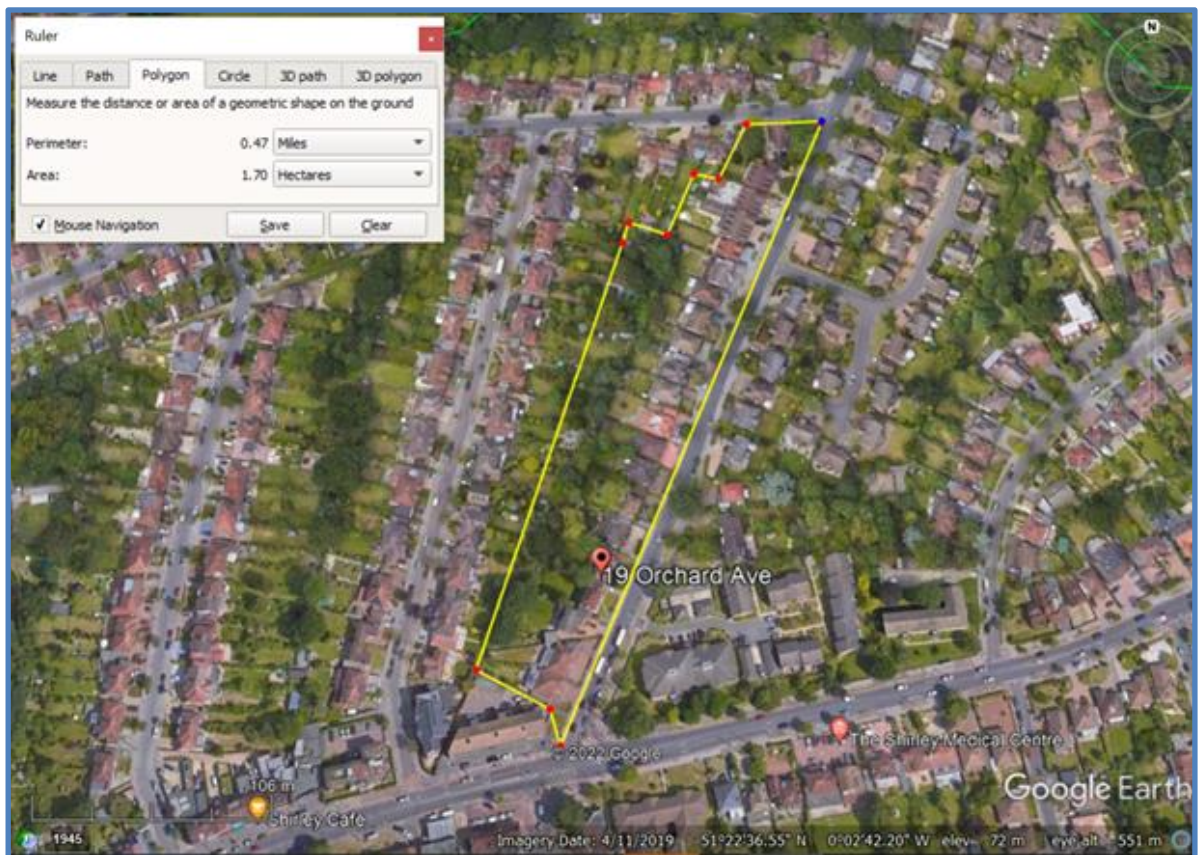
**Tabular assessment of locality Area Type Setting including the Post Code for this proposal as defined by the National Model Design Code Guidance at 19 Orchard Ave. CR0 8UB**

- 7.5.1 The Table illustrates that all local areas of Shirley of varying sizes, Units and population assessed are within or below the **National Model Design Code & Guidance Area Type**

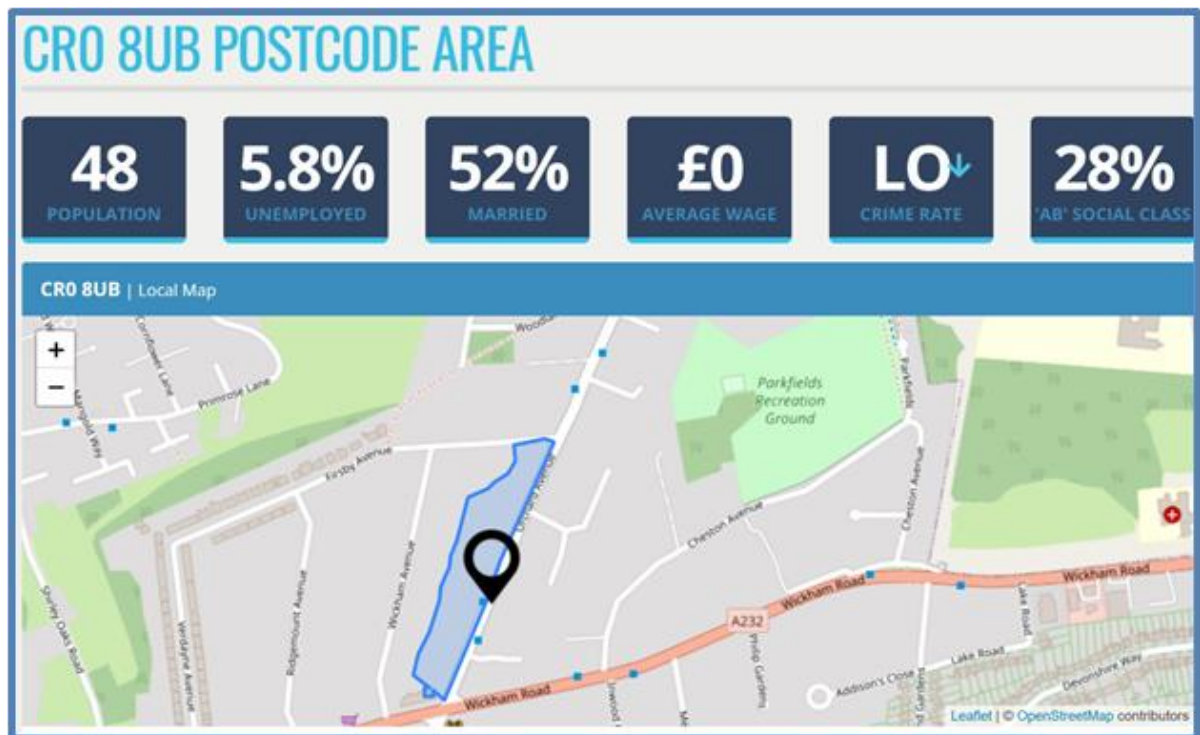
<sup>1</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1009793/NMDC\\_Part\\_1\\_The\\_Coding\\_Process.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009793/NMDC_Part_1_The_Coding_Process.pdf)





