

>To: Ms. Victoria Bates - Case Officer  
Development Management  
Development and Environment  
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CR0 1EA

## Monks Orchard Residents' Association Planning

20<sup>th</sup> September 2022

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Reference: 22/03552/FUL  
Application Received: Tue 23 Aug 2022  
Application Validated: Wed 24 Aug 2022  
Address: 67 Orchard Avenue Croydon CR0 7NE  
Proposal: Demolition of the existing dwelling and erection of a two-storey building with accommodation in the roof space containing 6 flats with associated access, parking, landscaping, cycle and refuse storage facilities  
Status: Awaiting decision  
Case Officer: Victoria Bates  
Consultation Expiry: Fri 23 Sep 2022 (Extended to Mon 26<sup>th</sup> Sep)  
Determination Deadline: Wed 19 Oct 2022

Dear Ms. Bates

We note that validation of this application was on 24<sup>th</sup> August but as of 5<sup>th</sup> September there were no documents listed on the Public Register and that no notifications were made to local residents. We made representations to Development Management at 10:18am on 5<sup>th</sup> September and it was understood that there was a problem attaching the Documents which was resolved by 11:30am and that Development Management have acknowledged the acceptability of any documents that are received within 3 weeks from 5<sup>th</sup> September (i.e., **26<sup>th</sup> September**) as a result of our communication at 10.18hrs on 5<sup>th</sup> September (i.e., *Not by 23<sup>rd</sup> September as stated on the Public Register*).

### Proposal Parameters:

67 Orchard Avenue			Ref: 22/03552/FUL											
	Application Form		Google Earth		Residential Density		257.14bs/ha		296.16bs/ha		PTAL 2011 to 2031		1b = 1.33	
Site Area	700sq.m.		607.77sq.m.		Residential Density		214.29hr/ha		246.80hr/ha		Floor Area Ratio		0.57	0.65
Site Area	0.07ha		0.0608ha		Housing Density		85.71Units/ha		98.72Units/ha		Plot Coverage Ratio		0.28	0.32
Unit	Type	Bedrooms (b)	Persons (p)	Habitable Rooms	GIA (Offered)	GIA (Required)	In-built Storage (Offered)	In-built Storage (Required)	Amenity Space (Offered)	Amenity Space (Required)	Probale Adults	Probable Children	Play Space (Required)	Car Parking
Flat 1	M4(2)	3	4	3.5	88	74	2.6	2.5	53	7	2	2	20	1
Flat 2	M4(2)	1	2	1.5	55	50	1.7	1.5	63	5	2	0	0	1
Flat 3	M4(2)	3	4	3.5	77	74	1.8	2.5	9.5	7	2	2	20	1
Flat 4	M4(2)	2	3	2.5	61	61	1.2	2	6	6	2	1	10	1
Flat 5	M4(2)	2	3	2.5	66	61	1.8	2	6.5	6	2	1	10	1
Flat 6	M4(2)	1	2	1.5	51	50	0.8	1.5	6.5	5	2	0	0	1
Totals	6	12	18	15	398	370	9.9	12	144.5	36	12	6	60	6



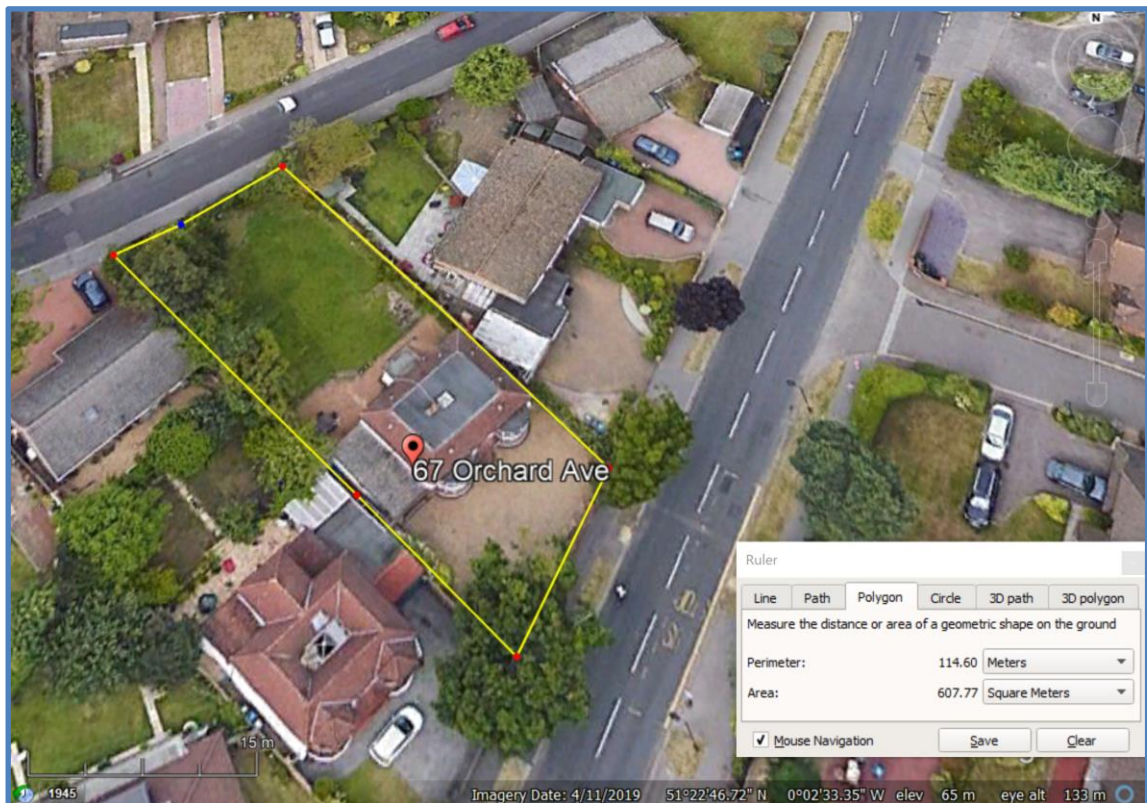
View Fronting Orchard Avenue



View Fronting Woodland Way

## 1 Initial Observations:

- 1.1 The Application Form states the Site Area to be 0.07hectares which equates to 700m<sup>2</sup>. However, a measurement taken from Google Earth indicates the site area to be ≈607.77m<sup>2</sup> equivalent to ≈0.0608hectares, which indicates a **significant** decrease of ≈92.3m<sup>2</sup> or  $(700-607.77)/700 = 13.18\%$  decrease. This difference has implications on both **Residential Density** and **Housing Density** and could be an '*intentional*' error to convey an impression of increased "Site Capacity" from that actually available or it could be a **valid mistake**. We have shown both measurements in the table of parameters and also the effects of both measurements in our assessment.



Google Image of Site showing Site Area of 607.77sq.m.



1.2 It is suggested that the **LPA** survey the site to establish the correct “**Site Area**” before making a recommended determination of this proposal as the resulting densities are a **significant factor** in the **determination** of this proposal.

1.3 Local neighbours have reported that all trees in the rear garden of **67 Orchard Avenue** were felled, and vegetation cleared the **just prior to publication** of the **Planning Application**.

#### 1.4 **Building Line Set-Back**

1.4.1 The proposed development should follow the existing established Orchard Avenue **Building Line Set-Back**.

1.4.2 The proposal fails to follow the existing **Building Line Set Back** as the Northern extended **Bedroom 3 of Flat 1** extends in front of the existing established **Building Line set-back**. Therefore, the proposal fails to meet the requirement to respect the existing Building Line Set Back as defined by the **National Model Design Code &**



**Guidance Part 1 – The Coding Process for Area Types – Built Form para 52 vii:**

**vii Building line:** “The building line is created by the primary front face of buildings along a street and is a **key element of design codes**. New development should follow the established building line where it exists.

## 2 **Wheelchair Compliance**

2.1 The **London Plan Policy D7 Accessible Housing** requires at least **10%** of dwellings to meet **Building Regulation M4(3)** “Wheelchair user dwellings”.

2.2 The proposal has **6 Units**, 10% of which is **0.6** which when rounded to a whole integer is greater than **0.5** and thus **one unit** should be **M4(3) Compliant**.

2.3 From the **Planning Statement** and **Floor Plans**, it is assumed that **all Units** are to **M4(2) Building Regulation Standards** and there is no specifically designed **Unit** to **M4(3) compliance** as no unit has **wheelchair storage facility** over and above the required “**In-Built**” Storage requirement as defined in the **London Plan Table 3.1**.

