

To: Mr. Christopher Grace - Case Officer
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**Monks Orchard Residents'
Association
Planning**

10th October 2022

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Reference:	22/03888/FUL
Application Received:	Tue 20 Sep 2022
Application Validated:	Tue 20 Sep 2022
Address:	9 - 13 Gladeside Croydon CR0 7RL
Proposal:	This proposal is for the demolition of 3no existing dwellings and the erection of 7no dwelling houses of two storey with accommodation in the roof space. 11 car parking spaces are provided including 1no accessible space plus cycle and refuse storage.
Status:	Awaiting decision
Case Officer	Christopher Grace
Consultation Expiry:	Sun 16 Oct 2022
Determination Deadline:	Tue 15 Nov 2022

Dear Mr Grace

Please accept the following assessment by MORA of the Planning Application proposal Application Reference 22/03888/FUL at: 9–13 Gladeside Croydon CR0 7RL for the demolition of 3no existing dwellings and the erection of 7no dwelling houses of two storey with accommodation in the roof space. 11 car parking spaces are provided including 1no (*Disabled*) space plus cycle and refuse storage.

1 Initial Observations:

- 1.1 There are a number of inconsistencies between comments in the Design and Access Statement and the supporting documentation which need to be explained.
- 1.1.1 The Design & Access Statement at page 25 “The Proposal – Density” states:
- | | |
|-----------------------------|-----|
| Units per hectare | 45 |
| Habitable Rooms per hectare | 224 |
| Bedrooms per hectare | 179 |
| Bedspaces per hectare | 269 |
- 1.1.2 We have compiled the following spreadsheet (Para 1.2 below) listing all parameters of the proposal and we find differences in these figures which are shown individually and include the totals which conflict with the list at page 25 of the **Design and Access Statement**. The only figure in this list that our observations agree to is the **Housing Density Units per hectare** at **45U/ha** (actual **44.79U/ha.**)

- 1.1.3 The Design and Access Statement references the removal of the London Plan Density Matrix from the new version of the London Plan (March 2021) but suggests that ***“the Matrix remains a reasonable guide in terms of acceptable density”***.
- 1.1.4 This assumption ignores the revised version of the **London Plan** which at **Policy D3** **requires proposals to meet the Design-Led Approach** and for developments to be within the available **“Site Capacity”**. The assumption also ignores the new policies defined in the **NPPF** and published by the **Department for Levelling Up Housing & Communities (DLUHC) National Model Design Code & Guidance**. However, we have used the Density ranges as defined by **TfL** for **Residential Density** comparisons to the available **PTAL** as quotes for a **Suburban Setting** in the **Density Matrix** in comparison with the **National Model Design Code Guidance**.

1.2 Offered Proposal Parameters

9 - 13 Gladeside			App Ref: 22/03888/FUL											
			Standard Drawings				Adapted Drawings		D & A Statement		Difference	Floor Area Ratio		0.59
Site Area	1563	sq.m.	Bedrooms Density		172.74	b/ha	172.74	b/ha	179 b/ha		6.26	Plot Area Ratio		N/A
App Form	0.1563	ha	Residential Density		281.51	bs/ha	307.10	bs/ha	269 bs/ha		-38.10	PTAL	2011	1a = 0.66
Units	7		Residential Density		278.31	hr/ha	278.31	hr/ha	224 hr/ha		-54.31	PTAL	2021	1a = 0.66
			Housing Density		44.79	U/ha	44.79	U/ha	45 U/ha		0.21	PTAL	2031	1a = 0.66
			Ave Density/Unit		6.21	hr/Unit	6.21	hr/Unit	5.00 hr/Unit		-1.21			
Unit	Type	Building Reg.	Floor	Bedrooms (b)	Bed Spaces (bs)	Bed Spaces Adapted (bs)	Habitable Rooms (hr)	GIA (Offered)	GIA (Required)	In-Built Storage (Offered) (Note 2)	In-Built Storage (Required)	Amenity Space (Offered)	Amenity Space (Required)	Parking (Note 3)
Unit 1	Semi Detached (Note 1)	M4(3)	Ground	0	0	0	1	53.5	90	1	2.5	67.5	7	1
		Lift	First	2	3	4	2	50.5		0				
		Lift	Second	1	1	2	2	30.5		5.79				
Sub Totals				3	4	6	5	134.5	90	6.79	2.5	67.5	7	1
Unit 2	Semi Detached (Note 1)	M4(2)	Ground	0	0	0	1	53.5	112	2	3	38.1	8	1
			First	3	4	6	3	50.5		1.7				
			Second	1	2	2	2	30.5		2.85				
Sub Totals				4	6	8	6	134.5	112	6.6	3	38.1	8	1
Unit 3	Detached House	M4(2)	Ground	0	0		1.5	60.0	121	1.5	3	64.1	7	1
			First	3	5		4	51.0		0.6				
			Second	1	2		1	21.8		2.5				
Sub Totals				4	7	7	6.5	132.8	121	4.6	3	64.1	7	1
Unit 4	Semi Detached	M4(2)	Ground	0	0		1.5	55.0	121	1.8	3	98.0	7	1
			First	3	5		4	51.0		0.6				
			Second	1	2		1	21.8		2.5				
Sub Total				4	7	7	6.5	127.8	121	4.9	3	98.0	7	1
Unit 5	Semi Detached	M4(2)	Ground	0	0		1.5	55.0	121	1.8	3	53.0	7	1
			First	3	5		4	51.0		0.6				
			Second	1	2		1	21.8		2.5				
Sub Total				4	7	7	6.5	127.8	121	4.9	3	53.0	7	1
Unit 6	Detached House	M4(2)	Ground	0	0		1.5	55.0	121	1.8	3	60.6	7	1
			First	3	5		4	51.0		0.6				
			Second	1	2		1	21.8		2.5				
Sub Total				4	7	7	6.5	127.8	121	4.9	3	60.6	7	1
Unit 7	Detached House	M4(2)	Ground	0	0		1.5	53.5	112	2.0	3	60.6	6	1
			First	3	4		3	50.5		1.7				
			Second	1	2		2	31.0		2.9				
Sub Total				4	6	6	6.5	135.0	112	6.6	3	60.6	6	1
Grand Total			27	44	48	43.5	920.0	798	39.2	20.5	441.9	49	11	
Note 1		Unit 1 Adaption - includes use of second floor Study as a bedroom for one person and bedroom 3 as a double and First floor Bedroom 2 as a double												
Note 2		Unit 1 Storage Space of 6.79sq.m. does not include wheelchair storage and does not equal 7.45 Sq.m. as stated on Drawing No. 316-002-219B Units 1 & 2 Adapted												
Note 3		Four additional Off-Road Parking Spaces Available. Bay 11 Disable Bay for Unit 1.												