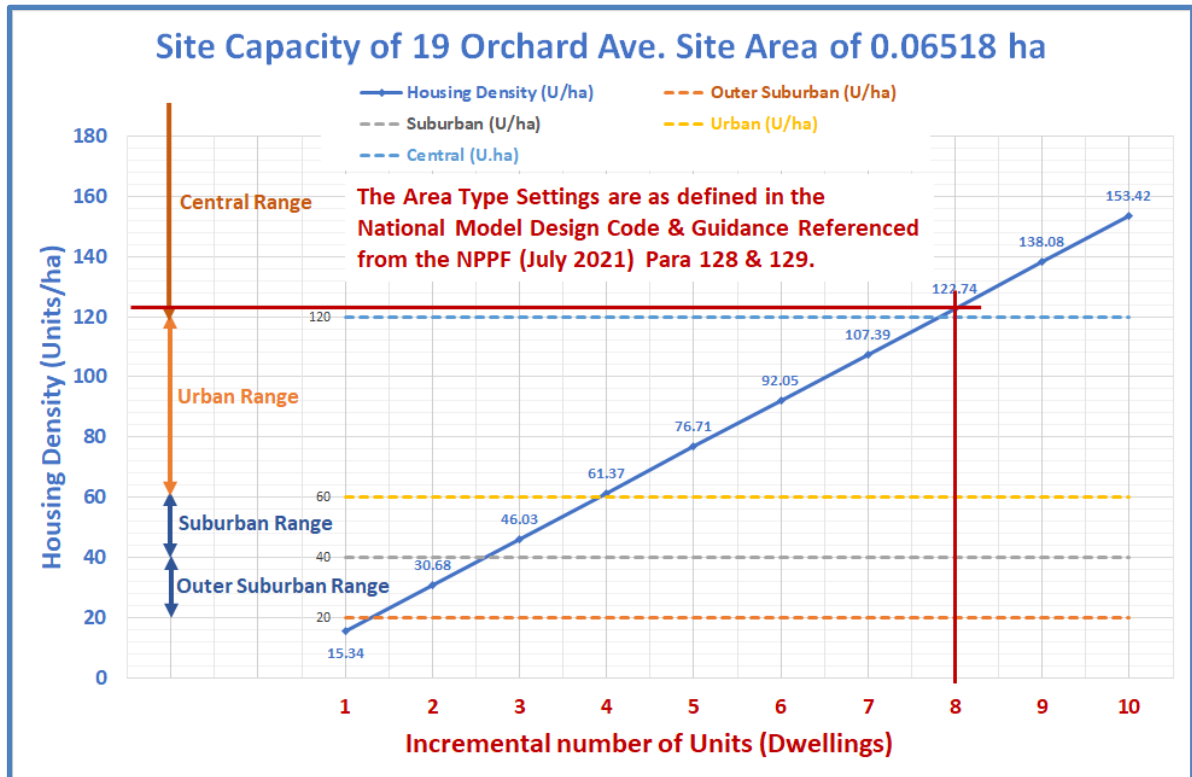
**Setting of “Outer-Suburban”** with a Housing Density either within or below the 20 to 40 Units/ha. This is National Guidance, supported by the NPPF which has significant weight above that of the London Plan or the Revised Croydon Plan.



**Google Earth Image of Post Code Area CR0 8UB showing area to be 1.70ha**  
**Post Code CR0 8UB Area Statistics**

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- 7.6 The number of dwellings in the Post Code Area have been assessed from the Valuation Office <sup>2</sup> with the additional Dwellings for **17 Orchard Avenue** added (the VOA website does not yet include them but has deleted number 17). In addition, the population density has been assessed from Reference <sup>3</sup> again to reflect changes at number **17 Orchard Avenue**.



**The Assessment and Analysis of “Site Capacity” for 19 Orchard Avenue at a Site Area of 0.06518ha for 8 Dwellings would require the local Area to be a **Central** Setting Area Type.**

- 7.7 It is abundantly clear that the locality and the **Post Code Area** of **19 Orchard Ave.**, is definitely **NOT Urban**, and **NOT even** suburban but “**OUTER SUBURBAN**” as defined by the **National Model Design Code Guidance** referenced from the **NPPF** (which has higher weight than either the **London Plan** or the **Croydon Local Plan**).
- 7.8 This is comprehensive evidence of ‘**over-development**’ of this proposal at this location at **Suburban Area Type Settings**. The **Site Area** of **0.06518ha** would only allow a maximum of **4 Units** to comply with the **National Model Design Code & Guidance** within **Suburban Area Type Setting**.
- 8 The Design and Access Statement at: **3.0 PLANNING CONTEXT/HISTORY**
- 8.1 **Adjoining site – 17 Orchard Avenue (page 5)**

“19/00131/FUL: Demolition of existing detached house, erection of 3-storey building with further floor of accommodation in roof space comprising 3 x 1 bedroom flat, 4 x 2-bedroom flats and 1 x 3-bedroom flat, formation of vehicular access and provision of 4 associated parking spaces and refuse storage –

<sup>2</sup> Search results for CR0 8UB - Check and challenge your Council Tax band - GOV.UK

<sup>3</sup> <https://www.postcodearea.co.uk/postaltowns/croydon/cr08ub/>

APPROVED 07.11.19.”