## 3 **Design Codes & Guidance**

3.1 The **Croydon Local Plan (2018)** does NOT provide any guidance on the assessment of local **Design Code Assessment**.

3.2 The **Revised (Draft) emerging Croydon Local Plan (2021)** also does NOT provide any guidance on the assessment of **local Design Code Assessment**.

3.3 The **London Plan at Policy D3 – Optimising Site Capacity through the Design Led Approach** recognises the need for “**Design Codes**” but does NOT give any guidance or methodology how that should be achieved.

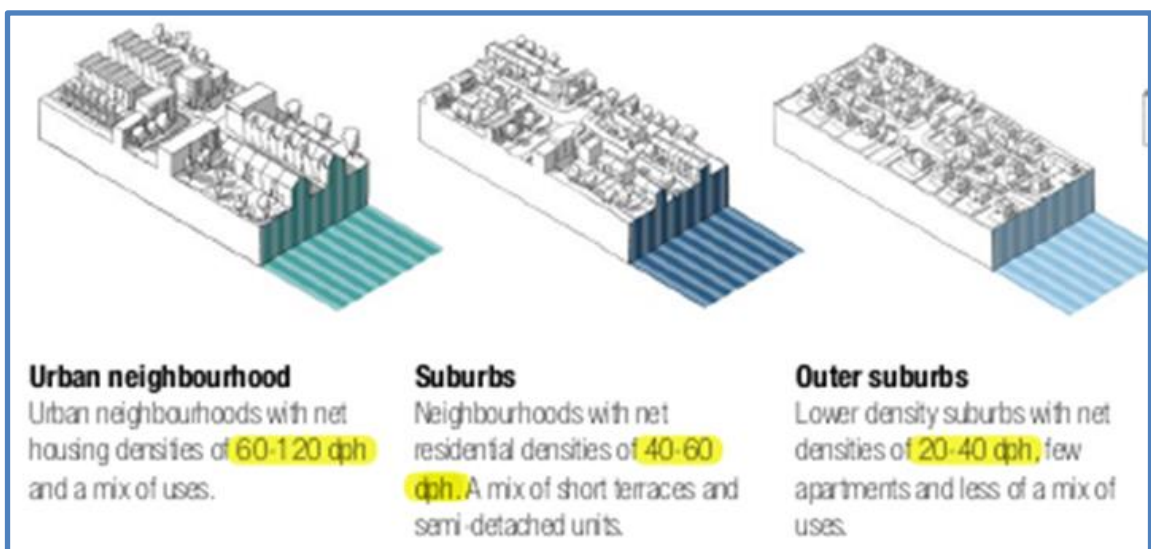
3.4 The **National Planning Policy Framework (NPPF)** does give guidance by referencing out to documents produced by the **Department for Levelling Up, Homes & Communities (DLUHC)** vis: **National Model Design Code and Guidance**.

#### 3.4.1 **NPPF Paras 128 & 129**

128. To provide maximum clarity about design expectations at an early stage, **all local planning authorities** should prepare **design guides or codes** consistent with the principles set out in the **National Design Guide and National Model Design Code**, and which reflect local character and design preferences. **Design guides and codes** provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety.

129. **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.**

3.4.2 As there is absolutely no guidance on the assessment of “**Design Codes**” provided in either the adopted **Croydon Local Plan** or the **Revised Croydon Local Plan**, and as the **National Model Design Code & Guidance** documents were produced and published in **January 2021** and updated in **June 2021**, it is therefore incumbent on the **LPA** to use this guidance for local planning proposals against the assessment and analysis as defined in the **National Model Design Code & Guidance** as published and referenced from the **NPPF**.



**Extract from the National Model Design Code & Guidance “Built Form” for Area Types “Outer-Suburban,” “Suburban” & “Urban” Neighbourhoods.**

## 4 Area Type Design Code Assessment

4.1 The assessment of the **Local Area** to define the **Local Design Code** requires an analysis of the locality which will provide appropriate parameters to use for defining the **Local Design Code detail**. The simplest analogy is to assess the **Post Code Area** for such an area assessment.

Post Code	CR0 7NE	45-69 Orchard Ave
Area	0.83	hectares
Area	8262.82	sq.m.
Population (p)	26	Persons
Dwellings (U)	11	Units
Persons/Unit	2.36	p/unit
Residential Density	31.33	p/ha
Housing Density	13.25	Units/ha

4.2 The following **Google Earth** image (below) shows the **Post Code Area** to be  $\approx 8362.82 \text{sq.m}$  which equates to  $\approx 0.83 \text{ha}$ .

4.3 The local **Post Code CR0 7NE** has a population of **26** <sup>Ref: 1</sup> in an Area of **0.83ha** and has **11** dwellings from **45 Orchard Ave.** to **69 Orchard Ave.** <sup>Ref: 2</sup> This results in a **Housing Density** of **13.25U/ha** and a **Residential Density** of **31.33 Persons/ha**.

4.4 The Post Code Area has been assessed roughly from Google Earth.



**Google Earth measurement of Post Code CR0 7NE Area**

4.5 The analysis and **table below** is of the wider **Shirley Area** including **Shirley North** and **Shirley South Wards**. This analysis is **conclusive evidence** that **Shirley** is definitely an **“Outer-Suburban” Area Type Setting** as Defined in the **National Model Design Code and Guidance** as each assessment clearly indicates ‘less than’ or ‘equal’ to ( $\leq$ ) the **Housing Density** appropriate to an **“Outer-Suburban” Area Type Setting** and defines the local character in accordance with the defined **National Model Design Code Guidance**.

Ref: 1 <https://www.postcodearea.co.uk/>

Ref: 2 <https://www.gov.uk/council-tax-bands>



4.6

## Assessment of Local Area Design Code 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
Post Code CR0 7NE	0.83	26	11	31.33	13.25	<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

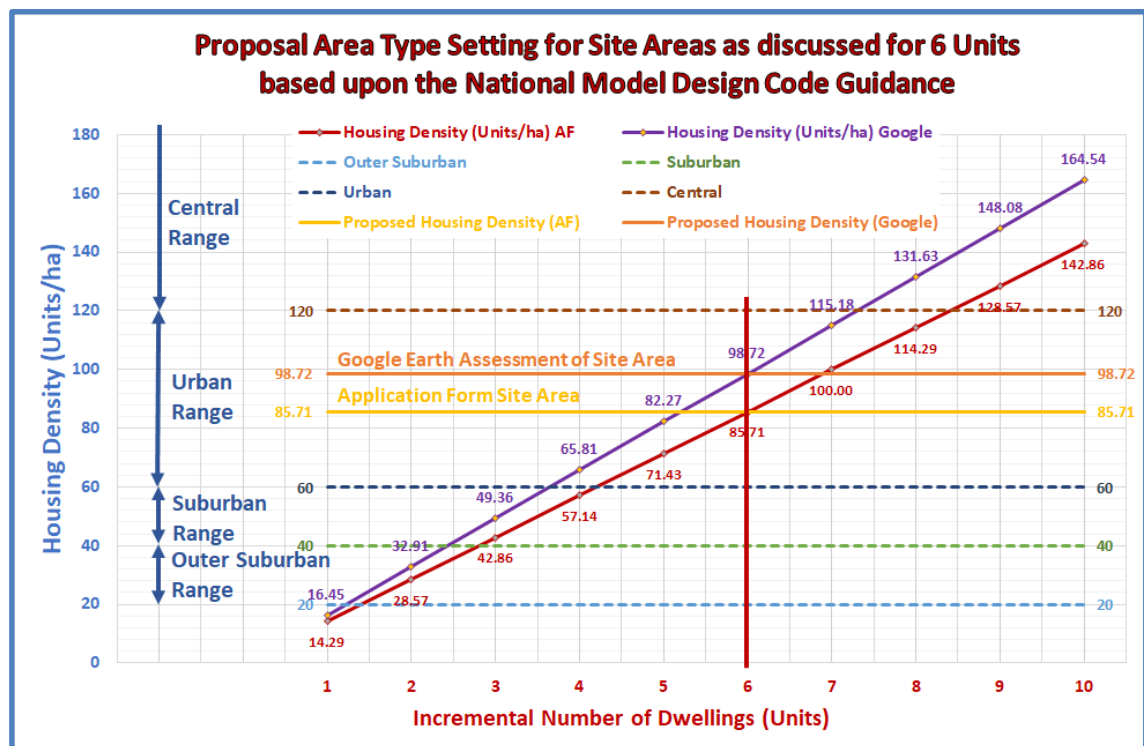
**Note 1:** FOI request (Ref: 4250621) on 31st January 2022

**Note 2:**

### Assessment of Area Type Design Code for Shirley Local Areas by analysis.

4.7

Suitability of proposal in an "Outer Suburban" Area Type Setting.



