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**Monks Orchard Residents'  
Association  
Planning**

10<sup>th</sup> January 2023

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Reference	22/05090/FUL
Application Received	7 Dec 2022
Application Validated	7 Dec 2022
Address	77 Woodmere Avenue Croydon CR0 7PX
Proposal	Demolition of single-family dwelling and garage; erection of a detached 2-storey building with accommodation in the roof space, comprising: 6 self-contained flats, 7 car parking spaces, refuse store, cycle parking, and communal amenity space.
Consultation Expiry:	20 Jan 2023
Decision Deadline:	01 Feb 2023
Case Officer:	Ms. Jeni Cowan

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Dear Ms. Cowan

Please accept this letter as a formal objection to **Application Ref: 22/05090/FUL** for the Demolition of single-family dwelling and garage; erection of a detached 2-storey building with accommodation in the roof space, comprising: 6 self-contained flats, 7 car parking spaces, refuse store, cycle parking, and communal amenity space.

The **Monks Orchard Residents' Association** is registered and approved with the **Croydon LPA** and represents approximately **3,800** households in the **Shirley North Ward**.

**Planning History:**

**Ref: 22/00726/FUL** | Demolition of single-family dwelling and garage to facilitate the erection of a detached 2-storey building with accommodation in the roof space, comprising of 7 self-contained apartments with intergraded bike store and 8 off street car parking spaces.

Decision Permission **Refused**

Decision Issued Date Thu 18 Aug 2022

Pending Appeal:

**Reason(s) for Refusal:**

- 1) The quality of accommodation, by virtue of the shortfall of amenity space for Flat 3, would result in a sub-standard residential unit, which is contrary to Policy D6 of the London Plan (2021) and Policy DM10 of the Croydon Local Plan (2018).
- 2) The proposed development, by reason of scale, width, roofline and form, poor elevational composition, and detailing would result in an unsightly, dominant and imposing form of development which would fail to integrate successfully in townscape terms or make a positive contribution to the setting of the local character and immediate surroundings. Additionally, the proposal would not respect the established rear building line and there is a lack of landscaping to compensate for the dominance of the hardstanding to the front of the property. This is

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contrary to Policy D4 of the London Plan (2021) and Policy DM10 of the Croydon Local Plan (2018).

- 3) The proposal by reason of its scale, bulk, massing, and window placement, would result in the loss of light, the loss of privacy, and overbearing impact on Nos. 75 and 79 Woodmere Avenue, which would be contrary to Policies D3 and D6 of the London Plan (2021) and Policy DM10 of the Croydon Local Plan (2018).
- 4) The proposal does not provide sufficient details on the modified access, in terms of details and dimension, visibility splays, and a swept path analysis. Additionally, there is a deficiency of information for the car parking, as swept path analysis has not been provided, and would therefore be contrary to Policies T4, T5, and T6 of the London Plan (2021) and policies DM29 and DM30 of the Croydon Local Plan (2018).

## 1 Parameters of this latest proposal:

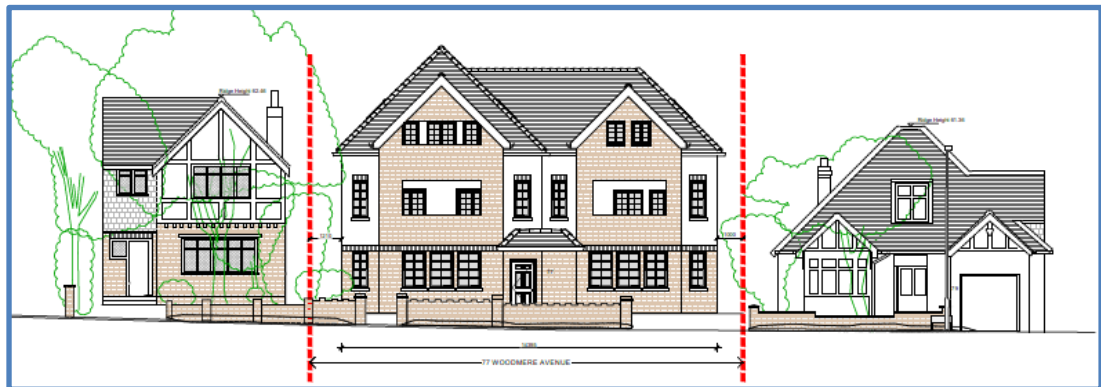
Site Area	0.1146	ha	Residential Density		165.79	bs/ha	Area Type Setting (Residential)			Urban	PTAL <sup>(1)</sup>	0.66	
Site Area	1146	sq.m.	Housing Density		52.36	u/h	Area Type Setting (Housing)			Suburban	PTAL <sup>(1)</sup>	0.66	
Units	6		Floor Area Ratio		0.40		Post Code Area Type Setting			<Outer Suburban		Play Space	40
Plot	House Type	Bedrooms	Bed Spaces	GIA (Offered) (sq.m.)	GIA (Required) (sq.m.)	In-Built Storage (Offered) (sq.m.)	In-Built Storage (Required) (sq.m.)	Amenity Space (Offered) (sq.m.)	Amenity Space (Required) (sq.m.)	Car Parking Spaces (Offered) (One Visitor)	Car Parking Spaces (required)	probable adults	probable children
Plot 1	M4(3)	3	4	99	74	2.5	2.5	28	7.0	1	1.5	2	2
Plot 2	M4(2)	3	4	83	74	2.5	2.5	53	7.0	1	1.5	2	2
Plot 3	M4(2)	3	4	94	74	2.5	2.5	12.5	7.0	1	1.5	2	2
Plot 4	M4(2)	2	3	70	61	2.5	2.0	7	6.0	1	1.5	2	1
Plot 5	M4(2)	2	3	66.5	61	2.0	2.0	7	6.0	1	1.5	2	1
Plot 6	M4(2)	Studio	1	41.5	39	1.5	1.0	8	5.0	1	1.5	2	0
Totals		13	19	454.00	383	13.5	12.5	115.5	38	7	9.0	12	8
Note 1:		PTAL at 77 Woodmere Avenue is 1a = 0.66 numerically											
Note 2:		Units 3 to 5 Children require Play Space										Note 2	4

## 2 Comparison with previous proposal

- 2.1 It is understood each Application is considered in isolation and on its own merits, and against the most recent and emerging Planning Policies.
- 2.2 However, the overall design is very similar to the previous refused application, and the building footprint is only slightly reduced.
- 2.3 The reduction of one Apartment reduces the **Housing Density** from **61.08Units/ha** to **52.36Units/ha** and the **Residential Density** from **191.97bedspaces/ha** to **165.79bedspaces/ha**. This also results in a reduction of the **Gross Internal Area** from **475.5 sq.m. to 454 sq.m.** However, the actual Footprint of the proposal is only slightly reduced (Blue dotted line shown in the Ground Floor Site layout Plan, Drawing No. PP09A-02A).



**Street Scene 77 Woodmere Avenue New Proposal.**



### **Street Scene 77 Woodmere Avenue Previous Proposal Amended Drawings.**

- 2.4 As the footprint is very similar to the refused application, the horizontal **45° Projection** from the Centre of the nearest Ground floor window remains to intersect the proposed building thus failing the Policy
- 2.5 The roof form has been changed and the overall height increases the Vertical 45° projections from **79 Woodmere Avenue** thus exacerbating the failure to meet London Plan Policy. (See Later in this submission).
- 2.6 The proposal follows the established Building Line of Woodmere Avenue.
- 2.7 The Refuse & Recycling is positioned within the front forecourt, in front of the Building Line.
- 2.8 There are no swept path illustrations of car parking manoeuvrability provided.