- 8.2 The approval of **17 Orchard Ave.**, was in **2019** under the then current adopted Planning Policies at National and Local Level. Since that Approval the **NPPF** (July 2021), the **London Plan** (March 2021) have both been updated and adopted. The emerging Revised **Croydon Local Plan** is at an advanced state of change and is due to be presented to the Secretary of State for approval for an Examination in Public. Therefore, it cannot be assumed that policies appropriate for the approval in 2019 are the same as current or emerging Policies, where emerging policies have increasing weight the nearer to adoption.

## 9 The Design and Access Statement at: **4.0 PLANNING CONSIDERATIONS**

- 9.1 The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- *Achieving sustainable development (Chap 2)*
- *Delivering a sufficient supply of homes (Chap 5)*
- *Promoting sustainable transport (Chap 9)*
- *Achieving well designed places (Chap 12)*
- *Meeting the challenge of climate change, flooding and coastal change.*

- 9.2 However NPPF Chapter 12 Paras 128 & 129 have been ignored.

## 10 The Design and Access Statement at: **5.0 PLANNING ASSESSMENT**

- *“The local planning authority has had due regard to delivering a wide choice of homes in favour of sustainable development in line with the principles of the NPPF, Policy 3.3 of the London Plan relating to increase housing stock; policies SP2.1 of the Croydon Local Plan in providing a choice of housing for all people at all stages of life and DM1 in supplying new housing.*
- *Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular will play in resolving the current housing crisis.*
- *The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt.*
- *The proposed site is located within an area of Shirley which is defined for focussed intensification within the Suburban Design Guidance adopted in 2019.*
- *The general guidance in relation to Areas of Focussed Intensification states that development maybe significantly larger than the existing and amongst other things be up to double the predominant height of buildings in the area.*
- *The SDG goes on to state in relation to the Shirley Area of Focussed intensification that the redevelopment of 2 storey detached properties into small blocks of apartments may be acceptable, such developments should typically be 4 storey’s in height with some scope for additional accommodation in the roof space.”*

- 10.1 The Croydon LPA **Local Plan Review, Planning Interim Bulletin (2020)**<sup>4</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*

<sup>4</sup>

<https://www.croydon.gov.uk/sites/default/files/Planning/Planning%20Interim%20Bulletin%20June%2020%20FINAL.pdf>



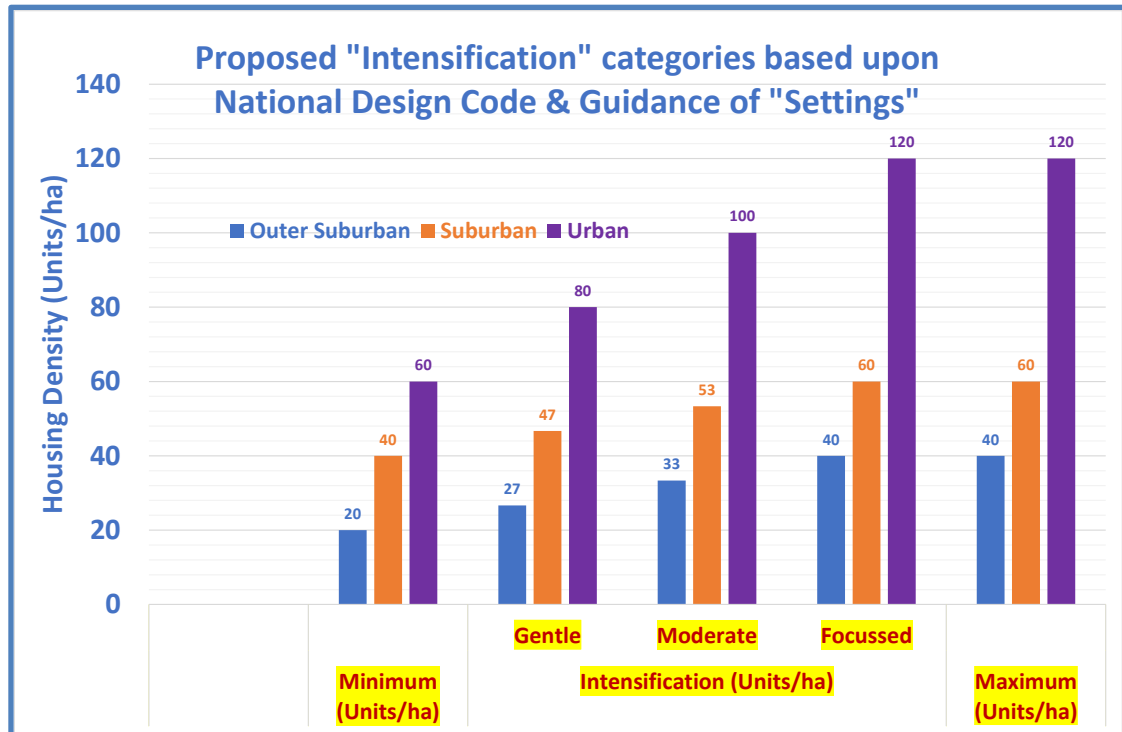
*reduces the strength of the argument for major transport investment, although improvements are needed from a sustainability perspective."*