**Graphical Illustration of Housing Density for the Site Location as indicated on the Application Form and the Density by the Site Area as Assessed by Google Earth measurement to illustrate the difference**

4.8

The Graphical illustration (above) clearly places the proposed development in an "Urban" Area Type Setting in terms of Units/ha as defined by the National Model Design Code & Guidance, whereas the actual Location is in an "Outer Suburban" Area Type Setting which clearly proves the proposal is an over-development which

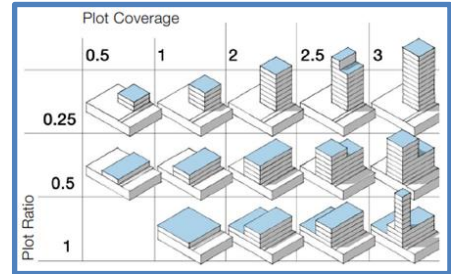
**Representing, supporting and working with the local residents for a better community**

exceeds the “**Site Capacity**” and is **inappropriate** at this location for the proposed **Site Area**, either as stated in the **Application Form** or as measured by **Google Earth**. In short, the proposal exceeds the available “**Site Capacity**” and therefore is **non-compliant** to the **London Plan Policy D3 - Optimising Site Capacity through the Design Led Approach**.

## 5 Floor Area Ratio and Plot Footprint Ratio

5.1 The **National Model Design Code & Guidance Part 2** indicates the **Built Form** further required limitations of density at Para 29.

29. Plot Ratio and Plot Coverage: The former is the ratio between site area and the total building floor area while the latter is the proportion of the site area occupied by buildings. These two measures can be combined to **control development** and should be used alongside good urban design principles. For instance, a Plot Ratio of 2 means that the floor area can be twice the site area while a Plot Coverage of 0.5 means that only half of the site area can be developed.



5.2 **Plot Ratio or Floor Area Ratio = GIA/Site Area**

The **Nation Model Design Code Guidance** at “**Built Form**” Para 52 ii (page 20) states:

ii **Plot ratio**: Calculated by dividing the gross floor area of the building by the area of the plot, plot ratios along with site coverage should be used alongside good urban design principles to regulate the density of mixed-use and non-residential uses (example below) See B.1.i Density

- Town Centres: Plot Ratio >2
- Urban Neighbourhoods: Plot Ratio >1
- Suburbs: Plot Ratio <0.5

The proposed development has a site area of **700m<sup>2</sup>** as indicated on the proposal Application Form and the offered **Gross Internal Area** of **398m<sup>2</sup>** equates to a **Floor Area Ratio** of  $398/700 = 0.57$ . However, the **Google** measured **Site Area** indicates an area of **≈607.77m<sup>2</sup>** which equates to a **Floor Area Ratio** of  $398/607.77 = 0.65$ . This is greater than **<0.5** in both cases, more so in the **Google Earth** measured **Site Area**.

5.3 **Plot Coverage Ratio = Footprint/Site Area**

The proposal documentation does not provide any building footprint area. We have taken estimated footprint measurements, scaled from the Proposed Site Plans to be approximately **195.5m<sup>2</sup>**. The proposed development has a **Site Area** of **700m<sup>2</sup>** as indicated on the proposal **Application Form** and the **Footprint** as roughly calculated from the **Ground floor Site Plan** to be **195.5 m<sup>2</sup>** equates to a **Plot Coverage Ratio** of  $195.5/700 = 0.28$ . However, the **Google Earth** measured **Site Area** indicates an area of **≈607.77m<sup>2</sup>** which equates to a **Plot Coverage Ratio** of  $195.5/607.77 = 0.32$ .

## 6 Residential Density and Public Transport Accessibility

- 6.1 It is surely people who require supporting infrastructure and accessibility to **Public Transport Services** rather than 'Habitable Rooms' and therefore the appropriate parameter for **Residential Density** is 'persons per hectare' – NOT Habitable Rooms per hectare. The preferred parameter is therefore **bedspaces per hectare** as shown in the Parameter Table at the head of this formal representation.
- 6.2 The **Application Form** for this proposal at **67 Orchard Avenue** states that the **Site Area** is **0.07ha** equivalent to **700m<sup>2</sup>**. Whereas the **Google Earth** measurement provides an area of **≈607.77m<sup>2</sup>** or **≈0.608ha**. This difference could be '*intentional*' to minimise the impression of over-development and to convey an impression of increased available "**Site Capacity**" from that actually available but provides two alternative assessments of both **Housing** and **Residential Densities** which we assess in the following analysis.
- 6.3 The **Residential Density** as calculated from the **Application Form** is 12persons/0.07ha = **257.14bedspaces/ha** (or 214.29hr/ha) or by **Google Earth** measurement at 12persons/0.0608ha = **296.16bedspaces/ha** (or 246.80hr/ha). An increase of **39.02bedspaces/ha** or  $(257.14 - 296.16)/257.14 = 15.1746\%$  which cannot be easily explained or accepted.
- 6.4 **Required Public Transport Accessibility Level (PTAL).**
- 6.4.1 It is presumed that the **Area Type** as defined by the **National Model Design Code & Guidance** at the **low value of the Density Range** would be of **Lower PTAL** and the **Higher of the Density Range** at the **Higher PTAL**. Assuming this to be the objective, the distribution over the **lower** and **higher Ranges** should incrementally increase approximately **linearly** from **Zero** through to a **PTAL of 6** as defined by **TfL**.
- 6.4.2 The assessment of **Housing Density** in the **National Model Design Code & Guidance** are **National** figures and therefore a **National** figure for **Residential Density** in occupants per unit would be an appropriate conversion from **Housing Density** to **Residential Density**. As there is no guidance in any **Local Plan** for this assessment, we can use the **National Statista** <sup>Ref: 3</sup> latest average occupancy of households in the UK in 2021 at **2.36** which coincidentally is *exactly* that for the **Post Code CR0 7NE** of this proposal at **26 persons in 11 dwellings = 2.36**.
- 6.4.3 Conversion from **Housing Density** to **Residential Density** using the **Statista<sup>TM</sup>** National conversion factor of **2.36 persons/unit (2021)**.
- | Conversion     | Housing Density |        | Residential Density |        |
|----------------|-----------------|--------|---------------------|--------|
|                | Min             | Max    | Min                 | Max    |
| Outer Suburban | 20              | 40     | 47.2                | 94.4   |
| Suburban       | 40              | 60     | 94.4                | 141.6  |
| Urban          | 60              | 120    | 141.6               | 283.2  |
| Central        | 120             | No Max | 283.2               | No Max |
- 6.4.4 The **TfL PTAL Range** <sup>Ref: 4</sup> is **0** through to **6** but the lower ranges include two sub range values of 1a & 1b of which there is no specified numerical equivalents. Assuming the increase is linear we can make a further assumption that 1a  $\equiv$  0.66 and 1b  $\equiv$  1.33. Therefore, the numerical equivalent **TfL PTAL** at **67 Orchard Avenue** is **1b  $\equiv$  1.33**.