Table of Design Parameters and related calculations Spreadsheet

1.3 Building Line Set-Back

1.3.1 National Model Design Code & Guidance Part 1 – The Coding Process for Area Types Built Form para 52 vii) States:

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.**

1.3.2 The proposal meets the existing building line Set-Back along Gladeside.

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1.4 M4(3) Wheelchair Compliant

- 1.4.1 The **London Plan Policy D7 Accessible Housing** requires at least **10%** of dwellings to meet **Building Regulation M4(3)** "Wheelchair user dwellings".
- 1.4.2 The proposal has **7 Units**, 10% of which is **0.7** which when rounded to a whole integer is greater than **0.5** and thus **one unit** should be **M4(3) Compliant**.
- 1.4.3 **Unit 1** is fully compliant to **M4(3) Building Regulation** and is provided with a **disabled parking bay** on the forecourt and **wheelchair storage space** on the Ground Floor. Additionally with the benefit of a **personal Lift** serving all three floors. **Unit 1** is therefore fully compliant and exceeds the **M4(3) Building Regulation requirements**.

2 Design Codes & Guidance

2.1 Croydon Local Plan

- 2.1.1 The **Croydon Local Plan (2018)** does NOT provide any guidance on the assessment of local **Design Code Assessment**. The **Revised (Draft) emerging Croydon Local Plan (2021)** also does NOT provide any guidance on the assessment of **local Design Code Assessment**.

2.2 London Plan

- 2.2.1 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.

2.3 The NPPF

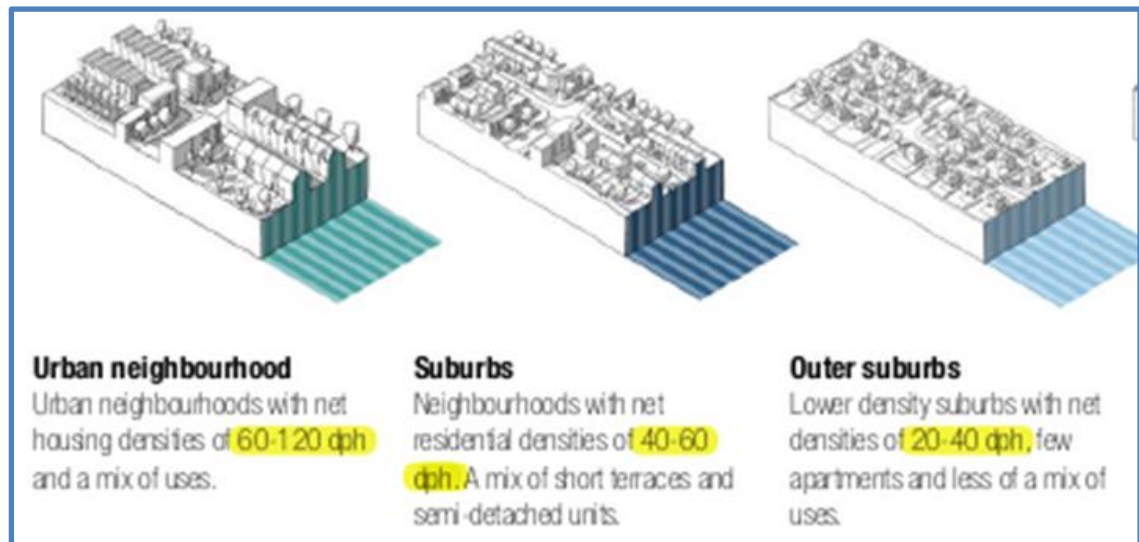
- 2.3.1 The **National Planning Policy Framework (NPPF)** does give guidance by referencing out to documents produced by the **Department for Levelling Up, Housing & Communities (DLUHC) vis: National Model Design Code and Guidance**.

2.3.2 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.**

2.4 National Model Design Code & Guidance

- 2.4.1 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**, in the absence of local guidance.



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

3 Area Type Design Code Assessment

- 3.1 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 local **Post Code Area CR0 7RL** for such an area assessment.

Post Code CR0 7RL	3 to 49 Gladeside
Area	14046.5 sq.m.
Area	1.4046 ha
Population (p)	60 Persons
Dwellings (U)	24 Units
Persons/Unit	2.5 p/unit
Residential Density	42.72 p/ha
Housing Density	17.09 U/ha

- 3.2 The following **Google Earth** image (below) shows the **Post Code Area** to be **≈14046.45 sq.m** which equates to **≈1.4046 ha**.

- 3.3 The local **Post Code CR0 7RL** has a population of **60** ^{Ref: 1} in an Area of **1.4046ha** and has **24 dwellings** from **3 Gladeside to 49 Gladeside** ^{Ref: 2} This results in a **Housing Density** of **17.09U/ha** and a **Residential Density** of **42.72Persons/ha**.