- 10.2 In addition, the Floor Area Ratio (GIA/Site Area) for suburban Area Type Settings should be less than or equal to  $\leq 0.5$  whereas the actual Floor Area Ratio is 520.9/651.8 (ratio in sq.m.) = **0.8** which exceeds the guidance in the National Model Design Code by  $(0.8 - 0.50/0.50) \times 100 = 60\%$
- 10.2 The Revised Croydon Local Plan at **Policy SP1.0C States:**
- 10.2.1 *"There are residential areas where the characteristics and infrastructure provision have led to the identification of potential for sustainable housing growth and renewal.*
- Areas of **Focused Intensification** are areas where a step change of character to higher density forms of development around transport nodes and existing services will take place.*
  - Moderate Intensification** – are areas where density will be increased, whilst respecting existing character, in locations where access to local transport and services is good.*
  - Evolution and **Gentle Densification** will be supported across all other residential areas."*
- 10.2.2 As Shirley is NOT designated as an area appropriate for "Focussed Intensification" or "Moderated Intensification" the Area is inappropriate for either designation. In addition, as the location is Less than **PTAL <3** and greater than **>800m** from both Train or Tram Stations and greater than **>800m** from a **District Centre**, it is therefore **inappropriate** for **incremental Intensification** as defined by the **London Plan Policy H2 para 4,2,4**. Therefore 19 Orchard Avenue would only be considered appropriate for **"Gentle" Densification**. However, The designation **"Gentle" Densification** along with **"Focussed"** and **"Moderate" Intensification** is undefined.
- 10.2.3 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 that existing **supporting infrastructure** and therefore the **Design Code "Intensification"** Density should remain within the Setting or Area Type "Ranges" as defined ("Outer Suburban", "Suburban", "Urban" or "Central") as, unless there is a definite planned increase, the **infrastructure** would **NOT** adequately support the intensification increase if exceeded and would therefore be **unsustainable**. It is suggested that poor infrastructure would require the **Design Code Density** to tend toward the lower value of Density of the 'Setting Range', and higher infrastructure provision tend toward the higher Density of the 'Setting Range.' Similarly, the Intensification or densification should follow the same principles for **"sustainability"**.
- 10.2.4 The following graphical illustration proposes a methodology of determining appropriate intensification or densification for each designated category. This methodology retains the sustainability of a proposal by acknowledging infrastructure support remains within the Area Type Setting as defined by the National Model Design Code & Guidance . I 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"**. The LPA could specify different incremental rates, but they should remain within the limits of the Setting range (min to max). If the Case Officer has alternative proposals for **"Gentle" Densification**, we would appreciate the definition in the Recommendation Report, but it should be recognised that these assessments are based on **National Policy Guidance**.



10.2.5 We will conclusively show that the defined Housing “need” in the Shirley Place has been met and significantly exceeded which provides conclusive evidence that the Housing need in the Shirley “Place” has been comprehensively satisfied. There is no pressure on a requirement for more housing in the Shirley Place (See Housing “need” below).

10.2.6 Suggested Incremental “Intensification” Ranges



**Assessment of “Gentle”, “Moderate” & “Focussed” Intensification of Area Type Settings to ensure Infrastructure Supports the Intensification for Sustainable Developments.**

## 11 Housing Need

11.1 The allocation of housing “need” assessed for the “Shirley Place” over the period 2019 to 2039 is **278** (See Croydon Revised Local Plan<sup>5</sup> 2021 **Table 3.1**). This equates to **≈14 dwellings per year**.

11.2 In relation to meeting this 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:

11.3 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.**

<sup>5</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf>

11.4 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"**

11.5 An 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. There is therefore a need to Monitor Outturns against Targets.**

*In fact, the "Places" have NO quantifiable data held against them whatsoever.*

| 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             |

11.6 The 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 Area of 715.2ha).

| TARGET OUTTURNS (Estimates)     |           |           |            |                           |                              |                    |                     |
|---------------------------------|-----------|-----------|------------|---------------------------|------------------------------|--------------------|---------------------|
| Locality                        | Area (ha) | Dwellings | Population | Percentage of ALL Shirley | Units over 20 yrs (Estimate) | Per Year (Target ) | 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 Area 715.20ha**

11.7 The MORA Area of **178.2ha** (which we monitor) is only **24.92%** of All Shirley (715.2ha), however, at a rate of **36dpa** over the **20yr** period **≈720 dwellings**, developments would exceed the Target for the Shirley "Place" of 278 by **442 Dwellings** (for the Whole of the Shirley "Place") (≈770ha FOI response). 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."** Shirley has Low PTAL and >800m from a Train/Tram Station or District Centre. There is also no proposed increase in supporting infrastructure. (See London Plan Policy H2 para 4.2.4.)

11.8 The Build rate delivery of dwellings for **all Shirley** is averaging at **55 + 102 + 69 = 226 ≈ 75.33 dwellings per year (FOI)**, so over **20** years the **Net Increase** will be ≈ **1507 dwellings**. (Exceeding the **278** Target for the “**Shirley Place**” by **≈1,229**).

11.9 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**. This rate would exceed the Target over 20 yrs. of **278** by:  $(1507 - 278)/278 = \mathbf{442.1\%}$ .

## 12 The Design and Access Statement at: Principle of Development.

- “In respect to the density of the scheme, the site is in a suburban setting with a PTAL rating of 2 and as such, the London Plan indicates that the density levels range of 150-250 habitable rooms per hectare (hr/ha). The proposal would be above this range with 24 habitable rooms on a site area of 0.065).
- Paragraph 3.4 of The London Plan however identifies that density is only the start of the planning housing development and not the end. The range, for a particular location, is broad enabling account to be taken of other factors including local context, design and transport capacity which, where appropriate, can provide a tool for increased density in certain situations.”

12.1 These quotes are from the **previous London Plan** and refer to the **Density Matrix** which has now been omitted from the **New London Plan (March 2021)**.

12.2 The New **London Plan Policy D3** provides a requirement for a “**Design-Led Approach**” which is supported by the **NPPF National Model Design Code and Guidance** which replaces the previous Policies on density and local character assessment.