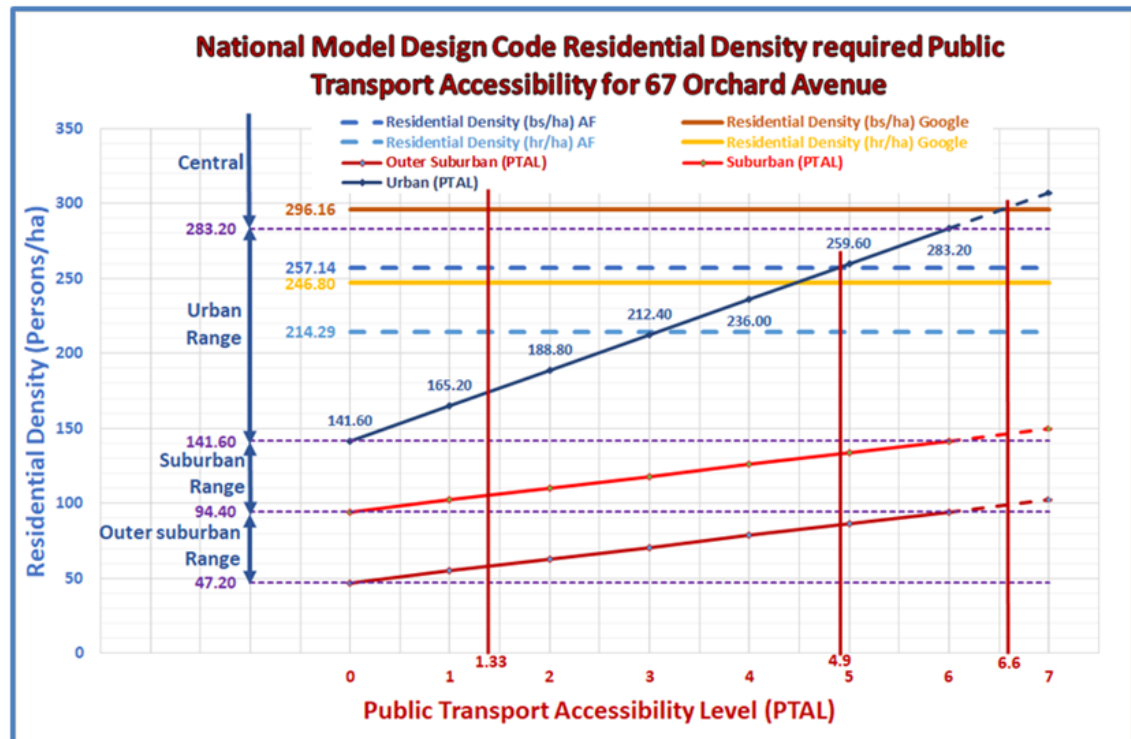
Ref: 3 [UK average household size 2021 | Statista](https://www.statista.com/statistics/1108882/uk-average-household-size-2021/)

Ref: 4 <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>



6.4.5

The graphical illustration (below) clearly shows that the **Residential Density** is **not** within the **Outer Suburban** and **Suburban** ranges to conform to the **Area Type Setting** at **67 Orchard Avenue** as the **Residential Density** in **hr/ha** and **bs/ha** is within an **“Urban”** range when calculated on the **Applicants Site Area** assessment but is within the **Urban** range for the **Application Form Site Area** and in the **Central** Ranges for **Bedspaces/ha** when measured by **Google Earth Site Area**.



The actual and required PTAL for the Proposal

6.4.6

However, the appropriate **Area Type Setting** for **67 Orchard Avenue** is **“Outer Suburban”**.

6.4.7

This highlights the significance of the **Google Earth** measurement of **Site Area** as it shows the proposal from the perspective of **Residential Density** is more appropriate for a **Central Area Type Setting** and would require exceedingly good **Transport Accessibility**, much higher than the level **1b ≡ 1.33** provided by **TfL**.

6.4.8

However, for assessment, the **PTAL** required can be calculated from the incremental linear function:  $y = mx + c$

where:  $y = \text{Density}$ ,  $m = \frac{\delta y}{\delta x}$ ,  $x = \text{PTAL}$  &  $c = y \text{ when } x = 0$

The **PTALs** required are for **Residential Density** in **bedspaces/ha** for the proposal **Site Area** of **257.14bs/ha** and the **Google Earth** measured **Site Area** giving a **Residential Density** of **296.16bs/ha** for comparison.

It is inappropriate to assess **Residential Density** on the basis of **Habitable Rooms/ha** as **Habitable Rooms** do not require access to **Public Transport**. So, we shall not waste time doing a meaningless calculation.

Thus, the Required PTAL would be:

$$257.14bs/ha = \left( \frac{283.2 - 141.6}{6} \right) * x + 141.6 \quad \therefore x = \frac{257.14 - 141.6}{23.6} = 4.896 = PTAL \approx 4.9$$

$$296.16bs/ha = \left( \frac{283.2 - 141.6}{6} \right) * x + 141.6 \quad \therefore x = \frac{296.16 - 141.6}{23.6} = 6.549 = PTAL \approx 6.6$$

**When the available PTAL is just 1b  $\equiv$  1.33**

6.4.9 The above graphical illustration shows the required **PTAL** appropriate for the proposed **Residential Density** as defined by the **Site Area** and **Area Type Setting** for the **National Model Design Code** for both the **Applicants Site Area** (as listed on the Application Form) and the **Google Earth** measurement.

6.4.10 It is therefore evident that the offered proposal would have **inadequate Public Transport Accessibility** for the proposed **Residential Density** and for future occupants of the proposal when the local **PTAL** is at the extremely low level of **1b  $\equiv$  1.33** whether measured against the **Site Area** as stated on the **Application Form** or as measured by **Google Earth**.

## 7 Growth, Densification & Intensification.

### 7.1 Croydon Local Plan (2018) 'Growth' Policies

7.1.1 The **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**' 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**.

7.1.2 The current **Croydon Plan (2018)** 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.

7.2 The **Revised Croydon Local Plan** at Policy **SP1.0C** states:

**SP1.0C** There are residential areas where the characteristics and infrastructure provision have led to the identification of potential for sustainable housing growth and renewal.

- a) 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.
- b) **Moderate Intensification** – are areas where density will be increased, whilst respecting existing character, in locations where access to local transport and services is good.
- c) Evolution and **gentle densification** will be supported across all other residential areas.

7.2.1 **67 Orchard Avenue** is not designated as appropriate for "**Focussed**" or "**Moderate**" densification on the **Policies MAP**. It is therefore appropriate for evolution by "**Gentle**" densification as stated at **SP1.0C para c)**. However, the **Revised Croydon Local Plan** fails to *define* exactly what is meant by "**Gentle**" densification.

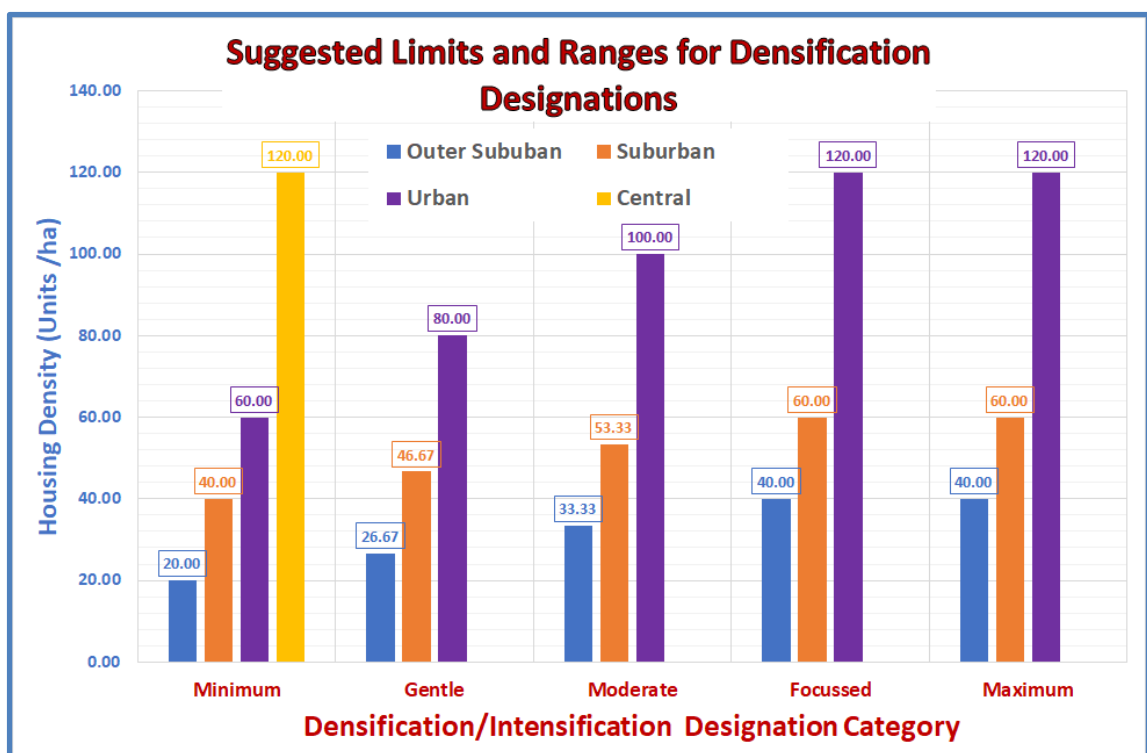
7.2.2 The policy **SP1.0C** does not quantify exactly what “**Gentle**” densification actually means. Therefore, the ambiguous subjective term “**Gentle Intensification**” is literally meaningless in terms of Policy assessment or definition and is NOT quantified or qualified elsewhere in the Revised Local Plan (i.e., **DM10.11a - d**).