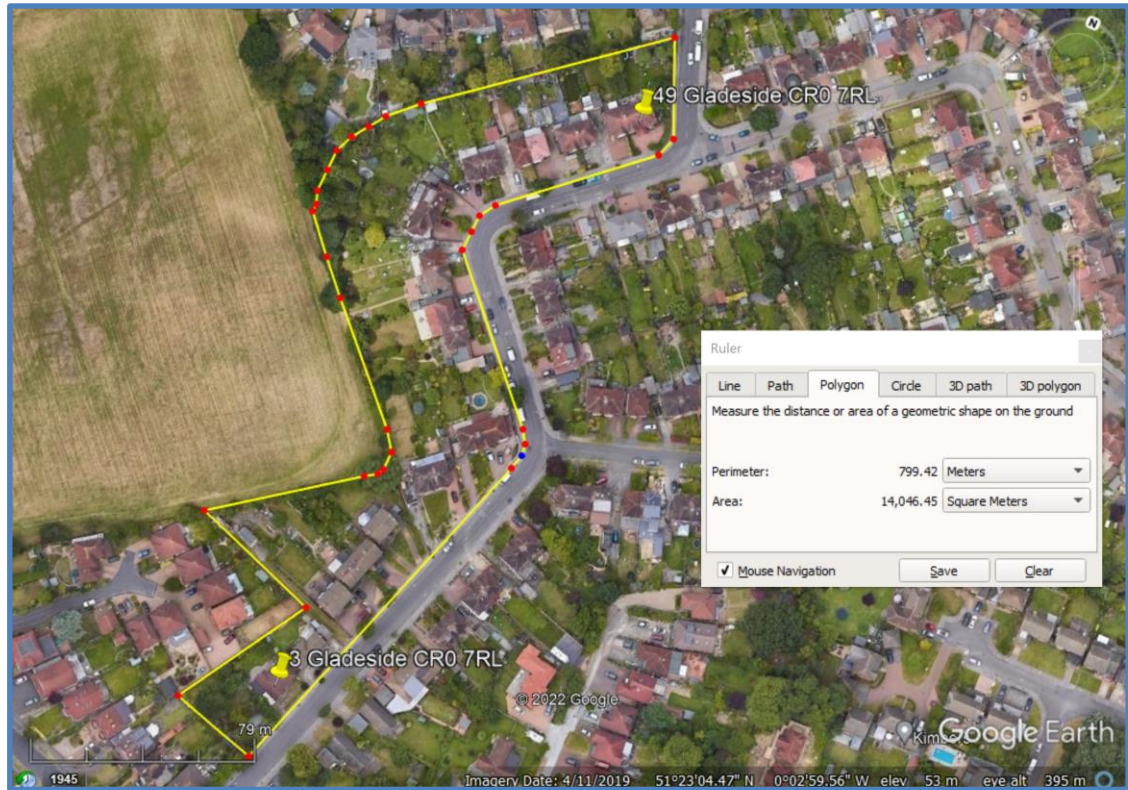
- 3.4 These assessments place the **Design Code Housing Density** for the locality of the proposed development at **17.09 Units per hectare** which is **below** the density range for “**Outer Suburban**” as defined by the **National Model Design Code & Guidance**.

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

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

3.5

The Post Code Area assessed roughly from Google Earth at **1.4046.6sq.m. ≈1.4046ha.**



Google Earth measurement of Post Code CR0 7RL Area

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
Post Code CR0 7RL	1.40	60	24	42.72	17.09	<Outer Suburban
Shirley "Place" ¹ (approx)	770.00	?	?	?	?	?
Average	201.22	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

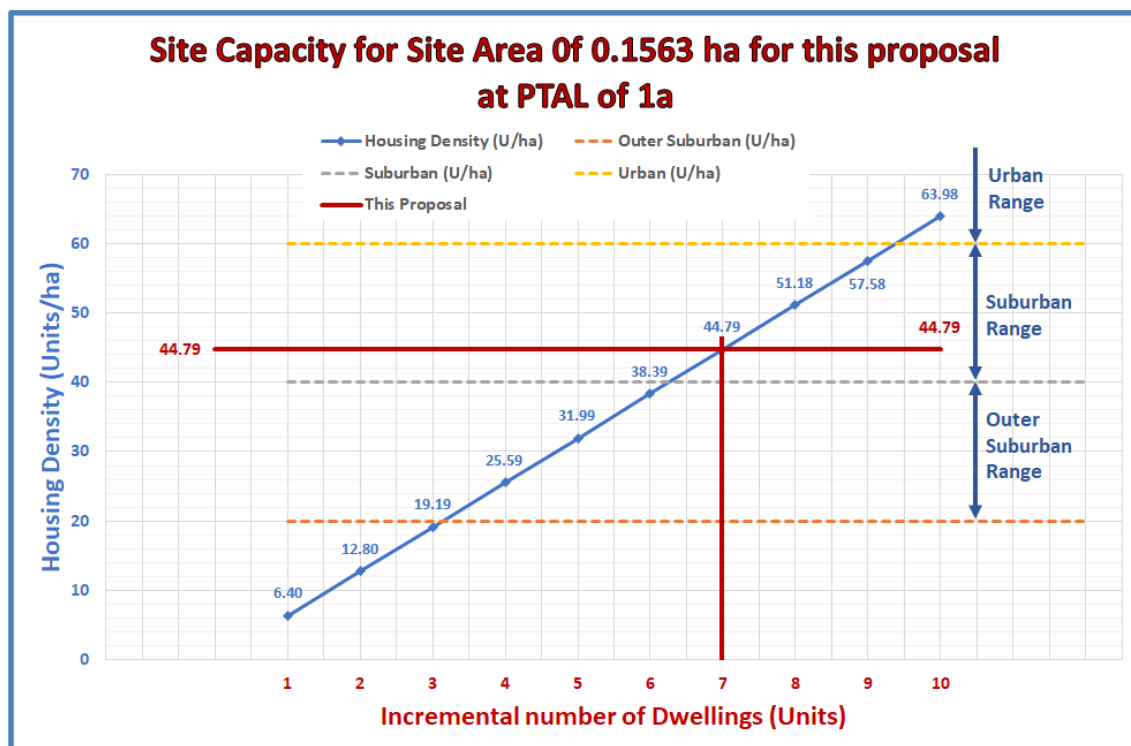
Assessment of Area Type Design Code for Shirley Local Areas by analysis.