## 13 The Design and Access Statement at: Housing Quality/Daylight and Sunlight for Future Occupiers.

- “The proposed apartments would accord with the National technical housing standards guidelines in terms of floor space requirements including areas for storage. Each property would have dual aspect and would receive good levels of sunlight and daylight.
- The two ground floor apartments would have sizeable garden areas in excess of minimum amenity guidelines for dwellings. The Juliette balconies to the upper floor apartments would provide the addition of an open and airy environment.”

13.1 The proposal **fails** to meet the required **Private Amenity Space** for Apartments **3 to 8** which should be **5sq.m. for 1 to 2 persons plus 1 sq.m. for each additional person**. The proposal should be **refused** on these grounds.

13.2 **Juliet Balconies** give **NO** additional **Amenity Space** but allows the safety of floor level windows to provide additional internal light. The applicant has **NOT** provided a **Daylight Assessment Study**.

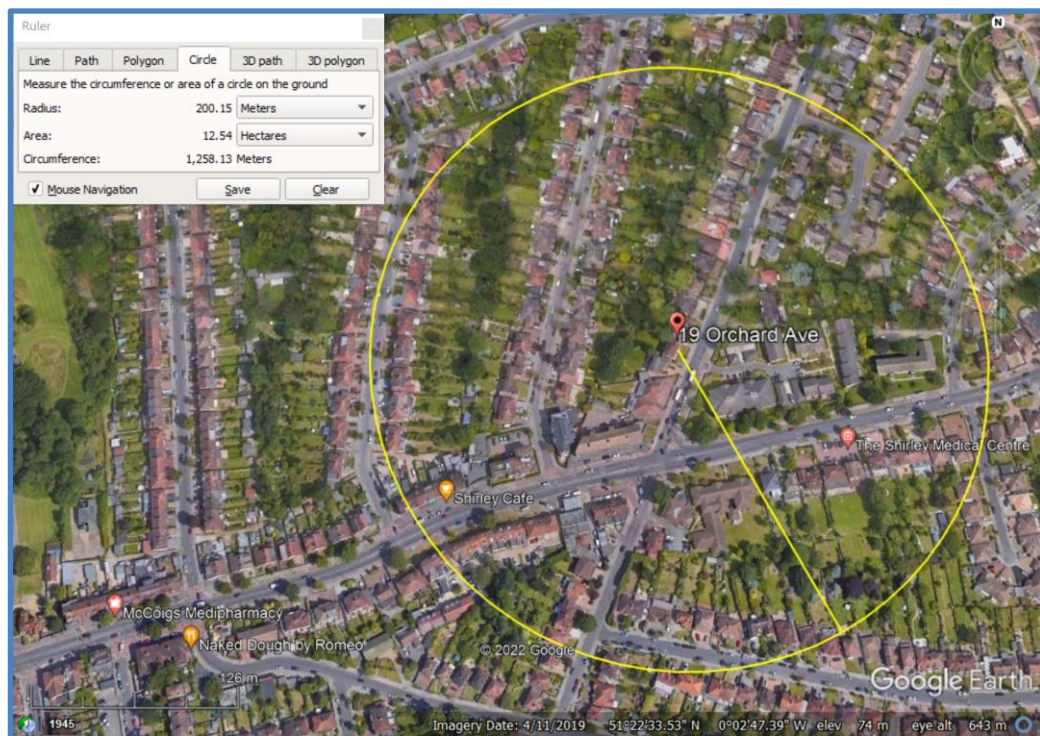
| Unit        | Occupants | Private Amenity Required (sq.m.) |
|-------------|-----------|----------------------------------|
| Apartment 3 | 4         | 7                                |
| Apartment 4 | 4         | 7                                |
| Apartment 5 | 4         | 7                                |
| Apartment 6 | 4         | 7                                |
| Apartment 7 | 2         | 5                                |
| Apartment 8 | 2         | 5                                |
| Totals      | 20        | 38                               |

## 14 The Design and Access Statement at: Transport

- “The site is located in an area with PTAL level of 2 (on a scale of 1 to 6b), which is considered to be a poor level of public transport accessibility. There is no Control Parking Zone within the area and the site is located on a Red Route. The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character.
- This states that 1-2 bedroom properties should provide a maximum of up to 1 space per unit, with up to 1.5 spaces per unit being provided for 3-bedroom properties. In line with the London Plan, the proposed development would therefore need to provide up to a maximum of **8.5 spaces**.”



- 14.1 In assessing the Residential Parking appropriate for the **28** occupants in **8** dwellings, the local context is a contributory factor that should be considered. The immediate locality has **RED Route** parking restrictions either side of the road. Each flat will be able to have at least 1 car which would mean an overspill of at least **4 cars** which would need overnight parking within **200m**.
- 14.2 **London Plan**
- 14.2.1 For PTALs 2 – 3 and 1-2 Beds (Bedroom Units) the Policy is “up to 0.75 spaces per dwelling” and for 3 plus Beds (Bedroom Units) the Policy is “up to 1 space per Dwelling”
- 14.2.2 The proposal would therefore be  $2 \times 0.75 + 6 \times 1 =$  up to **7.5 spaces**
- 14.3 **Revised Croydon Local Plan**
- 14.3.1 For **PTAL 2** the Policy is 0.75 spaces per unit for 1-2 Bedroom Units and 1 to 2 spaces per Unit with 3 or more Bedrooms, subject to a parking streets survey.
- 14.3.2 The proposal would therefore be  $(2 \times 0.75) + (6 \times 1) =$  **7.5 spaces** or  $(2 \times 0.75) + (6 \times 2) =$  **13.5 spaces**
- 14.3.3 The allocation is **4** spaces one of which is for Disabled Parking. The likely requirement is for one vehicle per Family Unit e.g., **8** Parking Spaces which would result in **4** vehicle overspill into adjacent appropriate On-Street overnight parking.
- 14.4 **Overspill**