### 7.3 Assessment for evolution & regeneration

7.3.1 As the **National Model Design Code Area Types** currently rely on the **available supporting infrastructure**, unless there are programs of ‘**improved infrastructure**’ over the life of the plan, any intensification within an **Area Type or Setting** relies on that **existing Supporting Infrastructure** and therefore the **Design Code Density densification** should **remain within** the **Setting** or **Area Type “Ranges”** as defined, in order for adequate sustainable **supporting infrastructure** for the **proposed development**.

7.3.2 We have shown in the following **Graphical Illustration**, an **incremental increase in Design Code Density** of **⅓ & ⅔** between Settings for “**Outer Suburban**”, “**Suburban**” and “**Urban**” for “**Gentle**”, “**Moderate**” and “**Focussed**” Intensification or **densification** as an example. This is our interpretation of the Local Plan Policy as there is no ‘**meaningful**’ guidance in the **Croydon Revised Local Plan** or the **London Plan**.

7.3.3 There is no “**Gentle**”, “**Moderate**”, “**Focussed**” or “**Maximum**” Densification or Intensification for a **Central Area Type** Setting as the only ‘determinant’ for “**Central**” is the requirement to meet the **Internal Space Standards** as defined at **London Plan Policy D6 - Housing Quality and Standards Table 3.1. Minimum Space Standards for New Dwellings**.



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



7.3.4 It should be clearly recognised that **Shirley** has **NO** prospect of **infrastructure or Public Transport improvement** over the life of the plan as stated in the **LB of Croydon Infrastructure Delivery Plan**. <sup>Ref: 5</sup> It is suggested that **poor infrastructure** would require the **Design Code Density** to **tend toward** the **lower value of density**, and **higher infrastructure** provision **tend toward** the **higher value of density** of the **Setting Range**. Similarly, the **Intensification** or **densification** should follow the same Principles.

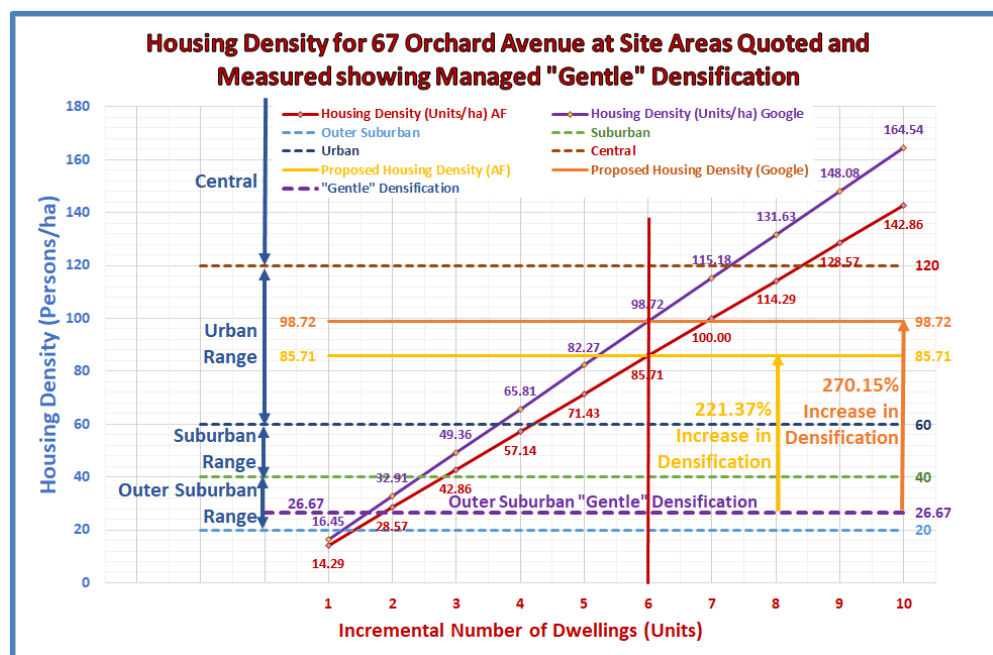
7.3.5 Thus for **67 Orchard Avenue**, with a **"Site Capacity"** limitation of **0.07ha** or **0.0602ha** the **"Gentle" Densification** should **NOT** exceed a **Housing Density  $\geq 26.67$  Units/ha** (i.e.,  $(20 + (40 - 20) / 3) = 26.67$ , but it actually reaches **85.71 U/ha** if calculated on the basis of the **Application Form (AF) Site Area** of **0.07ha**, or **98.72 U/ha** if calculated on the basis of the **Google Earth (GE) assessment** of **Site Area** of **0.0602ha**. This increase as a % is:

Percentage increase =  $|26.67 - 85.71| / 26.67 = 59.04 / 26.67 = 2.2137 = \mathbf{221.37\%}$  (AF)

Percentage increase =  $|26.67 - 98.72| / 26.67 = 72.05 / 26.67 = 2.70154 = \mathbf{270.15\%}$  (GE)

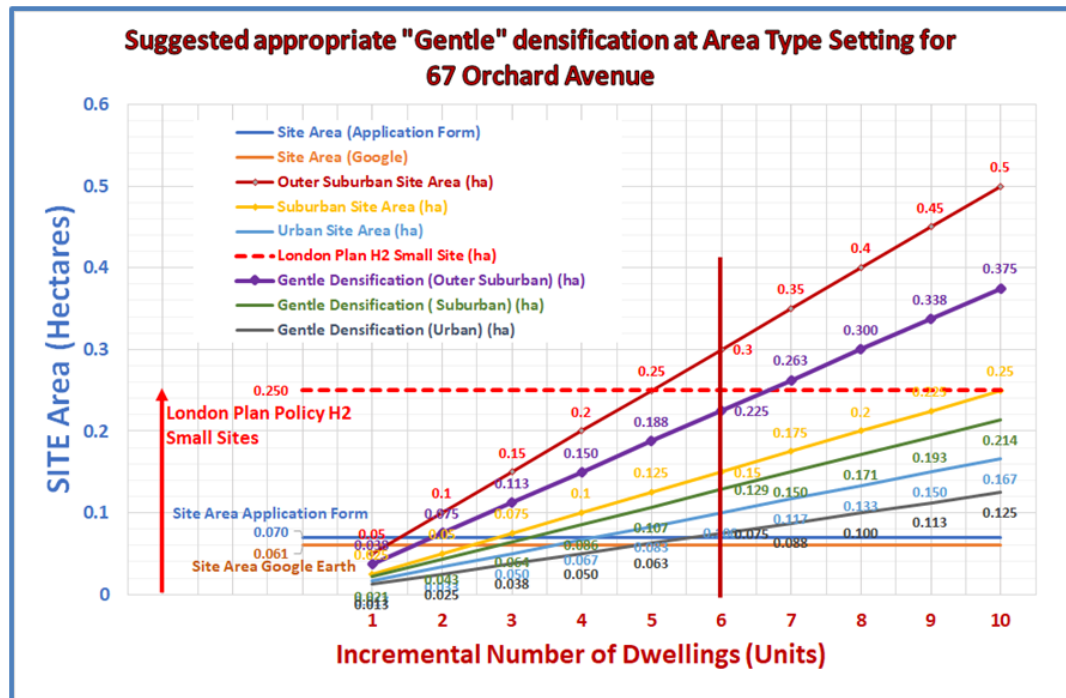
7.3.6 These increases are significantly **above** the **"Gentle" densification** suggested at **26.67 U/ha** to keep within the boundary range and **infrastructure capacity** of the **Outer Suburban Area Type Setting's** currently available and are therefore **inappropriate** for the locality. This increased level of **densification** is **NOT** supported by the **local infrastructure** and there is no planned increase in **infrastructure** provision for the **Shirley North Ward** over the life of the Plan. This level of **"Densification"** cannot be conceivably acceptable as **"Gentle"** or **allowable**.