3.6

The above Google Earth image and the table above of the wider **Shirley Area** including **Shirley North** and **Shirley South Wards** analysis provides **conclusive evidence** that **Shirley** is definitely an **"Outer-Suburban" Area Type Setting** as Defined in the **National Model Design Code and Guidance** as **all** assessments show equal to or less than the **Housing Density** appropriate to an **"Outer-Suburban" Area Type Setting**.

3.7

Site Capacity in an “Outer Suburban” Area Type Setting for Site Area 0.1563ha.



Graphical Illustration of Housing Density for the Site Location

3.8

The Graphical illustration (above) clearly places the proposed development in a “**Suburban**” Area Type Setting in terms of **Housing Density (Units/ha)** as defined by the **National Model Design Code & Guidance**, whereas the actual Location is in an “**Outer Suburban**” Area Type Setting. This illustrates that the proposal exceeds the “**Site Capacity**” as defined by the adopted **London Plan Policy D3 - Optimising site capacity through the design-led approach**.

4

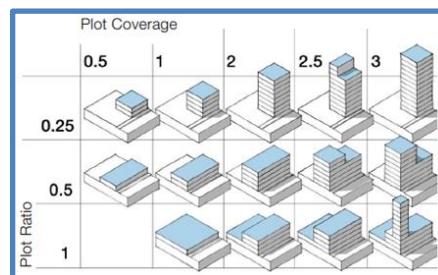
Floor Area Ratio and Plot Footprint Ratio

4.1

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.



4.2

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

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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 **Floor Area Ratio** = offered **Gross Internal Area (GIA)** divided by the Site Area (in the same Units at sq.m.) which for this proposal is 920.0/1563 = **0.59** which exceeds the National Model Design Code Guidance Build Form para 52 ii) by **18%**.

4.3 Plot Coverage Ratio = Footprint/Site Area

The data to calculate the Plot Coverage Ratio which requires Build Footprint Area, has not been found in the applicant's submission documentation.

5 Residential Density and Public Transport Accessibility

5.1 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.

5.2 The **Residential Density** as calculated from the provided Data are:

Standard Drawings		Adapted Drawings		D & A Statement	
Bedrooms Density	172.74 b/ha	172.74 b/ha		179 b/ha	
Residential Density	281.51 bs/ha	307.10 bs/ha		269 bs/ha	
Residential Density	278.31 hr/ha	278.31 hr/ha		224 hr/ha	
Housing Density	44.79 U/ha	44.79 U/ha		45 U/ha	
Ave Density/Unit	6.21 hr/Unit	6.21 hr/Unit		5.00 hr/Unit	

5.3 We cannot clearly identify why our Excel Spreadsheet calculations arrive at different values to those stated in the **Design and Access Statement** for **Residential Density** in **bedspaces/ha or hr/ha** and **bedrooms per ha**. The adapted drawing values reflect the arrangements of the **Adapted Bedrooms** for **Units 1 & 2**.

5.4 Required Public Transport Accessibility Level (PTAL).

5.4.1 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 of **Development Management**, 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**.

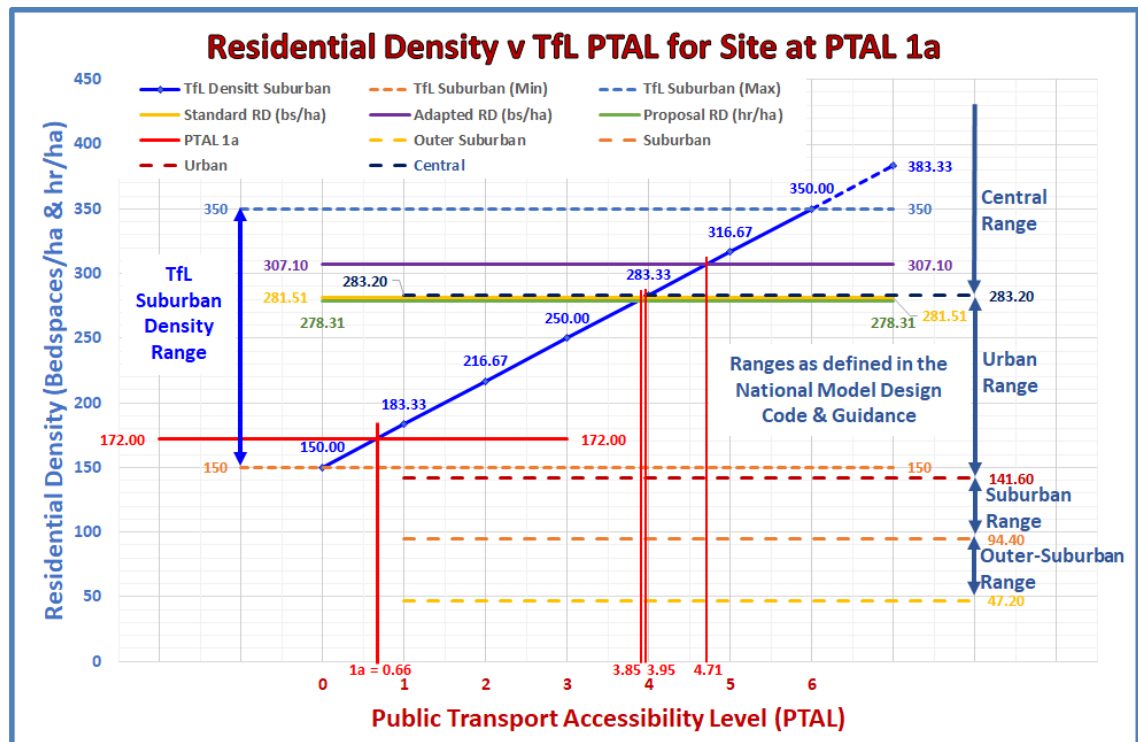
5.4.2 The assessment of **Housing Density** in the **National Model Design Code & Guidance** are **National** figures and therefore a **National** figure for **Residential Density** in **occupants per unit** would be an appropriate conversion from **National Housing Density** to **National Residential Density**.