## **3 Local Design Code Assessment**

### **3.1 The NPPF.**

#### **3.1.1 The NPPF para 129 states:**

- 3.1.2 *“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.**”*

### **3.2 The LUHC National Model Design Code & Guidance<sup>1</sup> Parts 1 & 2.**

- 3.2.1 The ‘Settings’, ‘**Outer Suburban**’, ‘**Suburban**’, ‘**Urban**’ and ‘**Central**’ are defined in the **National Model Design Code** Part 1 The Coding Process, Section 2B Coding Plan, Figure 10 Page 14. Para 16 states: This document should be used as a basis

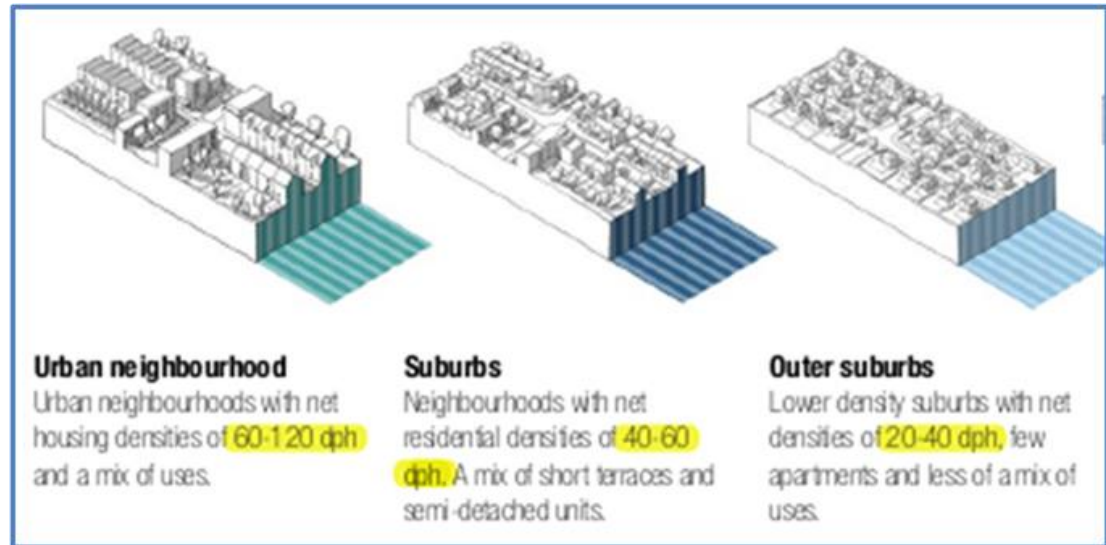
<sup>1</sup> <https://www.gov.uk/government/publications/national-model-design-code>



for the production of design codes and guides by local planning authorities. It contains information that should be readily available to the local authority and is intended to be applied flexibly according to local circumstances as not all characteristics and design parameters may be relevant

### 3.2.2

#### Area Type Settings



#### National Model Design Code Area Type Settings Parameters

##### 3.2.2.1

The most appropriate analysis for **Area Design Code assessment** to define **Local Area Type Settings** is the **Post Code** of the **Area** of the proposed development. The **Post Code** for this proposal is **CR0 7PX** as given on the Application form.

##### 3.2.2.2

The details for the **Post Code addresses** are found from the **Valuation Office Agency** and the **number of occupants** from the "doogal" Postcode download.<sup>2</sup> The Area is measured as accurately as possible using **Google Earth Polygon** measurement of the assessed summation of the **Post Code property boundaries**. The recent proposal **Post Code CR0 7PX** has been added to this list below.

Location	Area (ha)	Population (Nat Ave)	Dwellings (Units) (Nat Ave)	Residential Density (bs/ha)	Housing Density (Units/ha)	"Setting" for Design Code Residential Density (bs/ha)	"Setting" for Design Code Housing Density (U/ha)	Occupancy Ratio (Nat Ave 2.98)
Shirley North	328.00	15,406	6,528	46.97	19.90	<Outer Suburban	<Outer Suburban	2.36
Shirley South	384.40	10,619	4,500	27.62	11.71	<Outer Suburban	<Outer Suburban	2.36
All Shirley	712.40	26,025	11,028	36.53	15.48	<Outer Suburban	<Outer Suburban	2.36
MORA Area	178.26	9,166	3,884	51.42	21.79	Outer Suburban	Outer Suburban	2.36
Post Code CR0 8S(*)	16.95	627	237	36.99	13.98	<Outer Suburban	<Outer Suburban	2.65
Post Code CR0 8T(*)	11.82	644	246	54.48	20.81	Outer Suburban	Outer Suburban	2.62
Post Code CR0 7PL	1.73	47	19	27.17	10.98	<Outer Suburban	<Outer Suburban	2.47
Post Code CR0 7QD	1.51	68	28	45.03	18.54	<Outer Suburban	<Outer Suburban	2.43
Post Code CR0 7PB	1.26	40	25	31.75	19.84	<Outer Suburban	<Outer Suburban	1.60
Post Code CR0 8UB	1.70	71	30	41.89	17.70	<Outer Suburban	<Outer Suburban	2.37
Post Code CR0 7NA	1.97	36	18	18.27	9.14	<Outer Suburban	<Outer Suburban	2.00
Post Code CR0 7NE	0.83	26	11	31.33	13.25	<Outer Suburban	<Outer Suburban	2.36
Post Code CR0 7RL	1.40	60	24	42.72	17.09	<Outer Suburban	<Outer Suburban	2.50
Post Code CR0 7PX	0.96	21	11	21.81	11.43	<Outer Suburban	<Outer Suburban	1.91
Shirley Oaks Village <sup>Note 2</sup>	19.12	1,286	545	67.26	28.50	Outer Suburban	Outer Suburban	2.36
Shirley "Place" <sup>Note 1</sup> (Estimate)	770.00	32,995	13,981	42.85	18.16	<Outer Suburban	<Outer Suburban	2.36
Average	152.02	6,071	2,570	39.01	16.77	<Outer Suburban	<Outer Suburban	2.34

#### Assessment of Local Design Code Area Type Settings for various local Areas & Post Codes, based upon the National Model Design Code & Guidance.

<sup>2</sup> <https://www.doogal.co.uk/PostcodeDownloads>





- 3.2.2.3 This assessment puts the **Post Code CR0 7PX Area Type Setting** at “<Outer Suburban” (less than) for both **Housing Density (11.43Units/ha)** and **Residential Density (21.81persons/ha)** which is in line with all our other assessments for **Shirley North Ward** as shown in the Table above which shows **Area Types** are either in the “<Outer Suburban” or “Outer Suburban” **Area Type Setting** based on the **National Model Design Code & Guidance**.

### 3.3 Post Code Design Code Assessment.

Parameters of Post Code Design Code					
Area Design Code Parameter (These parameters auto calc Design Code)		Input Parameters		Constrains	
Post Code	CR0 7PX			Ward	Shirley North
Area of Post Code (ha)	0.96	hectares		Flood Risks	30yr Surface Water
Area of Post Code (Sq.m)	9627	sq.m.		Gas Pressure	Low
Number of Dwellings (Units) 25/11/2022	11	Units		Water Pressure	N/A
Number of Occupants (Persons) 25/11/2022	21	Persons		HASL (m)	Average 54m
Post Code Housing Density	11.43	Units/ha		Building Line Set-Back	~19m
Post Code Residential Density	21.81	Bedspaces/ha			
Area Type (National Model Design Code)	<Outer Suburban	Area Type Setting			
<a href="https://www.doogal.co.uk/PostcodeDownloads">https://www.doogal.co.uk/PostcodeDownloads</a>					
Design Code Parameters		Min	Max	Measure	
Area Type Setting	<Outer Suburban	0.00	20.00	Units/ha Range	
Equivalent Residential Density (Persons/ha)	<Outer Suburban	0.00	47.20	Persons/ha Range	
		U/ha	bs/ha		
PTAL (now) 1a numerically $\approx 0.66$	0.66	2.20	5.19	Limits for PTAL	
PTAL (forecast 2031) 1a numerically $\approx 0.66$	0.66	2.20	5.19	Limits for PTAL	
Gentle Intensification (Limits in U/ha & bedspaces/ha)		6.67	15.73	Limits for "Gentle" Intensification	
Moderate Intensification (Limits in U/ha & bedspaces/ha)		13.33	31.47	Limits for "Moderate" Intensification	
Focussed Intensification (Limits in U/ha & bedspaces/ha)		20.00	47.20	Limits for "Focussed" Intensification	