7.4 Incremental **"Intensification"** Ranges:"



**Based upon an appropriate level for "Gentle" densification as suggested above, the actual proposal is 221.37% (AF) or 270.15% (GE) above the recommended "Gentle" Densification for an "Outer Suburban" Area Type Setting at 26.67 persons/ha.**

<sup>5</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>



**Graphical illustration of limit of "Gentle" Densification for Site Area in an "Outer Suburban" Area Type Setting limits the Housing Density units to ≈2**

- 7.4.1 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 Local Plan. However, the analysis and assessment suggests that the **"Site Area Capacity"** for 67 Orchard Avenue of **0.07ha hectares (Application Form)** or **0.0608ha (Google Earth measurement)** can only accommodate approximately **2 Units**, as defined by the **National Model Design Code Guidance** even with  $\frac{1}{3}$  (Gentle) densification, from 20U/ha to 26.67U/ha (suggested) as the Area Type Setting is **"Outer Suburban"**.
- 7.4.2 The Site Area required to accommodate **6 Units** would need to be **0.3hectares** reduced to **0.225ha** for an Outer Suburban Area Type Setting to accommodate **"Gentle" densification**.
- 7.4.3 In summary, these **Intensification/Densification** designations of the **Croydon Local Plan** are **'meaningless,'** in fact, there is **NO meaningful definition** of **"Growth" Management Policy**, a fundamental requirement of the **job description** and **"Mission Statement"** for the **Croydon LPA "Development Management" Department**.
- 7.4.4 How can a densification of **221.37%** or **270.15%** be considered **"Gentle!"** when the proposal is within an established **"Outer London Suburban" Area Type Setting** locality by multiple assessments and analysis, but with a Density more appropriate to an **"Urban" or "Central" Area type setting?**
- 7.5 London Plan "Incremental Intensification".
- 7.5.1 London Plan (2021) Policy H2 – Small Sites; Para 4.2.4:

**4.2.4 "Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2."**



**Google Earth Image of Location of 67 Orchard Avenue exceeding 800m from any Tram/Train Station and exceeding 800m from the nearest District Centre.**

7.5.2 **67 Orchard Avenue** is within an area of **PTAL 1b  $\equiv$  1.33** which is clearly below **PTAL 3**, and the Google Earth Image above illustrates that **67 Orchard Avenue** is greater than **800m** from any **Tram or Train Station** and is also greater than **800m** from the **Shirley Local Centre**. However, the requirement is to be greater than **800m** from a “**District Centre**” and the **Shirley** is a “**Local Centre**”, **NOT** a **District Centre**. Therefore, the location of **67 Orchard Avenue** is inappropriate for “**Incremental Intensification**” as defined by the **London Plan Para 4.2.4**.

7.5.3 If the **Case Officer disagrees** with any of the above assessments or analysis in any respect or additionally for the assessment of “**Gentle**” **Densification**, we respectfully request that the **Case Officers Report** to officers or Committee Member’s, provide an explanation of the **professional appraisal** of the **Area Type Assessment** and the professional definition of “**Gentle Densification**” fully supported by evidence to qualify why the **Croydon LPA** should have **different Policies** to those espoused by the **National Model Design Code & Guidance** as referenced from the **NPPF paras 128 & 129**.

## **8 Communal Space and Play Space for Children**

8.1 The offered proposal’s accommodation provides a probable occupation of **12 Adults** and **6 Children**. The applicants proposed Ground Floor Plans show **Zero Communal Open Space** for the future Occupants and **20m<sup>2</sup> Play Space for Children**.

8.2 The **Croydon Local Plan (2018)** at Policy **DM10.4** States:

**DM10.4** All proposals for new residential development will need to provide private amenity space that.



- d) All flatted development and developments of **10 or more** houses must provide a minimum of **10m<sup>2</sup>** per child of new play space, calculated using the Mayor of London's population yield calculator and as a set out in Table 6.2 below. The calculation will be based on all the equivalent of all units being for affordable or social rent unless as signed Section 106 Agreement states otherwise, or an agreement in principle has been reached by the point of determination of any planning application on the amount of affordable housing to be provided. ...

There is NO Policy for the allocation of Communal Open Space for future occupants of a development in the adopted Local Plan (2018).

- 8.3 The **Revised Draft emerging Croydon Local Plan** at **DM1A.1** has increasing weight the nearer to adoption (NPPF para 48) **Ref: 6** and States:

**DM1A.1** All proposals for new residential development will need to provide private amenity space that:

- d. All developments need to provide a minimum of **10m<sup>2</sup> per child** of new play space, calculated using GLA's population yield calculator;
- 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.

- 8.4 **The London Plan Policy S4 – Play and informal recreation** at Para 5.4.5 States:

5.4.5 Formal play provision should normally be made **on-site** and provide at least **10 square metres per child** to address **child occupancy** and play space requirements generated by a development proposal. Supplementary Planning Guidance will provide additional detail on the application of this benchmark and other implementation issues. Where development is to be phased, there should be an early implementation of play space.

- 8.5 The **London Plan** does not have a policy defining the amount of “**Communal Open Space**” provision for multiple Unit communal housing developments.

- 8.6 The **Croydon Local Plan DM1A.1 d)** would therefore require **51sq.m.** of Communal Open Space for the **6 Units** and at **10sq.m. per child**, would require a further **60 sq.m. Play Space** for the probable **6 children** of the proposed development. The offered development has **Zero Communal Open Space** for occupants of the **6 Units** and only **20 sq.m. for Play Space** for the Children of future occupants of the development and therefore is deficient by **40 sq.m.**

- 8.7 As the emerging Croydon Local Plan has increasing *weight* the nearer to adoption, the policies **DM1A.1 e)** should carry more weight and the proposal should therefore be **refused** on ground of insufficient **Communal Open Space** deficient of the **51 sq.m.** for communal open space and the deficiency of **40sq.m** Play Space for the children of the future occupants as defined by the adopted **London Plan Policy S4 para 5.4.5.** and the emerging **Croydon Plan Polcy DM1A1 d)** .

- 8.8 The lack of “**Site Area Capacity**” to provide the required **Communal Open Space** and adequate **Play Space** for children highlights the limitations of the “**Site Capacity**”

**Ref: 6**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

appropriate for the proposed development in addition to the issues raised relating to the **Housing** and **Residential Densities** appropriate for the **Area Type and Setting** for the locality and as defined in the **National Model Design Code and Guidance** referenced above. These issues compound the neglect of the proposal to meet the **London Plan Policy D3 – Design Led Approach**.

## 9 Privacy and Overlooking

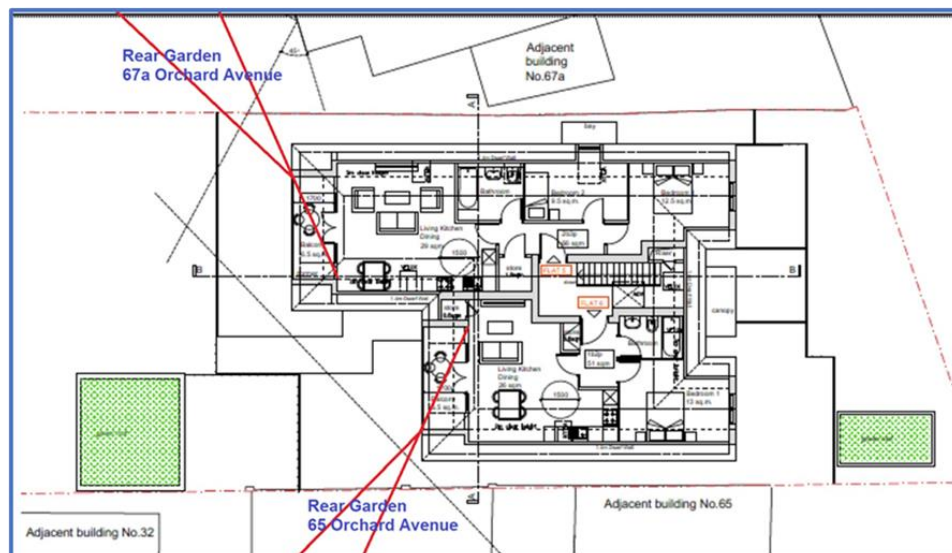
9.1 Revised emerging Croydon Plan (2021) para 4.32F states:

**4.32F** Balconies, winter gardens or roof terraces may help to meet a development's private outside space requirement and will be supported providing they are designed to minimise any overlooking and privacy issues. Enclosures may need to be opaque to achieve this. They may be an innovative way of providing private or communal amenity space **in areas of high density**.

**DM10.7** Development will be required to:

- a. Make an efficient use of land whilst respecting the character of the surrounding area by reinforcing and promoting local distinctiveness;
- b. Ensure that it is designed to avoid unacceptable **harm to the amenity of existing neighbours and future occupants**, including by way of **overlooking and loss of privacy, overbearance, obtrusiveness** and overshadowing;

9.2 Local Residents have indicated their concerns relating to the invasion of privacy and overlooking and we have therefore included this assessment on their behalf.



**Illustration of Overlooking and Invasion of Privacy toward the rear garden of 65 & 67a Orchard Avenue from the Second Floor Balconies**

9.3 As the locality has **Area Type “Outer-Suburban” or “Suburban”** it is not considered to be of an area of **“High Density”** as defined in the **Revised Croydon Local Plan Policy Para 4.32F**.