5.4.3 As there is no guidance in any **Local Plan** for this assessment, we can use the **National Statista** ^{Ref: 3} latest average occupancy in the UK in 2021 at **2.36 persons/Unit**.

5.4.4 The Table adjacent shows Conversion from **Housing Density** to **Residential Density** using the **Statista** TM 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

5.4.5 The applicant has inferred the **Densities** as related to the previous **London Plan Policy** use of the **Density Matrix**. However, it is considered that as this **Density Matrix** has been omitted from the current **London Plan**, we are assuming the **TfL PTAL** ranges still apply for the **Suburban TfL PTAL Range** ^{Ref: 4} as **0** through to **6**. However, the lower ranges include two sub range values of 1a & 1b of which there are 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 the development Site is 1a \equiv 0.66



The graphical illustration compares both the TfL and the National Design Code Settings for the required Public Transport Accessibility Level (PTAL)

5.4.6 The graphical illustration (above) clearly shows that the **TfL Density Range** for “**Suburban Settings**” is different to that defined in the **National Model Design Code & Guidance** for “**Outer Suburban**” and “**Suburban**” Area Type Settings. However, the illustration clearly identifies the **PTAL** requirement increases in proportion to the increase in density over the range if assumed incrementally linear across the ranges.

Ref: 3 [UK average household size 2021 | Statista](https://www.statista.com/statistics/1091117/average-household-size-in-the-uk/)

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

- 5.4.7 For accurate assessment, the **PTAL** required can be calculated from the incremental linear function: $y = mx + c$

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

Thus, the Required PTAL would be:

$$278.31 \text{ hr/ha} = \left(\frac{350 - 150}{6} \right) * x + 150 \quad \therefore x = \frac{278.31 - 150}{33.33} = 3.8493 \approx 4.85 \text{ PTAL}$$

$$281.51 \text{ bs/ha} = \left(\frac{350 - 150}{6} \right) * x + 150 \quad \therefore x = \frac{281.51 - 150}{33.33} = 3.9453 \approx 3.95 \text{ PTAL}$$

$$307.10 \text{ bs/ha} = \left(\frac{350 - 150}{6} \right) * x + 150 \quad \therefore x = \frac{307.10 - 150}{33.33} = 4.7130 \approx 4.71 \text{ PTAL}$$

When the available PTAL is just $1a \equiv 0.66$

- 5.4.8 The Standard proposal's Residential Density of 278.31hr/ha would require a **PTAL of 3.85** and a Residential Density of 285.51bs/ha would require a **PTAL of 3.95**. For the **Adapted Configuration Units 1 & 2**, the proposal would require a **PTAL of 4.71**. All these requirements significantly exceed the **available PTAL of $1a \equiv 0.66$** .

It is inappropriate to assess **Residential Density** on the basis of **Habitable Rooms/ha** as **Habitable Rooms** do not require access to **Public Transport**. 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 **$1a \equiv 0.66$** .

6 Growth, Densification & Intensification.

6.1 Croydon Local Plan (2018) 'Growth' Policies

- 6.1.1 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.

- 6.1.2 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.

- 6.2 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.

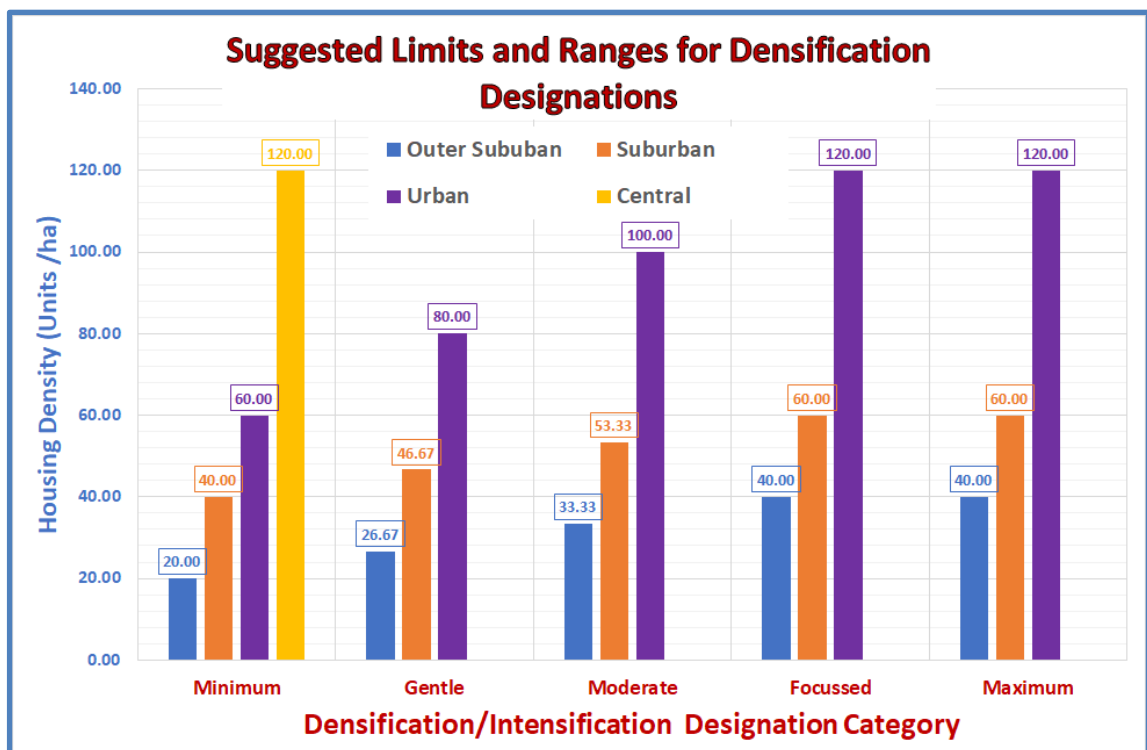
- c) Evolution and **gentle densification** will be supported across all other residential areas.