#### Post Code CR0 7PX Parameters for the Local Area Types Setting

### 3.4 Proposed Application Details

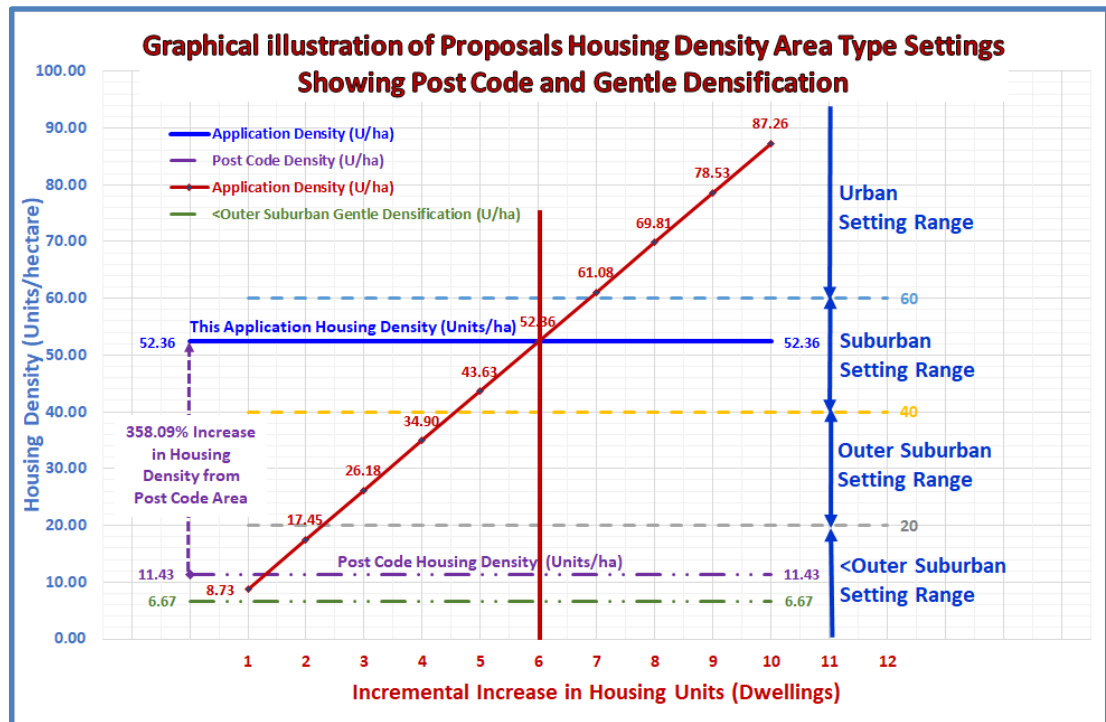
Application Details			
Application Ref:	22/05090/FUL		
Address	77 Woodmere Avenue		
PostCode	CR0 7PX		
Consultation Close	Friday 20th January 2022		
Parameters			
Site Area (ha)	0.1146	ha	
Site Area (sq.m.)	1146.00	sq.m.	
Units (Dwellings)	6.00	Units	
Bedrooms	13.00	Bedrooms	
Bedspaces	19.00	Persons	
Housing Density	52.36	Units/ha	
Residential Density	165.79	bs/ha	
Floor Area Ratio (FAR)	0.40		
		Min	Max
Area Type Setting (Units/ha)	Suburban	40.00	60.00
Area Type Setting (Bedspaces/ha)	Urban	141.60	283.20
		U/ha	bs/ha
PTAL (Current)	0.66	42.20	157.18
PTAL (Forecast)	0.66	42.20	157.18

#### Application Parameters for 77 Woodmere Avenue Area Type Setting



3.4.1

The proposed application **Housing Density** at **52.36Units/ha** places the appropriate **Area Type Setting** required at a **“Suburban Setting”** when the **Area Type Setting** for the locality as defined by the **Local Post Code CR0 7PX** is **11.43Units/ha** which is actually **“<Outer Suburban”** **Area Type Setting** with a Low **PTAL** of **1a**. The proposal would present a **358.09%** increase in **Density** from the **Local Post Code Housing Density** as assessed and in accordance with the **National Model Design Code & Guidance**.



**Housing Density for proposal's Area Type Settings compared to the Post Code Area Type Setting**

3.4.2

This increased density cannot be logically construed as appropriate for the locality at a low PTAL of 1a, even within a **“Gentle”** Densification by any stretch of the imagination. The increased Density therefore is unacceptable.

## **4 Growth**

4.1

The current **Croydon Local Plan (2018) ‘Growth’** Policies, as defined in the **Croydon Local Plan (2018) Table 6.4, DM10.1 to DM10.11 or DM34 to DM49 and DM36 to DM49 ‘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 supporting infrastructure’** or **‘Public Transport Accessibility’** and therefore the Policy is **‘unenforceable’** and **‘undeliverable’** as it has no measurable methodology, is *imprecise, indeterminate* and *devoid* of any Policy definition other than guidance to **“seek to achieve”** a minimum height of **3 storeys** at specific locations.

4.2

The **Revised draft Local Plan (2021)** includes **“Focussed”, “Moderate” Intensification** and **“Gentle” densification** designations but again, the Policy gives no guidance on the magnitude or differences of these abstract designations.



## 4.3 Revised Croydon Local Plan (2021) Growth Policies

4.3.1 **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.*

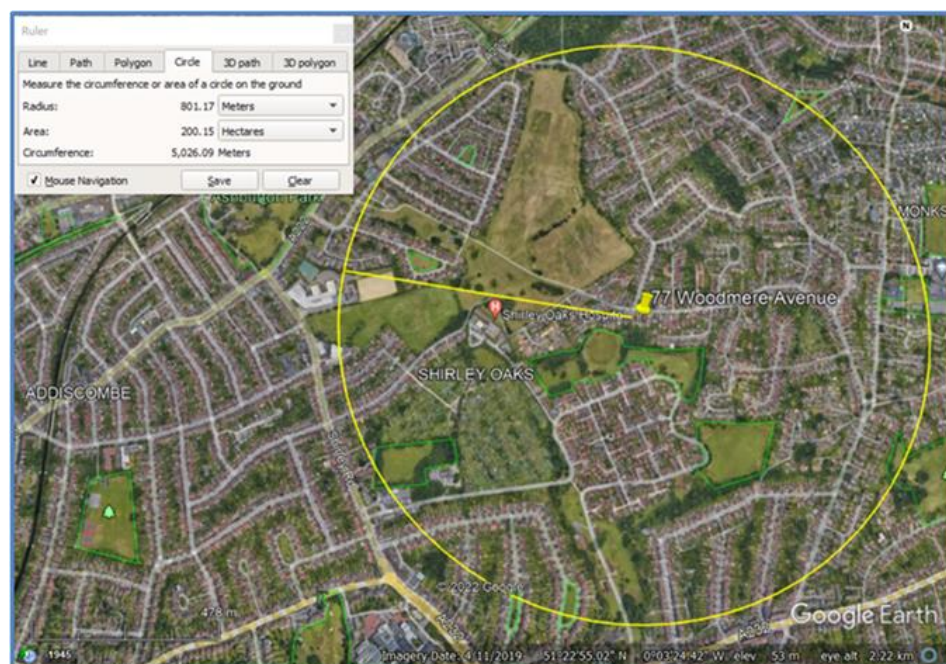
4.3.2 There is no further clarification in the **Revised Local Plan (2021)** Policy definition at **DM10** which defines or clarifies any differences between these “**Growth**” designations.

4.3.3 The following provides our understanding of appropriate “**Guidance**” to assess future **Densification/Intensification** of proposed developments for managed “**Growth**” which must ensure **sustainability**. Unrestricted “**Growth**” within areas of **limited infrastructure** supporting only the existing **Area Type Setting** population with inadequate planned **infrastructure improvement** to sustain the proposed increased density, would allow ‘**unsustainable**’ illegal developments.