9.4 The second-floor balconies of **Flats 5 & 6** allow partial overlooking of the rear gardens of **67a & 65 Orchard Avenue, respectively**, even though provided with side elevation **‘privacy screening’** over the depth of the balconies as illustrated in the following plan.

9.5 The Private amenity garden space for **Flat 2** and the **Children’s Play Space** is adjacent to the rear gardens of **65 Orchard Avenue** and the rear garden of **32 Woodland Way**.

The **Car Parking spaces** are all on the forecourt fronting **Woodland Way** adjacent to the existing dwelling and front forecourt of **32 Woodland Way** and are separated by a **2.1m high Fence**, and therefore should not be a cause of interference to local neighbours.

## 10 Parking

### 10.1 Residential Parking at PTAL 1b

10.1.1 The **Croydon Local Plan** (Revised December 2021) Residential Parking Policy at **Table 10.1** states:

*For PTAL 0, 1a & 1b for All Homes in an Area with no controlled Parking Zones for 1 & 2-bedroom Units allocation is 1 space per Unit and 1.5 Spaces for 3 or more Bedroom Units.*

Therefore, the proposal would require 7 spaces to support the development when only 6 Spaces are offered.

Parking Provision			
Unit	Bedrooms (b)	Croydon Plan	London Plan
Flat 1	3	1.5	1.5
Flat 2	1	1	1.5
Flat 3	3	1.5	1.5
Flat 4	2	1	1.5
Flat 5	2	1	1.5
Flat 6	1	1	1.5
Totals	12	7	9

10.1.2 The **London Plan (March 2021)** Residential Parking for Outer London Boroughs at **Table 10.3** states:

*For Outer London at PTAL 0 to 1 For 1 – 2 Bedrooms allocated Up to 1.5 space per Unit and Similar for 3 and greater bedrooms up to 1.5 spaces per unit.*

10.1.3 However, The London Plan is *more reasonable* in respecting **lower PTAL provision** for **Outer London Boroughs** and would require 9 spaces to support the development when only 6 Spaces are provided, which would require 3 on-street **overspill spaces** which would probably be in **Woodland Way**, which is only **≈4.8m** wide.

10.1.4 The proposal offers just 6 parking bays in an area with **PTAL 1b**  $\equiv 1.33$  which is a deficiency of  $|9 - 6|/9 = 3/9 = 0.33 = 33.3\ldots\%$  deficient in **parking provision** as defined for the **London Plan Residential Parking** allocation for **Outer London Suburbs** at **PTAL 1b**.

10.1.5 Therefore, the Parking provision offered for **67 Orchard Avenue** at an **Outer Suburban Area Type Setting** and with **PTAL 1b** is **inadequate and inappropriate**.

## 11 Sustainability and Housing Need

### 11.1 NPPF Para 7 States:

11.1.1 *"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** Ref: 7 ... "*

11.1.2 For **Sustainability**, developments require adequate **supporting infrastructure** but there is **NO planned improvement** in the provision or delivery of new improvements to the existing Infrastructure Ref: 8 for **Shirley** over the life of the Plan.

Ref: 7 Resolution 42/187 of the United Nations General Assembly

Ref: 8 <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>



## 11.2 Housing Need

- 11.2.1 The allocation of housing **“need”** assessed for the **“Shirley Place” [770ha]** over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan **Ref: 9** 2021 **Table 3.1**). This equates to **≈14 dwellings per year over 20 yrs**. 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 the response is as follows:
- 11.2.2 The FOI response indicated, the **Shirley “Place”** as defined in the Local Plan has an area of **approximately ≈770 ha** (i.e., *The LPA has no idea of the actual Areas of the “Places” of Croydon*) 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”**.
- (The statement of equivalence of the Sum of the Wards equals the Area of the “Place” is ‘NOT True.’)**
- 11.2.3 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.**
- 11.2.4 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”*
- 11.2.5 Analysis of the recorded data shows that 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 **[327.90ha]** + Shirley South Wards **[387.30ha]** total of **715.20ha**, a difference of **54.8ha**.
- 11.2.6 The **MORA Area** of **178.20ha** (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** i.e., for the **‘Whole’ of the Shirley “Place”**.

**Ref: 9** <https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf>

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

### Results of Freedom of Information (FOI) request Ref: 4250621 31st Jan 2022.

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

- 11.2.7 This is  $|278 - 1257.5|/278 = 979.5/278 = 3.5234 = 352.34\%$  Increase for the Shirley "Place" estimate 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 of this proposal is "Inappropriate for Incremental Intensification" with a PTAL of 1b and there is no probability for increase in supporting infrastructure.*

Completions (Not including approvals not yet started - see FOI Ref: 4250621 on 31st January 2022 )	2018	2019	2020	2021 (Aug)	Total	20 Yrs (Projected)	Estimated completed 2021
Shirley North Ward	45	87	69	12	213	1095	18
Shirley South Ward	10	15	0	5	30	162.5	7.5
Shirley Place (Estimate <sup>Note 1</sup> ) #1	55	102	69	17	243	1257.5	25.5
Target (278 over 20 yrs) #2	13.9	13.9	13.9	9.27	55.6	278	13.9
% increase $[(\#1-\#2)/\#2] \%$	295.68%	633.81%	396.40%	83.45%	352.34%	352.34%	83.45%

Note 1 : The FOI indicates the Shirley Place to be 770ha whereas Shirley North plus Shirley South Wards total 715.2ha

### Completions Analysis

- 11.2.8 The Build Rate Delivery of dwellings over 3 years for all Shirley is averaging at **55 + 102 + 69 = 226 Ave  $\approx 75.33/\text{yr}$  dwellings per year**, so over 20 years the Net Increase will be  **$\approx 1507$  dwellings**. (Exceeding the 278 Target by  **$\approx 1,229$** ). The Target for the Shirley "Place" at Croydon Plan Table 3.1 of the Revised Croydon Local Plan indicates a Target of **278 dwellings over the period 2019 to 2039**.
- 11.2.9 This current rate (if retained) 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  **$\approx 770\text{ha}$** . The total Area of Shirley North & South Wards is **715.2ha** (GLA figures) therefore, there is  **$\approx 54.8\text{ha}$  excess of land** which is in other adjacent Wards which numerically means the Target for Shirley Wards of **278** should be reduced by **7.12% = 258** (and the difference of **20** added to the Targets of the relevant adjacent Wards).

- 11.2.10 This rate (if retained) would result in the number of developments **significantly exceeding** the available **supporting infrastructure** provision which has been acknowledged as unlikely to be improved over the life of the Plan.
- 11.2.11 It is therefore plainly obvious that the inability to contain or mitigate the **excessive outturns** above the stated **Targets** is a **significant failure** to meet the **legally required objectives** of **Sustainability** as define in the **NPPF Chapter 2. Achieving sustainable development** **Ref: 10** as Shirley has no prospect of infrastructure improvement over the life of the Plan. The **Sustainability of Developments** is a **legal requirement** **Ref: 11** of development approvals.
- 11.2.12 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.**
- 11.2.13 We challenge the use of **“Place”** Target if those Targets for each Place are **NOT monitored** or if deviating from the requirement, there is no mitigating action to manage those Targets to meet **“Sustainable Developments”**. **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, and there is NO infrastructure improvements exceeding that “Need.”**

## **12 Summary and Conclusions**

### **12.1 Initial General Observations**

#### **12.1.1 Site Capacity**

- a) We challenge the actual **Site Area** as listed on the Application Form which does not align with an assessment of the **Site Area** measurement using Google Earth polygon measurement of the boundary as shown in our evaluation at para 1.1 above.
- b) The difference between the stated **Site Area** of **700sq.m.** and the measured Site Area of **607.77sq.m.** is **92.23sq.m.** and illustrates a probable decrease in Area of **92.3sq.m.** i.e., a **Percentage of decrease** =  $|700 - 607.77|/700 = 92.23/700 = 0.1318 = \mathbf{13.18\%}$  from that stated.
- c) We would suggest that this exaggeration of **Site Area** by **92.3sq.m.** is significant decrease at **13.18%** and may have been intentional by the developer to infer a higher than available **Site Capacity** or may be a valid mistake.
- d) It is suggested that the **Case Officer** challenges the developer to supply an accurate value of **Site Area** or requires a surveyor's report to determine the actual **Site Area** to ensure a correct assessment of the **Site Capacity**

**Ref: 10**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

**Ref: 11** <https://www.legislation.gov.uk/ukpga/2004/5/section/39>



in the evaluation of the proposal before making a recommendation.