#### **Parking Overspill Area from 19 Orchard Avenue**

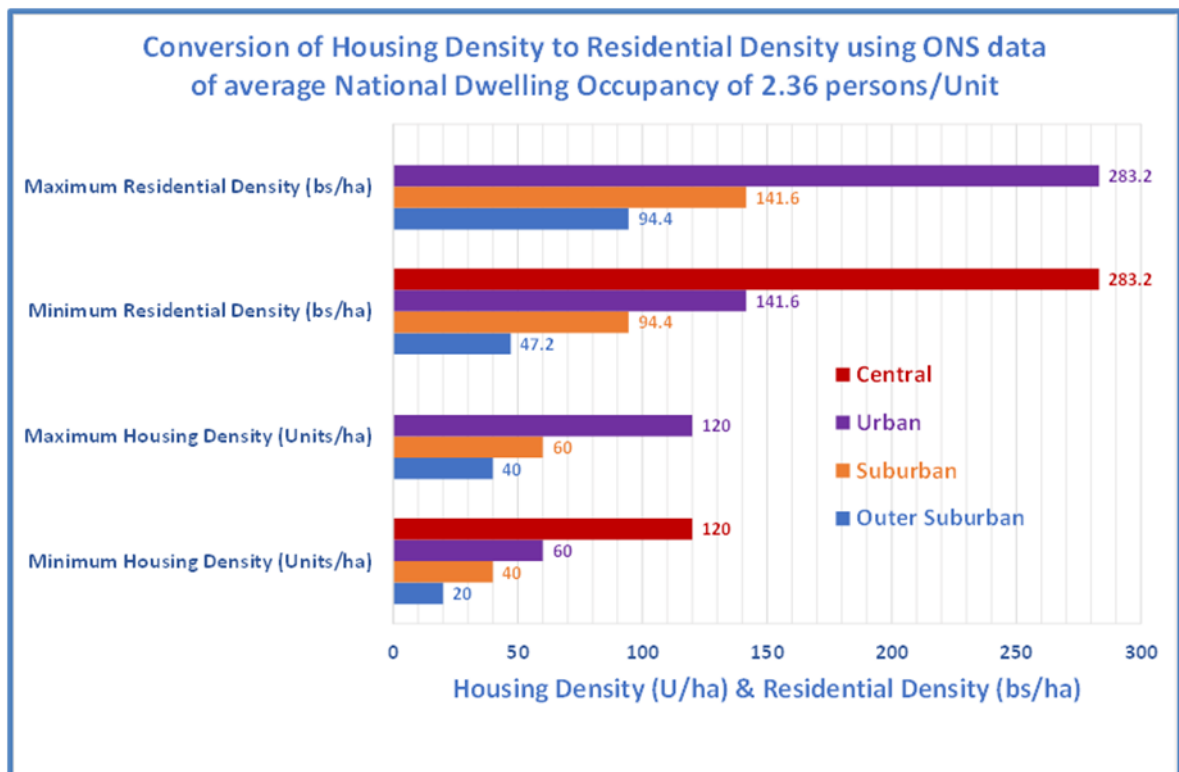
- 14.4.1 The Overspill could not be in Orchard Avenue toward the A232 as there are Red Route Parking Restrictions. It is unwise to Park in Orchard Avenue as the width reduces overtaking a parked vehicle if there is oncoming traffic. There are also Red Route restrictions along the Wickham Road (A232). The only viable overspill would be Wickham Avenue as all other roads South of Wickham Road have yellow line parking restrictions.



- 14.4.2 The Design and Access Statement does NOT indicate any Electric Vehicle (EV) Charging points, but the Transport Assessment does assume that all bays will be provided with EV charging capability.
- 14.4.3 The Transport Survey by ADL dated 13 May Ref: ADL/AP/Is/5461 Car ownership is based upon the 2011 Census, which is **11 years** out of date and cannot be relied upon for current assessment.
- 14.4.4 In 2019, households in England had an average of **1.21 cars**. However, if we exclude London (the area with the lowest rate of vehicle ownership) then the typical English household had **1.3 cars**. In London, households had **0.74 cars**, meaning on average not every household has a car. However, Croydon is an “Outer London” Borough and Area Type for “**Shirley**” is “**Outer Suburban**” at **PTAL 2** which infers the probable Car ownership is between **0.74 and 1.3** i.e., **≈1.67**, therefore for **8 families** the likely ownership is **13.36 cars**. This would require an overnight overspill of **9.36 spaces** i.e., **≈9 spaces**.
- 14.4.5 There would probably be **16 adults** accommodated in the proposed development and based upon the latest **2013** survey **67%** would own a car which translates to an ownership of  $(67 \times 16) / 100 = 10.72$  vehicles and requirement for **6.72** or rounded to **7 vehicle overspill**. **The local area is unsuitable for this level of overnight overspill Parking.**

## 14.5 Public Transport Accessibility

- 14.5.1 It should be noted that it is people that require public services infrastructure, such as public transport accessibility, GP Services & Schools, NOT Housing Units, so an appropriate **Residential Density** in **Bedspaces/ha** should be defined for each setting. There is no guidance provided for this parameter so we should investigate an appropriate range for each setting.



**Conversion on Housing Density to Residential Density using the National Average**

### Occupancy<sup>6</sup> of 2.36 persons per Dwelling

14.5.2 The TfL Density Matrix has been omitted from the Revised **London Plan** but is retained for the **Public Transport Accessibility Level (PTAL)** assessment using the **TfL WebCAT**.<sup>7</sup> The equivalent **Residential Density** appropriate for **Suburban Settings** has a range of **150 at Zero PTAL to 350 at PTAL 6**. If we assume that the range is **incrementally linear**, we can extrapolate what **PTAL** would be required for the proposed development with a **Residential Density 368.21hr/ha or 429.58bedspaces/ha**.