## 5 Incremental Intensification

5.1 London Plan Policy H2 Small sites: **Incremental Intensification** Para 4.2.4

*“4.2.4 **Incremental intensification** of existing residential areas within **PTALs 3-6** or within **800m** distance of a station<sup>47</sup> or town centre boundary<sup>48</sup> is expected to play an important role in contributing towards the housing targets for small sites set out in **Table 4.2.** ...”*



**Google Image showing 800m line of sight radius from the proposed does not include any Tram/Train Station or District Centre redevelopment site.**



5.1.2

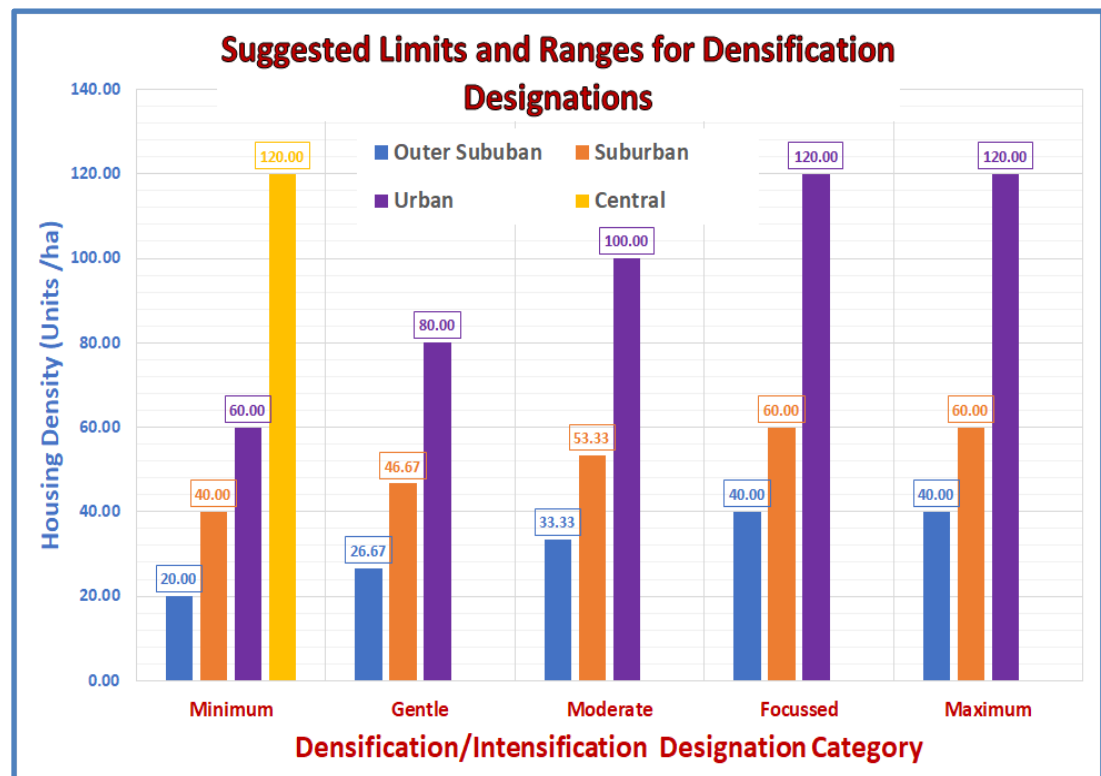
**Incremental** is an **'adjective'** (*'increasing or adding on, especially in a regular series'*) although there is no rate definition of the value of **"Increments"**. However, it can be logically assumed that localities with **PTALs <3** and **>800m from a Train/Tram Station or District Centre** are thus **'inappropriate'** for **'Incremental Intensification'**.

## 6

### Densification/Intensification Limits

6.1

As each of the **National Model Design Code Area Types** currently relies on the **available supporting infrastructure for the locality**, unless there are programs of **'improved infrastructure'** over the life of the plan, any **densification** within an **Area Type or Setting** relies on that **'existing Supporting Infrastructure'** and therefore any **"densification" or Intensification** should **remain within** the **range of the Area Type Setting** as defined, in order for adequate **supporting infrastructure "sustainability"** for the **proposed development**. This is fundamental to the requirement of sustainability.<sup>3</sup> The Croydon Infrastructure Delivery<sup>4</sup> Plan 2021 contains No improvements for Shirley.



**Illustration of Increased Densification/Intensification within the Area Type Settings to ensure Sustainable Infrastructure Support for proposed Developments**

<sup>3</sup>

[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) Section 2 Achieving sustainable development.

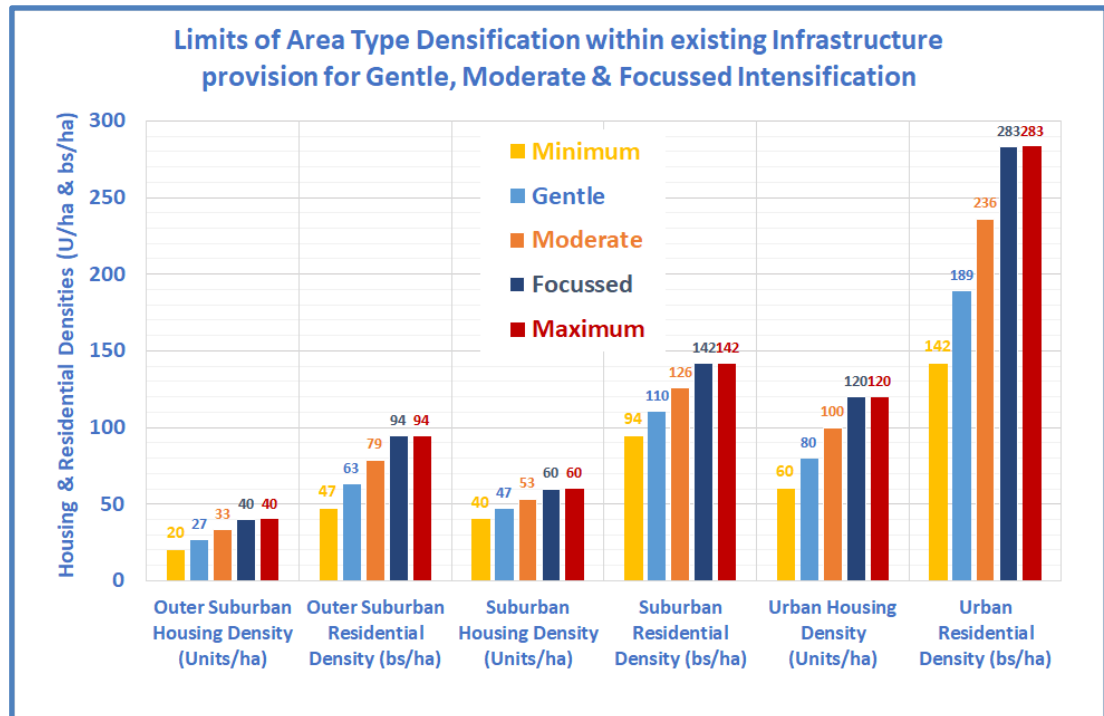
<sup>4</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

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- 6.2 The above **Graphical Illustration** shows an extremely simple **'suggested' incremental increase in Design Code Housing Density** (units/ha) of  $\frac{1}{3}$  **"Gentle"** &  $\frac{2}{3}$  **"Moderate"** incremental limit within the **Ranges** of **"Outer Suburban"**, **"Suburban"** and **"Urban"** for **"Gentle"**, **"Moderate"** and for **"Focussed" Intensification**, an increase to the **maximum of the current setting** as an example. There is no upper limit to **"Central"** Area Type Settings" which is managed by the requirement to meet **Minimum Internal Space Standards** (London Plan Table 3.1).
- 6.3 This is our interpretation of the **Local Plan Policy** by logical assessment and analysis, as there is **no 'meaningful' guidance** in the **Croydon Revised Local Plan (2021)** or the **London Plan (2021)**. Sustainability of Developments is a **Legal Requirement** which cannot be guaranteed if the **Densification or Intensification** exceeds the available appropriate **supporting infrastructure** if there is no prospect of **improved infrastructure** over the **Life of the Plan**. **Croydon LPA could recommend alternative proposals** or provide **guidance with allowable tolerances** within the **Area Type Setting Design Code Densities**, but has not done so as yet, to our understanding.
- 6.4 The **National Model Design Code & Guidance** is based upon **National assessments** and therefore in order to relate **Housing Density to Residential Density** we can assume a **UK National average Occupancy per Unit**. This is found from **National Statistics** <sup>5</sup> to be an average of **2.36** (2021) occupancy - persons per dwelling - for the UK.