6.2.1 The **locality of the proposed development** 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**.

6.2.2 The policy **SP1.0C** does not quantify exactly what **“Gentle” densification** actually means. Therefore, the ambiguous subjective term **“Gentle densification”** 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**).

6.3 Assessment for evolution & regeneration

6.3.1 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 to maintain adequate sustainable **supporting infrastructure** for the **proposed development** and to meet the **legal requirement for sustainable** ^{Ref: 5} **developments**.



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

6.3.2 We have shown in the **Graphical Illustration**, 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** as an

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

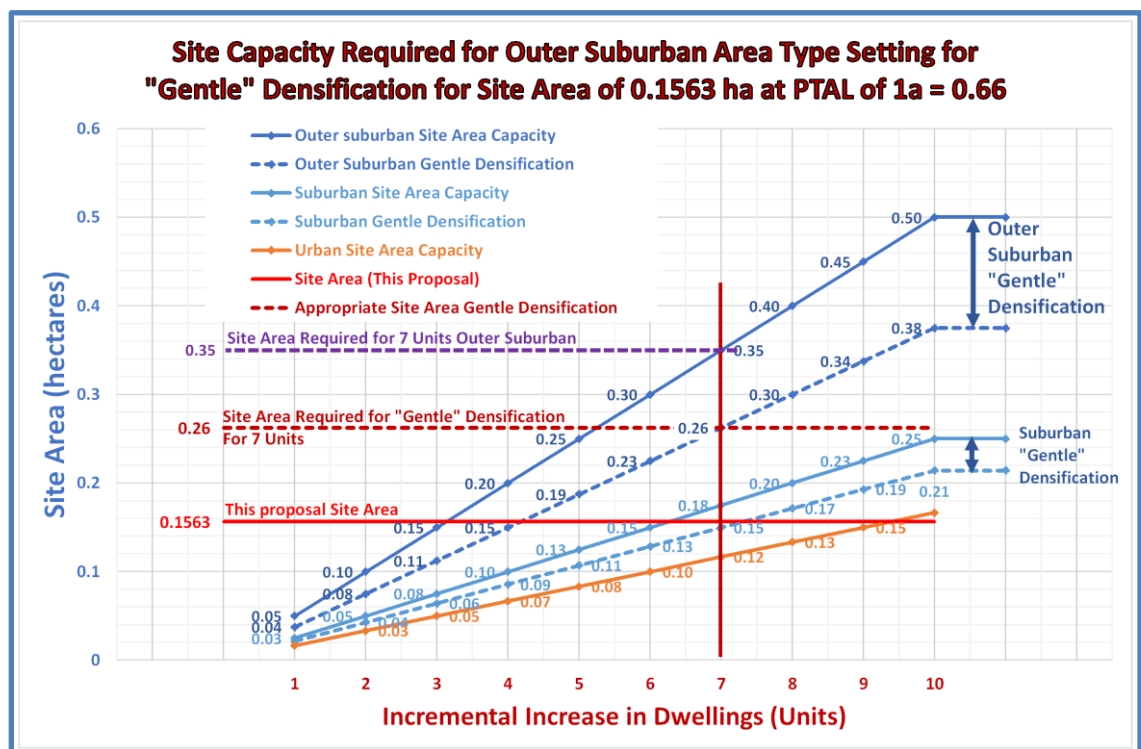
example. This is our interpretation of the Local Plan Policy as there is no *‘meaningful’ guidance* in the **Croydon Revised Local Plan** or the **London Plan**.

6.3.3 There is no **“Gentle”, “Moderate”, “Focussed” or “Maximum”** Intensification 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**.

6.3.4 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**. ^{Ref: 6} 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.

6.4 Site Capacity

6.4.1 The graphical illustration below of the **National Model Design Code & Guidance** indicates a **Site Capacity** for **0.1563hectare** is limited to **≈3 Units** and this can be increased to **≈4 Units** for **“Gentle” densification** if the locality has poor infrastructure provision. The Site Area required for **7 Units** is shown to require **0.35hectares** which for **“Gentle” densification** can be reduced to **0.26hectares** as illustrated in the graphical representation below.



Site Area Capacities for “Outer Suburban” and “Suburban” Area Type Settings with allowance for “Gentle” Densification.

⁶ <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

- 6.4.2 Thus for the proposed development, with a “**Site Capacity**” limitation of **0.1563ha** in an **Outer Suburban** Area Type Setting with extremely Low PTAL (1a \equiv 0.66), the “**Gentle**” **Densification** should NOT exceed a Housing Density **>≈26.67Units/ha** (i.e., $(20+(40-20)/3) = 26.67U/ha$, but it actually reaches **44.79U/ha**.

This increase as a % is: $|26.67 - 44.79|/26.67 = 18.12/26.67 = 0.67941 = 67.94\%$