14.5.3 It is also apparent that the **Post Code Area CR0 8UB of 1.70ha** (when 17 Orchard Ave. is populated) will be **30 Units with occupancy of 71 person** therefore the **average occupancy/unit is 71/30 ≈ 2.36**. which is equivalent to the **National Average**.<sup>8</sup>

14.5.4 Assuming a linear progression, for the TfL Suburban Assessment of the Range PTAL 0 to 6 of 150 to 350 hr/ha (Density) the required **PTAL** for the proposal is found by:

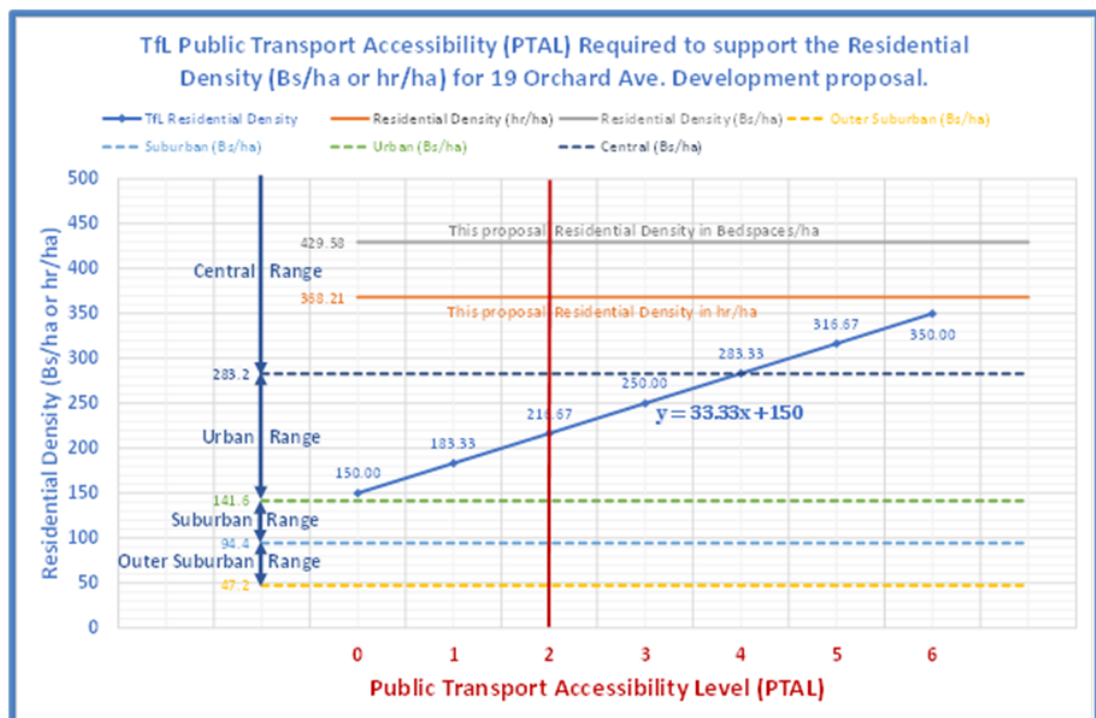
$y = mx + c$  where  $y$  = Density,  $m = \delta y / \delta x$ ,  $x$  = PTAL and  $c = y$  when  $x = 0$  (intersect)

thus:  $Density\ y = \frac{383-150}{6} * x + 150$

therefore:  $Density\ y = 33.33x + 150$

For Residential Density: **368.21 hr/ha:**  $\frac{(368.21-150)}{33.33} = x = PTAL = 6.55$

& Residential Density: **429.58 Bedspaces/ha:**  $\frac{(429.58-150)}{33.33} = x = PTAL = 8.388 \approx 8.4$



**Graphical Illustration of Public Transport Accessibility for proposal Residential Density For PTAL 2 at Suburban (TfL) Range at Site Area of 0.06518ha**

<sup>6</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>

<sup>7</sup> <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>

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

- 14.5.5** The required Residential Density would require the Area Type Design Code Setting to be “Central” and the PTAL to be 6.55 for Residential Density of 368.21 hr/ha or 8.4 for a Residential Density of 429.58 Bedspaces/ha, when the Actual available PTAL is **2**. This is comprehensive proof of overdevelopment.

## **15 Summary & Conclusions**

### **15.1 Occupancy**

- 15.1.1 There is confusion between the Design & Access Statements and the supplied Floor Plans with regard to Occupancy. The D&A Statement indicates 2b3p for Apartments 1 to 6 whereas the Floor Plans indicate Apartments 1 through 6 bedrooms have Double Beds which indicates 2b4p.
- 15.1.2 This increases occupancy from 22 to 28 for the proposal with consequential increase in Residential Density from 337.5 to 429.47 bedspaces/ha. The habitable room remain at 24 which equates to a Residential Density of 368.21hr/ha.

### **15.2 Minimum Space Standards**

- 15.2.1 The confusion on occupancy also impacts on the required GIA for Apartments 1,2 & 3 and 5 which do NOT meet the Required Minimum Space Standards (GIA) of 70sq.m. requirement for 2b4p Units although the Total GIA exceeds the total required by 0.9sq.m.
- 15.2.2 The proposal does NOT provide any (identified) In-Built Storage for any of the Apartments. A total area of 15sq.m. would be an appropriate minimum, distributed accordingly to the London Plan Policy D6 Table 3.1. This lack of Storage Space is unacceptable.
- 15.2.3 Apartments 3 to 8 have NO Private Open Amenity Space, in the form of Balconies or veranda. This lack of Private Open Space is unacceptable. There is no compensation from increased GIA.
- 15.2.4 The Juliet Balconies give NO additional Amenity Space but allow the safety of floor level windows to provide addition internal light. The applicant has NOT provided a Daylight Assessment Study.