**Graphical illustration of Housing & Residential Densities for the National Model Design Code Area Types for recommended "Gentle", "Moderate" & "Focussed" Intensification**

<sup>5</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



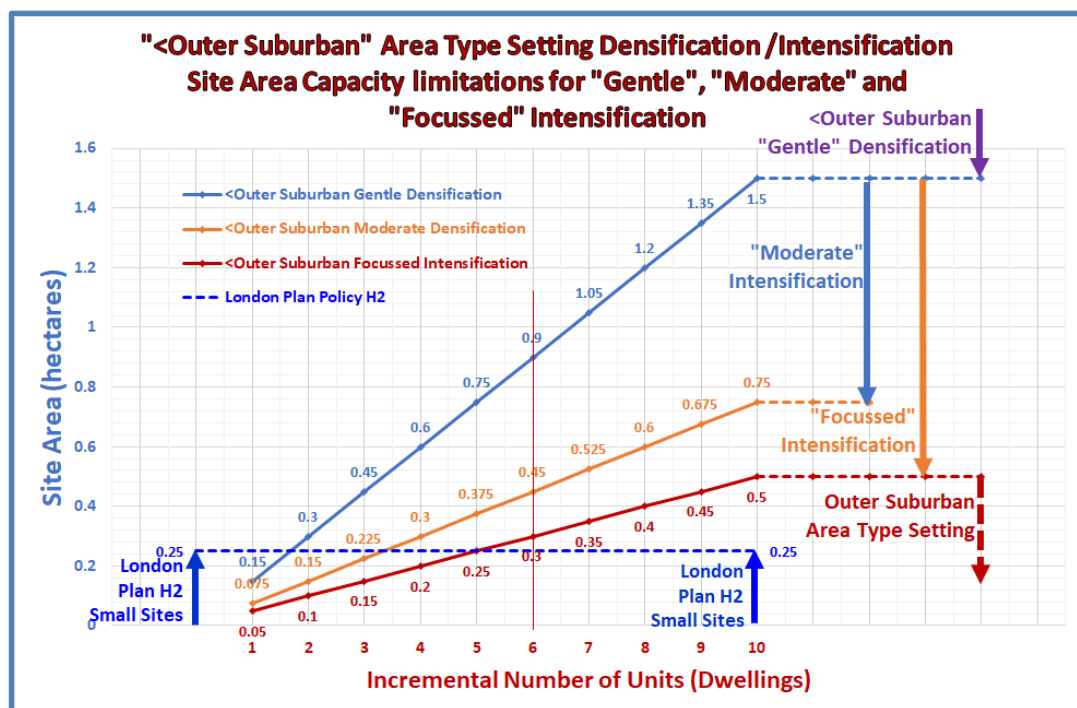
6.5 Therefore, we can assume **Nationally**, the **Outer-Suburban Setting** Housing Density at 20 to 40 Units/ha would have 20 x 2.36 Persons/ha **≈47.2persons/ha** to 40 x 2.36 persons/ha **≈94.4persons/ha**. Similarly, for **Suburban Settings** with Housing Density of 40 Units/ha would have **≈94.4persons/ha** to 60 x 2.36 persons/ha **≈141.6persons/ha** and **Urban Settings**, 60 to 120 units/ha would have **141.6persons/ha** to **283.2persons/ha**. The Site Capacities in hectares for an incremental increase in number of Units (Dwellings) for each category of **Densification & Intensification** are graphically specified above.

## 6.6 Site Capacities

6.6.1 Analysis of the appropriate **"Site Capacities"** required to support **densification** or **intensification** for **Area Type Settings** assumes the **Site Capacities** in hectares for an incremental increase in number of **Units** (Dwellings) for each category of **Densification & Intensification** would follow a simple linear increase where:

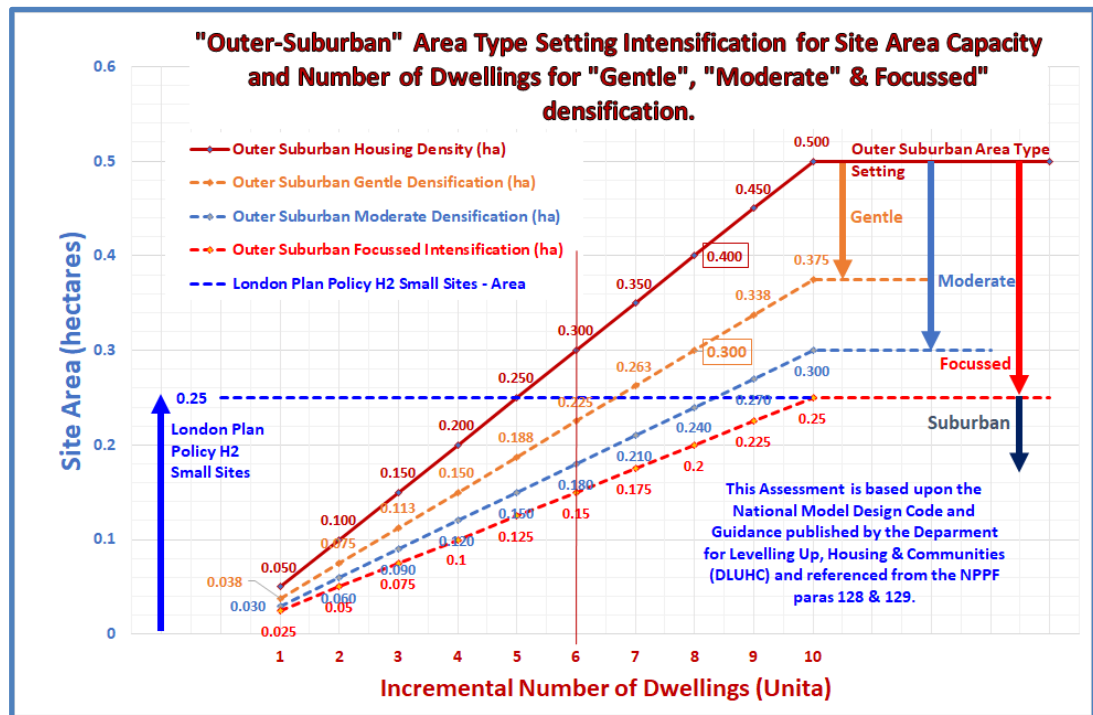
$$y = \left( \frac{\delta y}{\delta x} \right) x + c \text{ where } y = \text{Site Area in ha}, x = \text{No of Units and } c = y \text{ when } x = 0$$

6.6.2 This analysis and assessment illustrates the proposal is a significant over development for the locality based on **National Planning Policies** as defined in the **National Model Design Code & Guidance**. Therefore, this proposal should be Refused.



**Graphical analysis of <Outer Suburban Area Type Setting with estimated "Gentle" densification, "Moderate" and "Focussed" Intensification toward Outer Suburban Area Type Setting.**

6.6.3 The graphical illustration above shows the appropriate **Site Area** in hectares for **<Outer Suburban "Gentle" densification** requirement for **6 Units** is **0.9ha** when the actual **Site Area** **0.1146ha**. This shows that the **Site Area** is deficient by **0.7854ha** to meet the **Site Area capacity** for **6 units** allowing for **"Gentle" densification** in an **<Outer Suburban Area Type Setting** as defined by the local **Post Code Area Type Setting**.