- e) We have provided all our analysis in our representation showing both the Applicant's quoted **Site Area** and our **Google Earth** assessment for the **Case Officer's** evaluation and comparison.

12.1.2 The proposal fails to follow the existing **Building Line Set Back** as the Northern extended **Bedroom 3 of Flat 1** extends in **front** of the existing established **Building Line set-back**. Therefore, the proposal fails to meet the requirement to respect the existing Building Line Set Back as defined by the **National Model Design Code & Guidance**.

## 12.2 Wheelchair Compliant

12.2.1 From the Planning Statement and Floor Plans, it is assumed that all Units are **M4(2)** compliant and there is no specifically designed unit to **M4(3) Building Regulation compliance** as no unit has wheelchair storage facility over and above the required "**In-Built**" **Storage** requirement as defined in the **London Plan Table 3.1**.

12.2.2 We are of the view that at **6 Units**, one should be wheelchair user friendly to **M4(3) compliant** and provide **wheelchair storage space**.

## 12.3 Design Code & Guidance

12.3.1 The proposal does not meet the **London Plan Policy D3** requirement for a **Design Led Approach** or meet the **National Model Design Code Guidance** in any respect and has not considered whether the proposal is within the **Capacity of the Site**. We have assessed the **Local Design Code parameters** in accordance with the **National Model Design Code & Guidance** and found the proposal does not comply with this guidance.

12.3.2 As the **National Model Design Code and Guidance** is referenced from the **National Planning Policy Framework (NPPF)** we are of the view that this has significant weight. If the **Croydon LPA** disagree with these **Policy Guidance** requirements, a detailed alternative evaluation and assessment criterion and methodology should be provided by the **Case Officer** to explain why **Croydon LPA** should have different **Policy parameters to the National Guidance**.

## 12.4 Area Type Design Code Assessment

12.4.1 We have assessed the Local **Area Type and Setting** to be "**Outer Suburban**" as defined by multiple analysis of various localities parameters in accordance with the **National Model Design Code & Guidance** and each evaluation has conclusively established the Local Area Type Setting to be Less Than or equal to ( $\leq$ ) the **Housing Density** appropriate to an "**Outer-Suburban**" **Area Type Setting**.

12.4.2 If the **Croydon LPA** disagree with these **Policy Guidance analysis**, a detailed alternative evaluation and assessment criterion and methodology should be provided by the **Case Officer** to explain why **Croydon LPA** should have different Policy parameters to the **National Guidance**.

## 12.5 Floor Area Ratio and Plot Footprint Ratio

- 12.5.1 We have assessed the **Floor Area Ratio** in accordance with the **National Model Design Code & Guidance** which exceeds the recommended value which should be less than (<) 0.5 i.e., **GIA/Site Area** in both the **Applicant's quoted Site Area** and the **Google Earth assessed Site Area**. This is further evidence of over-development based upon the **National Model Design Code**.

## 12.6 Residential Density and Public Transport Accessibility

- 12.6.1 The relationship between **PTAL** and Density over the **Area Type** Setting Ranges should tend toward the provision of **PTAL** with the lowest Densities at Low PTAL and the highest Densities at the Highest PTAL.
- 12.6.2 Our analysis shows that the Site Area **Residential Densities** would exceed the equivalent **Residential Density** of **Outer and Suburban Settings** and would be more appropriate in an **Urban Area Type Setting Range** with a **Google Earth** assessment of **Site Area** into the highest **Central Area Type** setting Range.
- 12.6.3 We have evaluated this provision in the **Outer Suburban, Suburban and Urban Ranges** and have established that the required supporting **PTAL** is either **4.9** for a **Residential Density** with **Site Area** to the **Application Form**, or a **PTAL** of **6.6** for the **Site Area** as calculated by **Google Earth**. This is conclusive evidence that the available existing **PTAL of 1b ≡ 1.33** is inadequate to support future occupants of this proposal.

## 12.7 Growth, Intensification & Intensification

- 12.7.1 We have proved that the Policies for “**Growth**” as drafted on the **Croydon Local Plan** is ambiguous and cannot be implemented or enforced as written.
- 12.7.2 We have also made the case that the “**Growth**” within an **Area Type Setting** should be restricted within the range of that **Area Type setting** unless there are plans to increase **infrastructure** over the life of the Plan as the existing infrastructure only supports the current setting.
- 12.7.3 We have assumed levels of **densification** to be ⅓ above the Setting of “**Outer Suburban**” so “**Gentle**” **Densification** would therefore be **26.67u/ha**. However, the actual **densification** would be **221.37%** increase for the **Applicant's Site Area** or **270.15%** increase for the **Site Area** as measured by **Google Earth**. Both these assessments **conclusively** prove the proposal would have a significantly increased **densification** above what would be considered “**Gentle**” and would exceed the **Area Type Settings** and place the proposal appropriate for an **Urban Setting** which is **inappropriate** for this proposal.
- 12.7.4 In addition, the location is inappropriate for “**Incremental Intensification**” as defined in the **London Plan** by a **PTAL of less than (<) 3** and (**>**) greater than **800m** from **Train/Tram Stations** or **District Centres** as defined by **Policy H2 para 4.2.4**.

## 12.8 Communal Space and Play Space for Children

- 12.8.1 There is no provision for **Communal Open Space** for the future occupants of the development which is **non-compliant** to the emerging **Croydon Local Plan** requirement of **50sq.m.** for developments exceeding **5 Units**.

- 12.8.2 The **Play Space for children** of the proposed development offered is **20sq.m.** when the **Policy is for 10sq.m. per child** and the proposed development would likely accommodate **6 children** requiring **60sq.m. Play Space**. As such, the proposed development is deficient by **40sq.m. Play Space** for future children of the occupants of the proposed development.

## 12.9 Privacy & Overlooking

- 12.9.1 The second-floor balconies of **Flats 5 & 6** allow partial overlooking of the rear gardens of **65 & 67a Orchard Avenue** even though provided with side elevation '**privacy screening**' over the depth of the balconies.

## 12.10 Parking

- 12.10.1 **67 Orchard Avenue** has TfL **PTAL at 1b** which is low. The Croydon Plan would require up to **7 car spaces** and the London Plan would require up to **9 Car Spaces** when the offered development has capacity for **6 parking spaces**. This is unacceptable at this location as **Orchard Avenue** is a busy link between the **A232 and A222** and **Woodland Way** to the rear is only **4.8m** wide and unsuitable for overspill parking for **3 Vehicles**.

## 12.11 Sustainability and Housing Need

- 12.11.1 We have shown that the recent developments in the **Shirley North Ward** have significantly exceeded the **London Plan Targets** over the 2019-2039 period at the current build and approval rates which proves that housing "**need**" in the **Shirley North Ward has already been met**.
- 12.11.2 It is therefore plainly obvious that the inability to contain or mitigate the excessive outturn above the stated Targets is a significant failure to meet the objectives of Sustainability as define in the **NPPF Chapter - 2 Achieving Sustainable Development**.
- 12.11.3 Shirley has no prospect of infrastructure improvement over the life of the Plan. The **Sustainability of Developments** is a legal requirement of development approval and therefore failure to mitigate excessive outturns over the set targets is ignoring a **legal Development Management requirement**.

## 13 The Planning Process

- 13.1 The forgoing submission is compiled on the grounds of **National and Local Planning Policies** and based upon **rational observations and evaluation**. There have been no **vague or subjective assessments** and therefore we respectfully request that all our foregoing analysis and evidence is a sound assessment and therefore extremely relevant to the final determination.
- 13.2 Local Residents have "**lost confidence in the Planning Process**" resultant on recent local **over-developments** and lack of additional supporting infrastructure, which, in the majority of cases, disregarded Planning Policies. 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 supported and 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**.

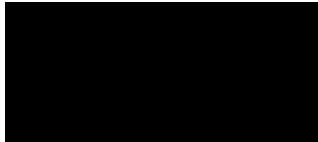




- 13.3 We urge the **LPA to refusal this application** and request the applicant to submit a revised proposal meeting all Planning Policies. *If permission is Granted for this proposal, it would be absurd to believe that the Planning Policies have any meaningful weight and local residents would be quite correct in their current complete loss of confidence in the Planning Process.*

**Kind Regards**

**Derek**



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MORA Executive Committee, Local Affected Residents', Interested Parties

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Shirley North Ward  
Shirley North Ward  
Shirley North Ward