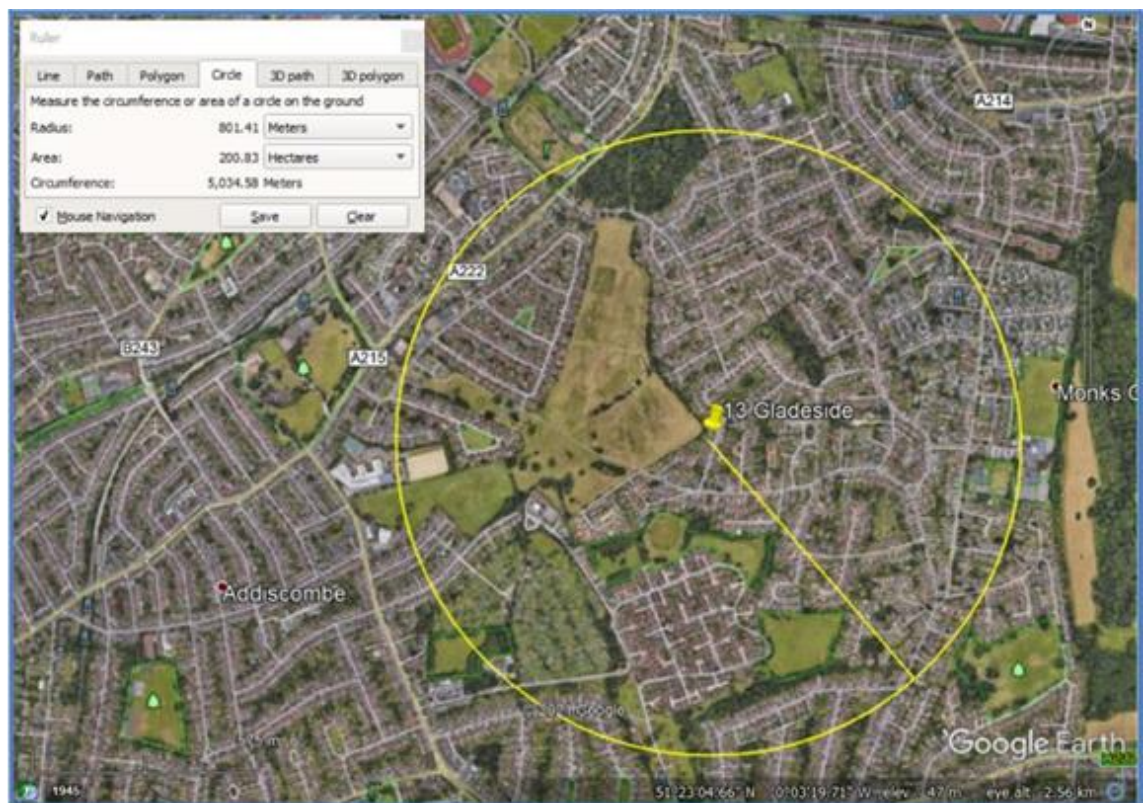
67.94% is NOT considered “Gentle”.

- 6.4.3 This increase is significantly **above an acceptable definition of “Gentle” densification** suggested at **26.67U/ha (i.e., ≈33%)** to keep within the **Setting Range** and **infrastructure capacity** of the “**Outer Suburban**” Area Type Setting for sustainable developments within the locality. The proposed increased level of **densification** is NOT supported by the **local infrastructure** as there is no planned increase in **infrastructure** provision for the **Shirley North Ward** over the life of the Plan. This level of “**Densification**” increases the Housing Density from the “**Outer Suburban**” into a “**Suburban**” Area Type Setting and cannot be acceptable as “**Gentle**” and as such is **NOT considered a legal “Sustainable Development”**.

- 6.5 **London Plan “Incremental Intensification”.**

- 6.5.1 **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.”



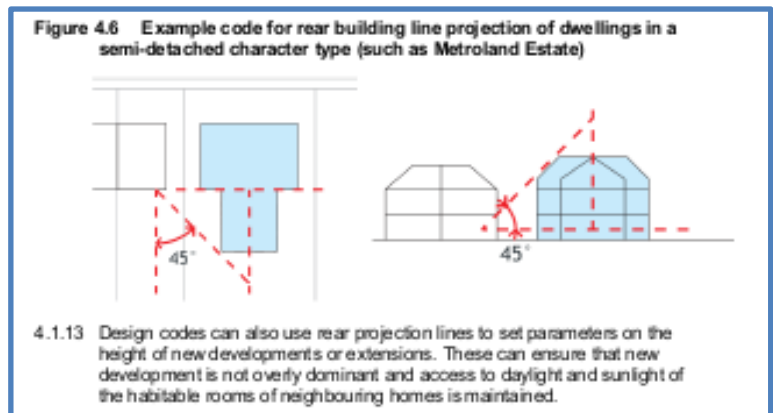
Google Earth Image showing Location of 13 Gladeside exceeding 800m from any Tram/Train Station and exceeding 800m from the nearest Local or District Centre – Therefore ‘Inappropriate’ for Incremental Intensification.

6.5.2 The developments Site is within an area of **PTAL 1a** \equiv **0.66** which is clearly below **PTAL 3**, and the Google Earth Image above illustrates that the locality is greater than **800m** from any **Tram or Train Station** and is also greater than **800m** from the **Shirley Local Centre**. However, the requirement for “**incremental Intensification**” is to be greater than **800m** from a “**District Centre**” and **Shirley is a “Local Centre”, NOT a District Centre**. Therefore, the Site location is **inappropriate** for “**Incremental Intensification**” as defined by the **London Plan Para 4.2.4**.

6.5.3 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 Officer’s Report** to officers or Committee Members, provides 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 **National Planning Policy Framework (NPPF)** paras 128 & 129.

7 Privacy and Overlooking - Neighbour Amenity

7.1 It is recognised that Supplementary Planning Guidance **SPD2** has been revoked but that the **London Plan SPG Small Site Design Codes** (Feb 2022) at **Figure 4.6** prevails as an emerging policy.



7.2 The proposed **Unit 1** will not meet the **45° Vertical Rule** projection from the centre of nearest ground floor window of **No. 7 Gladeside** resulting from the varying ground levels and height of the proposed development.



Failure to meet the 45 Degree (Verticle) Rule

8 Parking

8.1 Residential Parking at PTAL 1a

- 8.1.1 'The proposal meets the Parking Policies of both The **Croydon Local Plan** (revised December 2021) and the **London Plan** by providing the required no of parking spaces to support the development.

Parking Provision			
Units	Bedrooms	Croydon Plan	London Plan
Unit 1	3	1.5	1.5
Unit 2	4	1.5	1.5
Unit 3	4	1.5	1.5
Unit 4	4	1.5	1.5
Unit 5	4	1.5	1.5
Unit 6	4	1.5	1.5
Unit 7	4	1.5	1.5
Total	27	10.5	10.5

9 Flood Risk

- 9.1 The provided “**EXISTING AND PROPOSED SECTION D-D & E-E**” – diagram shows the proposed development being **significantly higher** than both **7 and 15 Gladeside**. During heavy precipitation, surface water will flow from the higher levels of New **Units 1 & 2** and **Unit 3** toward the lower levels of existing number **7** and number **15 Gladeside**. The result will be for surface water to flood nos. 7 and 15 at the expense of the new dwellings at **Units 1, 2 and 3**. This means the surface water can then flow into **nos. 7 & 15** therefore damaging these Dwellings whilst the new development will be Surface water free.