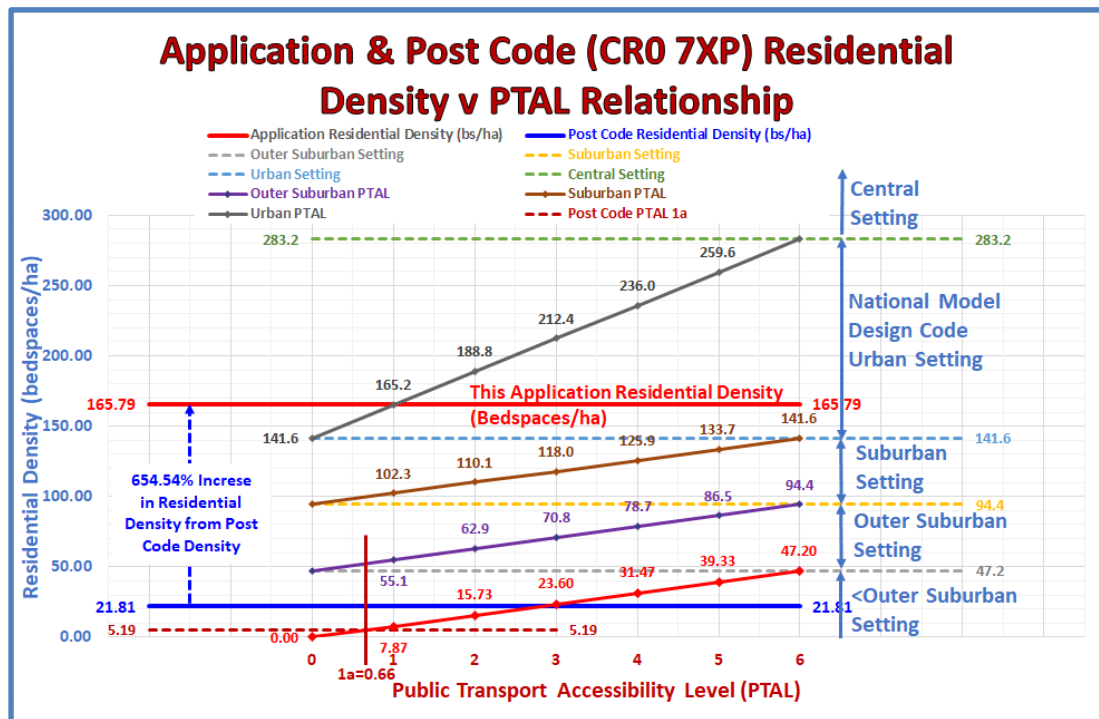
**Graphical analysis of <Outer Suburban Area Type Setting with estimated "Gentle" densification, "Moderate" and "Focussed" Intensification toward Outer Suburban Area Type Setting.**

- 6.6.4 For completeness, we have also shown the equivalent assessment of **Outer Suburban Area Type** Site Capacities for "**Gentle**" densification, "**Moderate**" Intensification and "**Focussed**" Intensification, for **6 Units**. However, the locality of the proposal is within **Post Code CR0 7PX** which is **Area Type <Outer Suburban**.

## 7 Residential Density and Supporting Infrastructure

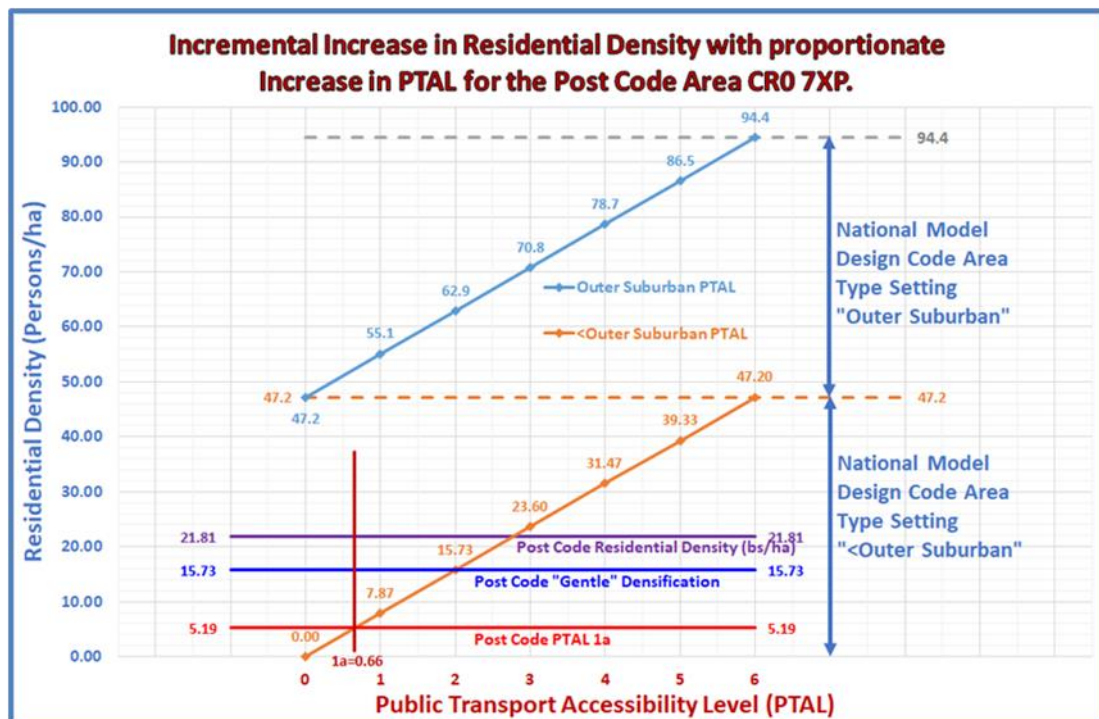
- 7.1 It is People that require supporting infrastructure such as GP Surgeries, Health Facilities, Schools and Transport Accessibility. The Housing Units require the physical infrastructure of utility services, Gas, Electric, Water & Sewers.
- 7.2 The provision of **Public Transport Accessibility Level** is available from the **TfL WebCAT** in the form of **PTAL**<sup>6</sup> and provides an opportunity to assess the relationship between the **PTAL** measure of infrastructure and density, **Densification** or **Intensification**.
- 7.3 The distribution over the **Area Type Setting** Ranges should reflect the level of provision of **supporting infrastructure** where the **lowest level** of support is at the lower of the **Density Range** and the **highest infrastructure support** at the highest level of **Density** in bs/ha. Guidance at each incremental increase of **PTAL** is illustrated below.
- 7.4 This should also correspond to the level of allowed "**Densification**" or "**Intensification**" to ensure sustainable **infrastructure** support.

<sup>6</sup> <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat>



**Graphical Illustrations of the proposed Residential Density in relation to the Post Code and Area Type Setting**

7.5 The Level of Supporting Public Transport Accessibility (PTAL) across the Area Type Setting from PTAL Zero to PTAL Max (6) and the suggested levels of Densification/Intensification are shown in these graphical illustrations.