### **15.3 Play Space & Communal Open Space**

- 15.3.1 The D&A Statement quotes communal garden amenity at **181sq.m.** The Communal Open Space required is (50sq.m. + 7sq.m.) = **57sq.m.** and for the probable **8** children without a **private garden** area would require a Play Space of **10 sq.m.** per child equals **80 sq.m.** thus the total required Communal plus Play Space = 57 + 80 = **137sq.m.** The available space is stated as **181 sq.m.** which is within this requirement.
- 15.3.2 However, It would be preferable if the Children’s Play Space were to be separated from the Communal Open Space for the positioning of exercise and play equipment for the children of the proposed occupants of the development.

### **15.4 Local Design Code Area Type or Setting**

- 15.4.1 The D&A Statement assumes the locality to be “**Urban**” when all assessment and analysis of the locality in various hierarchical categories from individual sites, Post Code Areas, Ward Areas etc., conclusively show that, by National Model Design Code & Guidance assessment, the locality is within or below the “Outer Suburban” Area Type or Setting.

- 15.4.2 The Applicant has failed to acknowledge a requirement to meet the **London Plan Policy (2021) D3 Design-Led Approach**, and the **National Model Design Code & Guidance (2021)** referenced from the current **NPPF paras 128 & 129** (July 2021).
- 15.4.3 Assessment and Analysis of the locality places **19 Orchard Avenue** clearly in an “**Outer Suburban**” **Area Type Setting**.
- 15.4.4 The Area Type Setting at **Outer Suburban Site Area of 0.06518ha** can accommodate a **site Capacity of 4 Units maximum** whereas the proposal is for **8 Units**. This is conclusive proof of over-development as defined by the **London Plan Policy D3** and the **National Model Design Code & Guidance** referenced from the **NPPF**.
- 15.4.5 In addition, the Floor Area Ratio (GIA/Site Area) for **Suburban Area** Type Settings should be less than or equal to  $\leq 0.5$  whereas the actual **Floor Area Ratio** is  $520.9/651.8$  (ratio in sq.m.) = **0.8** which exceeds the guidance in the **National Model Design Code** by  $(0.8 - 0.50/0.50) \times 100 = 60\%$

## 15.5 Parking

- 15.5.1 The London Plan and the Revised Croydon Local Plan have a Parking requirement of between 7.5 and up to 13.5 spaces with the proposal only providing 4, one of which is for disabled Parking
- 15.5.2 The Design and Access Statement does NOT indicate any Electric Vehicle (EV) Charging points, but the Transport Assessment does assume that all bays will be provided with EV charging capability.
- 15.5.3 **London Plan** and **Croydon Plan Residential Parking Policies** quote parking in **PTAL 2 areas to be between 7.5 up to 13.5 spaces**.
- 15.5.4 The allocation is for **4** spaces one of which is for Disabled Parking. The likely requirement is for one vehicle per Family Unit e.g., **8** Parking Spaces which would result in **4** vehicle overspill into adjacent appropriate On-Street overnight parking.
- 15.5.5 There would probably be **16 adults** accommodated in the proposed development and based upon the 2013 survey **67%** would own a car which translates to an ownership of  $(67 \times 16)/100 = 10.72$  vehicles and a requirement for 6.72 or rounded to **7 vehicle overnight overspill**.

## 15.6 Public Transport Accessibility

- 15.6.1 For **Sustainable Developments**, it is necessary for the development to have supporting **sustainable infrastructure**. A measure of sustainability is the Accessibility to Public Transport services (PTAL).
- 15.6.2 The TfL Density Matrix has been omitted from the Revised **London Plan** but is retained for the **Public Transport Accessibility Level (PTAL)** assessment using the **TfL WebCAT**.<sup>9</sup> If we assume that the Suburban range is **incrementally linear**, the extrapolation indicates the required **PTAL** for this proposal with a **Residential Density 368.21hr/ha or 429.58bedspaces/ha** would be:

For **Residential Density: 368.21 hr/ha** = **6.55**

& **Residential Density: 429.58 Bedspaces/ha**  $\approx$  **8.4**

<sup>9</sup> <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>





- 15.6.3 This proposed **Residential Density** would require a **PTALs** which significantly exceeds the available **TfL PTAL of 2** and is outside the range of the above graphical illustration.

## 15.7 Conclusions

- 15.7.1 The foregoing Assessment provides significant evidence of over development of the **0.06518ha "Site Capacity"** at the location Area Type and Setting of "**Outer Suburban**" Outer London Residential as defined by the National Model Design Code & Guidance.
- 15.7.2 The evidence shows the development proposal fails to meet the minimum Space Standards and there is confusion on the accommodation capacity (2b3p or 2b4p). In addition, the proposed development fails to provide any Private Open Amenity space for Flats 3 to 8 and fails to provide the minimum In-Built Storage Space for future occupants.
- 15.7.3 The Floor Area Ratio (GIA/Site Area) for suburban Area Type Settings should be less than or equal to **≤ 0.5** whereas the actual Floor Area Ratio is 520.9/651.8 (ratio in sq.m.) = **0.8** which exceeds the guidance in the National Model Design Code by **60%**.
- 15.7.4 Resultant on these aforementioned significant failures to comply with **Planning Policy**, we urge the Case Office and LPA to recommend **Refusal of this Application**.

Kind regards

Derek



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Cc:

Sarah Jones MP  
Nicola Townsend  
Cllr. Sue Bennett  
Cllr. Richard Chatterjee  
Cllr. Mark Johnson

Croydon Central  
Head of Development Management  
Shirley North Ward  
Shirley North Ward  
Shirley North Ward

Bcc:

MORA Executive Committee, Local affected Residents & Interested Parties