Street Level Elevations showing the ground level differences between the New Development proposal and Existing.

- 9.2 The flood risk “**Executive Summary**” indicates the Flood Risk Assessment is based on **6 Residential Houses** not **7** as proposed in the application and is therefore fundamentally flawed.
- 9.3 It is understood that the existing drains of nos. 3, 5 & 7 Gladeside feed into no. 9's drains. Nos. 5 & 9 Gladeside have had drain problems in the last 3 years. Adding more houses may significantly exacerbate these existing drainage issues.
- 9.4 The **Flood Risk Assessment** Para 14.2.1 relates to finished floor levels of the proposed developments but not the possibility of flooding to adjacent dwelling floor levels.
- 9.5 Nowhere in the **Flood Risk Assessment** is the effect of the proposed development on adjacent properties surface water flood risk assessed.

10 Access

- 10.1 The access drive width is stated as **3.7m** on the “**Proposed Site Plan**” which is the limit required for emergency access vehicles. However, part of the access driveway is the pedestrian footpath of approximately **1.2m to 1.5m width** which does not have the **structural weight bearing capacity** to that required of the access driveway.
- 10.2 It is therefore feasible unless the pedestrian footpath has a similar weight bearing structural capacity to the driveway, that an emergency vehicle's significant weight could rupture or collapse the footpath section of the access driveway and trap the vehicle's

nearside wheels (if entered in a forward gear) within the site boundary in an emergency situation. The actual pedestrian footpath structure and capacity is not explained in the supplied Design & Access Statement. If paving slabs, they could be upended with the weight of a heavy vehicle.

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.

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."***

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>

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>

- 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"**.
- 11.2.7 The **Build Rate Delivery** of dwellings over **3 years** for all **Shirley** is averaging at **55 + 102 + 69 = 226 Ave ≈ 75.33/yr. dwellings per year**, so over **20** years the **Net Increase** will be **≈1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The Target for the Shirley **"Place"** at **Croydon Plan Table 3.1** of the Revised **Croydon Local Plan** indicates a Target of **278 dwellings over the period 2019 to 2039**. Over the Full Four Years the estimate outturn is **1257 dwellings** (see completions analysis table below).
- 11.2.8 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 1a and there is no probability for increase in supporting infrastructure.**

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.

- 11.2.9 This current rate (if retained) would exceed the Target over **20 yrs.** (of **278**) at **1257.5** by: **Percentage of Increase** of $|128 - 1257.5|/128 = 1129.5/128 = 8.8242 = 882.42\%$. or a **Percentage Difference** of 128 and 1257.5 = $|128 - 1257.5|/((128 + 1257.5)/2) = 1129.5/692.75 = 1.63 = 163\%$.
- 11.2.10 From the **FOI Request**, the Area of the **Shirley "Place"** is **≈770ha**. The total Area of **Shirley North & South Wards** is **715.2ha** (GLA figures) therefore, there is **≈54.8ha excess of land** 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**).

- 11.2.11 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.

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

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 ^{Note 1}) #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

- 11.2.12 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 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 defined 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.
- 11.2.14 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"**. It is our understanding the **Managing Developments** is the prime responsibility and the Job Description of the LPA **"Development Management"**. 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 to support the surpassing of that "Need."

Ref: 10

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>

12 Summary and Conclusions

12.1 General Observations

- 12.1.1 This proposal is a welcome change to the many recent proposals in this locality as it provides individual family homes with gardens as opposed to blocks of flats of multiple occupation. This development proposal is more suitable for the local area and reflects the character of the local area.
- 12.1.2 It is clear from the forgoing that the **Site Area** is insufficient for the proposed level of Development. Although family housing is offered and preferred, the capacity is overly cramped with access extremely restricted. The Amenity of No. 7 Gladeside is adversely affected by the height and proximity of the new adjacent Unit 1.
- 12.1.3 In addition, the Access Drive width, although 3.7m wide, includes a pedestrian footpath which is therefore unsound structurally over the full width of the driveway if the pedestrian footpath is not to the same structural design capacity as the Access drive for vehicles. Although this width (1.82m) is adequate for family cars, it is insufficient for emergency vehicles. A fire Tender has Wheelbase width of 2.3m and therefore there is only 1.4m tolerance for pedestrians (3.7m – 2.3m) and if the emergency vehicle deviates slightly, could drift onto the pedestrian footpath of less structural strength.
- 12.1.4 In addition, the main reason for our concern is the excessive **density of the proposal** in an **Area Type Setting of Outer (London) Suburban Setting** as defined by the **National Model Design Code & Guidance**.
- 12.1.5 There has been inadequate assessment of the proposed developments increasing the surface water flood risk to the existing adjacent dwellings at 7 and 15 Gladeside.

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 We again reiterate, 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 Officer’s Report** to officers or Committee Members, provides an explanation of the **professional appraisal** of the **Area Type Setting, Site Capacity 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**.
- 13.3 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**.

- 13.4 We urge the **LPA to refuse this application** and request the applicant to submit a revised proposal meeting the defined **National Model Design Code and Guidance** as published by the **Department for Levelling Up, Housing & Communities** (Jan & June 2021) **Build form Policies** for an **"Outer Suburban" Area Type Setting** as, from all assessment of the locality, the Shirley Wards (Both Shirley North & Shirley South Wards) are in every assessment either less than or equal to the Housing Density for an **Outer Suburban** Area Type Setting and **NOT** a **"Suburban"** setting as offered by the proposal. In all other respects, we believe this is an acceptable proposal.
- 13.5 Please Register this representation as **Monks Orchard Residents Association (Objects)** on the Public Register.

Kind Regards

Derek



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Monks Orchard Residents' Association.
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Cc:

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

Croydon Central
Shirley North Ward
Shirley North Ward
Shirley North Ward

Bcc:

MORA Executive Committee, Local Affected Residents', Interested Parties