**Repeated graphical illustration showing the Post Code relationship with <Outer Suburban Area Type Setting and PTAL.**

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





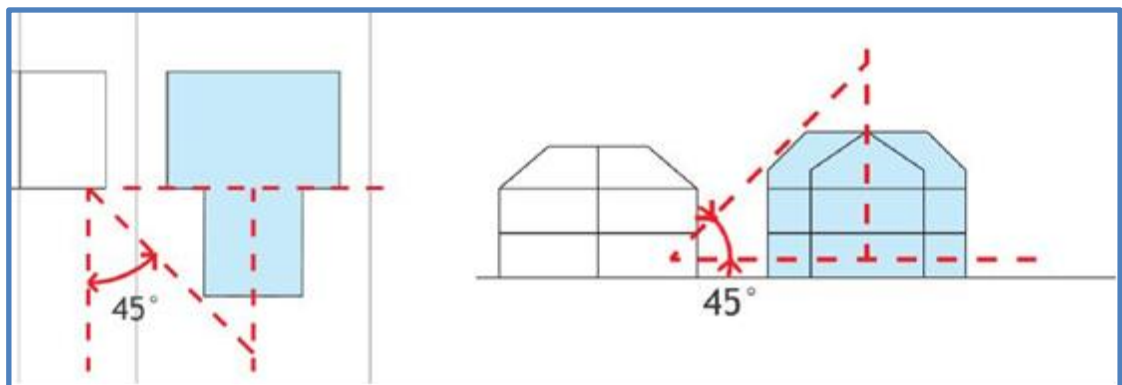
- 7.6 The first graphical illustration provides the **Residential Density v PTAL** comparison between the offered **Residential Density** and the accepted appropriate **Residential Density** for the **Local Area Type Setting** as defined by the **Local Post Code** and the second Graphical illustration shows the **Residential Density v PTAL** relationship for an **<Outer Suburban** Setting in more detail.
- 7.7 For this proposal, the **PTAL** for an **<Outer Suburban** “Gentle” **Densification** should be **≈5.19bedspaces/ha** (persons/ha). The **Post Code Residential Density** for this locality **CR0 7XP** is **21.81bs/ha** (≈22) but the actual proposal **Residential Density** is **165.79bs/ha**, an enormous **654.54%** increase on the **Post Code Density** for the Area; i.e., this density would be more appropriate in a **“Urban”** Area Type Setting, than an **“<Outer Suburban”** Area Type Setting. The appropriate **Post Code Density** for **PTAL** at **1a**  $\equiv$  **0.66** would be **5.19bs/ha** (≈5), increasing to **15.73bs/ha** for “Gentle” densification. This is a further indication of significant over development for the **Site Area** and the **Area Type Setting** as defined by the **National Model Design Code & Guidance**.
- 7.8 The assessment is based upon the **PTAL** across the **Area Type** Ranges with low **PTAL** at the lower end and high **PTAL** at the higher end. **If the LPA considers this assessment to be incorrect, we respectfully request an alternative relationship to be defined, probably in the form of the recently omitted Density Matrix of the previous London Plan.**

## 8 Design Policies and Space Standards

### 8.1 London Plan Supplementary Planning Guidance – Small Site Design Codes.

#### 8.1.1 the LPG Small Site Design Code Guidance at Para 4.1.12 indicates:

4.1.12 A good rule of thumb is to follow the **45-degree** rule illustrated below. This rule specifies that the height and depth of a new development or extension should not breach a **45-degree line** drawn from the **centre of the window of the lowest, and closest, habitable room on the neighbouring property**.

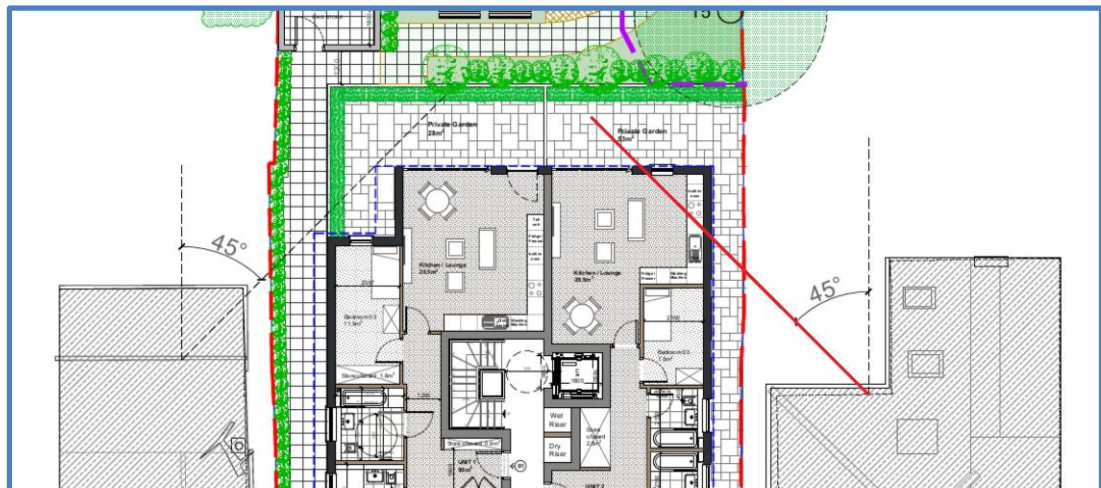


**Amenity 45° Rule (Horizontal & Vertical)**

- 8.1.2 The Illustrations below show the **failure** of both the **Vertical** and **Horizontal 45° Rule projection** from **79 Woodmere Avenue** intersects the proposed development and therefore fails to meet the **London Plan Supplementary Planning Guidance – Small Site Design Codes** para 4.1.12.



**Illustration of 45° Rule vertical from the Centre of the nearest Ground Floor Window/Door of 79 Woodmere Avenue (Distances provided by the Occupant) fails to meet the requirement.**



**Ground Floor Site Layout plans show the failure of the 45° Rule Horizontal projection from 79 Woodmere Ave intersects the proposed development at 77 Woodmere Ave.**

## 9 Refuse & Recycling

9.1 Croydon Revised Local Plan **Policy DM13: Refuse and recycling**

9.1.1 **DM13.1** *To ensure that the location and design of **refuse and recycling facilities** are treated as an integral element of the overall design, the Council will require developments to:*

- Sensitively integrate refuse and recycling facilities **within the building envelope**, or, in conversions, where that is not possible, integrate within the landscape covered facilities that are **located behind the building line where they will not be visually intrusive or compromise the provision of shared amenity space**;*
- Ensure facilities are visually screened;*
- Provide adequate space for the temporary storage of waste (including bulky waste) materials generated by the development; and*
- Provide layouts that ensure facilities are safe, conveniently located and easily accessible by occupants, operatives, and their vehicles.*



## 9.2 **Character and growth (Revised Local Plan)**

9.2.1 **DM10.11A** *To deliver the homes that Croydon needs in suitable and sustainable locations that will accommodate higher levels of growth. In the areas of focused intensification, development should sustainably optimise site capacity. They may be significantly larger than existing and should:*

- c. Address the higher density of the development by providing amenity and communal facilities for intensified use including utilities infrastructure, play space, parking, cycle storage and **refuse storage within the capacity of the site**;*

## 9.3 **Design considerations**

9.3.1 **Para 6.134** *The Council considers the layout, siting, **function, and design of recycling and refuse storage facilities to all be of equal importance**. It is important that these facilities are considered as an **integral part of the development process**.*

9.3.2 **Para 6.135** *If considered at the initial stage of the design process, **proposals for new developments can integrate refuse and recycling within the building envelope without causing undue noise and odour (smelly) nuisance**.*

9.4 The proposed development **Refuse & Recycling** is located on the **front forecourt**, in front of the **Building Line** and not **integrated** within the **Building envelope**, and therefore fails to meet the **Refuse & Recycling Policy** as required of the **Revised Local Plan Policy**.

## 10 **Parking**

10.1 Both the **London Plan** and the **Revised Croydon Local Plan** provide Parking provision guidance of **1.5 spaces for 3 or more Bedroomed Units** and **1 space for <3 Bedroom Units** giving a total recommended guidance of up to **7.5 spaces**. **7 spaces** are provided in the proposal.



**Parking Provision**

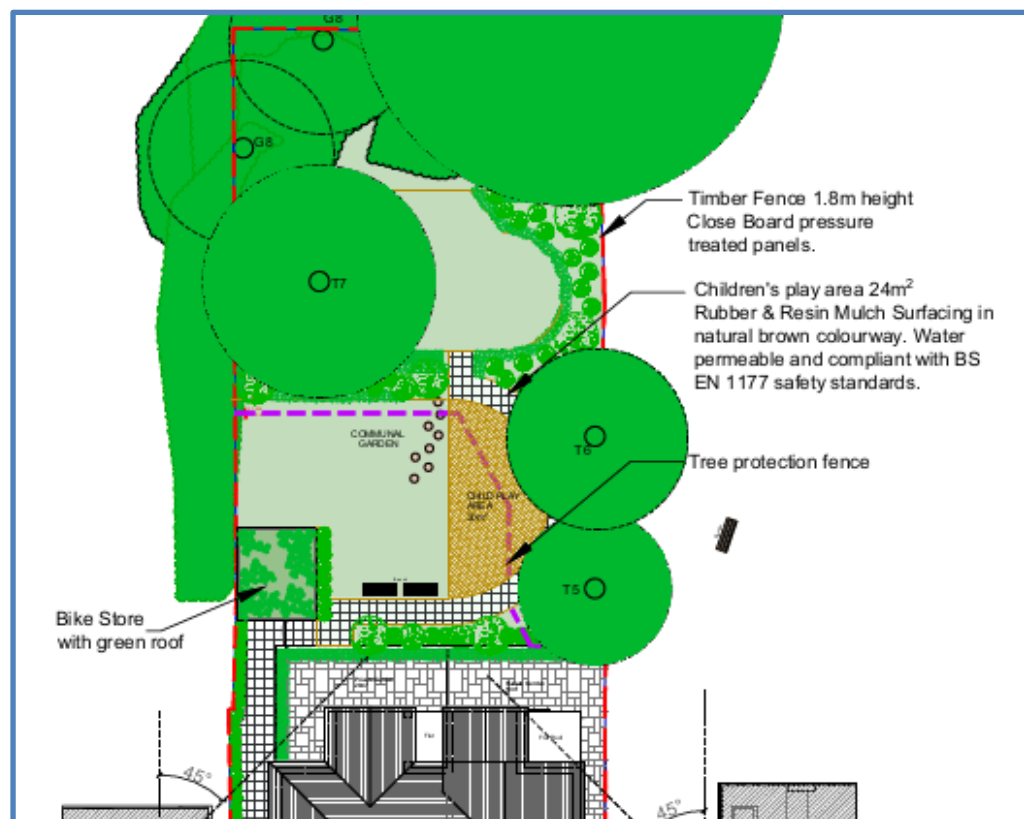




- 10.2 There are no **swept path diagrams** to show accessibility and manoeuvrability. It is considered **Bay 4** and **Bay 5** would have the most difficulty in ingress and egress to ensure exit over the footpath in a forward gear as there is limited lateral facility within the bay. As such, it is suggested that **Swept paths** be provided for both ingress and egress to/from **Bays 4 & 5** with all other Bays occupied, to illustrate the acceptable manoeuvre for exits over the footpath in a forward gear.
- 10.3 **One space** is for **Disabled Vehicle Bay** in support of **Plot 1 to M4(3)** regulation and **Bays 2 & 4** are to be provided with **EVC Points**.

## 11 Communal Open Space & Children's Play Space

- 11.1 The children of occupants of **Units 1 & 2** have private amenity space gardens for those units, however the children of occupants of **Units 3 to 5** require **Play Space** in accordance with the **London Plan Policy S4 Play and informal recreation** "*at least 10 square metres of play space should be provided per child*".
- 11.2 The probable number of children on Units 3 to 5 will be 4 as shown in our summary Table (Para 1 Note 2) which shows a requirement of **40 sq.m.**
- 11.3 The **Ground Floor Layout Plan** below shows the area of Communal Gardens and Play Space for Children proposed.



**Ground Floor Site Layout Plan showing communal space and Play Space for Children**

- 11.4 The allocation of **24sq.m.** is therefore deficient by **16 sq.m.** as **40 sq.m.** would be required for the **4 Children of Units 3 to 5**. This is a **66.66%** decrease in provision required of the **Policy**.





## 12 Housing Need

- 12.1 The allocation of housing **“need”** assessed for the **“Shirley Place”** [770ha] over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan <sup>7</sup> 2021 **Table 3.1**). This equates to **≈14 dwellings per year**.
- 12.2 In relation to meeting housing **“need”** we raised a **Freedom of Information (FOI)** request **Ref: 4250621** on **31st January 2022**. The **FOI** Requested data on the **Outturn of Developments** since **2018** for the **Shirley “Place”** plus the **Area, Housing and Occupancy** of the **Shirley Place** for which the response is as follows:
- 12.3 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 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’ as described later.**
- 12.4 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.**
- 12.5 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”*
- 12.6 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**.
- 12.7 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.”
- 12.8 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.

<sup>7</sup> <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 on  
31st Jan 2022.**

- 12.9 ***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.***
- 12.10 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**.
- 12.11 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 **≈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**).
- 12.12 This rate (if retained) means that the number of developments would **significantly exceed** the available **supporting infrastructure** provision which has been acknowledged as **unlikely** to be improved over the life of the Plan.
- 12.13 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<sup>8</sup>** as defined in the **NPPF Chapter 2 Achieving sustainable development<sup>9</sup>** as **Shirley** has no prospect of **infrastructure improvement** over the **life of the Plan**. The **Sustainability of Developments** is a **legal** requirement of **development approvals** and thus could be **legally challenged**.
- 12.14 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**.

<sup>8</sup> <https://www.legislation.gov.uk/ukpga/2004/5/section/39>

<sup>9</sup>

[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)



- 12.15 We challenge the use of “Place” Targets if those Targets for each Place are **NOT monitored** or if **deviating from the requirement**, there is no **mitigating action** to **manage those Targets within sustainable limits**.

### 13 **NPPF (Changes for consultation 22nd Dec – 2nd Mar 2023)**

- 13.1 The Department for Levelling Up, Housing & Communities have proposed significant changes to the National Planning Policy Framework (NPPF) relating to meeting Housing Need and have removed Top-Down Targets to Maintaining supply and delivery of new homes.
- 13.2 Although these Policy changes are for consultation, the emphasis on Targets has been changed to Locally defined Targets to meet the local defined Housing need.
- 13.3 This change in National Policy should reflect on the Local Planning Authority (LPA) local Targets and remove the pressure for densification or Intensification where previously set targets have been exceeded and Housing Need thus satisfied.
- 13.4 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 or the developments are unsustainable with current supporting infrastructure.

### 14 **Conclusion & Recommendations**

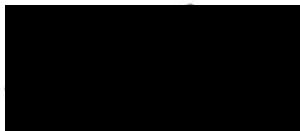
- 14.1 Our Assessment and analysis is based on **National** and **Local Planning** Policies and show this proposal to be exceedingly **over developed for the Local Area Type Setting** as defined by the **National Model Design Code & Guidance**.
- 14.2 The applicant has not addressed the fundament reasons for **refusals reasons 2 to 4** of the previous refused application. The Build footprint has only been slightly decreased and the proposal remains a significant **over-development** for the **Site Capacity** of **0.1145ha.** at a low **PTAL** of **1a (≅0.66)**.
- 14.3 The increased roof height of the proposal has **exacerbated** the loss of amenity to **79 Woodmere Avenue 45° Rule** (vertical) projection and the projected intersection from that of the refused previous proposal. Also, the horizontal **45° Rule** projection and intersection from **79 Woodmere Avenue** is virtually identical to that of the previous refused proposal and again fails the projection intersection requirement.
- 14.4 The proposal supplied drawings and **Design and Access Statement** does not indicate any compliance with **Planning Policies**. The applicant’s proposal does NOT provide any evidence of meeting **London Plan Policy D3** with respect to the “**Design-Led Approach**” or optimising the development within the “**Site Capacity**”.
- 14.5 We have only objected on grounds of agreed **National & Local Policies** and in no case have we ‘**subjectively**’ assessed or commented on the proposal, we therefore **Urge the Case Officer to Refuse this Proposed Application** on the grounds of **non-compliance** to the **Planning Policies** as referenced in this submission.



- 14.6 In the event of the **Croydon LPA** or the **Case Officer** disputing our analysis of the proposed development, based upon the **National Model Design Code & Guidance**, we respectfully request that fully detailed reasons are provided for **NOT** observing the **National Guidance** or the assessed values for **Area Type Settings**. If such variant values are provided for **Local Policy definition**, we would appreciate the reasons to be elucidated, why these values are different from '**national guidance**' and what evidence supports different values being used for **Croydon LPA** local assessment.
- 14.7 If this proposal is allowed, it would mean that **ALL** the Policies referenced and quoted in our submission had been disregarded, making a mockery of the Policies and Procedures thus adding to the total loss of confidence by Residents in the Planning Process and the Management of Development proposals by **Croydon Local Planning Authority**.

**Kind Regards**

**Derek**



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Cc:

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Sue Bennett  
Richard Chatterjee  
Mark Johnson

Bcc:

MORA Executive Committee, Local affected Residents & Interested Parties



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Cllr. Shirley North Ward  
Cllr. Shirley North Ward  
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