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**Monks Orchard Residents' Association
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17th April 2023

TOWN AND COUNTRY PLANNING ACT 1990
Appeal (W) under Section 78
Location: 46 The Glade
LPA Application Ref: 22/01881/FUL
Appeal Ref: APP/L5240/W/22/ 3305791
Representation Close: 25th April 2023

Dear – Mr Pocock Case Officer

Please accept this representation from the **Monks Orchard Residents' Association (MORA)** as a request for this Appeal to be **Dismissed** on the grounds as stated in the following submission. We fully support the Local Planning Authority (LPA) Case Officer's Report and provide the following analysis to support the Delegate Committee agreed report.

The proposal



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for a better community**

This is the lead case. This representation contains relevant dates and documents for this case. The linked Case has a separate timetable and documents. To view linked case, click below:

<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3312168&CoID=0>

We have concentrated our submission for this Appeal Ref: **APP/L5240/W/22/3305791** LPA Ref: **22/01881/FUL** on known adopted or emerging policies from **National Level** to **Local Level** none of which can be disputed or discounted. The reasons supporting our written representation therefore are of authoritative significance rather than any subjective interpretation or vague statements by the Appellant.

We have structured this representation on the grounds of the **LPA's Report contesting the Appeal** and the compliance to adopted or emerging **Planning Policies** as published in the **NPPF** (July 2021), the **National Model Design Codes and Guidance** (Jan & June 2021) by the **Department of Levelling Up, Housing & Communities** (DLUHC), the **London Plan** (March 2021), the **Croydon Local Plan** (2018) and the **Revised Local Plan** (Dec 2021). Where appropriate we have referenced **Supplementary Planning Guidance documents**.

1 Appellant's Grounds of Appeal

1.1 This statement constitutes the Statement of Case submitted in response to the failure of the London Borough of Croydon (the 'Council') to determine a planning application within the statutory time period.

Application Validated	06 May 2022
Appealed Letter	25 Aug 2022
Officer's Report	12 Sep 2022
Appeal Start Date	21 March 2023

Our Response to the Appellant's Grounds of Appeal 25th August 2022

1. Introduction

- 1.1. This appeal was submitted in respect of the Council's failure to determine planning application reference 22/01881/FUL relating to 46 The Glade, Croydon.
- 1.2. The application seeks planning permission for the demolition of the existing single storey dwelling and a redevelopment with a new building to provide 8 dwellings (Class C3), with associated amenity space, integral refuse, cycle stores and external car parking.
- 1.3. The application was submitted on 6th May 2022. The Council has subsequently failed to engage with the Applicant or issue a decision within the statutory 8 week period.

2. The Site and The Appeal Proposal

- 2.1. The appeal site and its surroundings are detailed in the Planning Statement and the other supporting documents to the application. The details of the proposal are also described and shown on the submitted drawings and documents.

3. The Appellant's Case

- 3.1. The Appellant considers that the proposal is wholly acceptable, as set out in the supporting information to the Application.



- 3.2. It is unknown as to whether the Council would have been able to support the application, or if not for what reasons the application might have been refused. The Appellant therefore reserves the right to comment on any correspondence that may be received from the Council with regard to their decision on the application, had they had the opportunity to make it. The Appellant's response may necessitate the preparation of a Legal Agreement relating to matters that may be identified by the Council, and it is expected that the Council will be co-operative in this respect.
- 3.3. A separate application for an Award for Costs against the LPA is also submitted in respect of this appeal.

2 LPA Officer's Report (12/09/2022) - Reasons Contested.

- 2.1 The proposed development, by reason of scale, massing, poor elevational composition, materials 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 contrary to Policies H2, D4, D8 of the London Plan (2021) and SP2, SP4, DM10 of the Croydon Local Plan (2018).
- 2.2 The proposal by reason of its massing and proximity close to neighbouring properties at nos. 44 and nos. 48 The Glade would result in an intrusive and imposing form of development detrimental in terms of outlook for these surrounding neighbours and would be contrary to policy DM10 of the Croydon Local Plan (2018), Policies D3 and D6 of the London Plan (2021)
- 2.3 The proposed development would provide inadequate car parking provision for this site, poorly designed disabled bay, inappropriate pedestrian sightlines, poor vehicle access, poorly accessed and designed cycle and refuse storage facilities and would therefore be contrary to Policies DM10.2, DM13, DM29 and DM30 of the Croydon Local Plan (2018) and Policies T4, T5 and T6 of the London Plan (2021).
- 2.4 In the absence of a legal agreement, the application does not offer a contribution towards sustainable transport initiatives in the vicinity to alleviate traffic generation created by the development, the proposal would be contrary to Policies SP8 and DM29 of the Croydon Local Plan (2018) and Policy T4 of the London Plan (2021).
- 2.5 The development would result in an area subject to surface water flooding (1:30yrs) insufficient evidence has been supplied which does not demonstrate that the proposal would successfully drain the site in a sustainable fashion thereby contributing to local flood risk and is contrary to guidance in the National Planning Policy Framework and Policy SP6.4 of the Croydon Local Plan 2021
- 2.6 The local authority is not satisfied that the sufficient information has been provided to demonstrate satisfactorily that the proposal would not have adverse impact on the neighbouring trees along the boundary with no.48 The Glade and therefore would be contrary to Policy DM28 of The Croydon Local Plan 2018.



3 LPA Report Contesting the Appeal Reasons Contested 1 & 2 (paras 2.1 & 2.2 above):

3.1 **Reason 1:** *“The proposed development, by reason of scale, massing, poor elevational composition, materials 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 contrary to Policies H2, D4, D8 of the London Plan (2021) and SP2, SP4, DM10 of the Croydon Local Plan (2018)..”*

3.2 **Reason 2:** *“The proposal by reason of its massing and proximity close to neighbouring properties at nos. 44 and nos. 48 The Glade would result in an intrusive and imposing form of development detrimental in terms of outlook for these surrounding neighbours and would be contrary to policy DM10 of the Croydon Local Plan (2018), Policies D3 and D6 of the London Plan (2021).”*

3.3 These two LPA Reasons for “**evidential contesting the Appeal**” are based on the fundamental parameters associated with **Massing, Scale, Bulk, Depth, Form** and **Character** of the ‘**locality**’ into which the proposal is to be built, as compared to those of the ‘**proposal**’ and can all be described when analysed on the assessment and comparison of the **Local Design Codes** of the **locality** and the proposed application **Site Area** and **Site Capacity**.

3.3.1 The requirement to assess and evaluate the appropriate **Massing, Scale, Bulk, Depth and Form** are all parameters which should be established by assessment of the local **Design Code**, the **Site Capacity** and the **local character** of the proposal. This is a requirement to meet **Policy D3** of the **London Plan** and the **National Model Design Code & Guidance** referenced from the **NPPF (para 129)**.

3.4 London Plan Policy D3 – Optimising Site Capacities through the Design-Led Approach

3.4.1 The Design-Led Approach

A All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The **design-led approach** requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and **capacity for growth**, and existing and planned **supporting infrastructure capacity** (as set out in **Policy D2 Infrastructure requirements** for sustainable densities), and that best delivers the requirements set out in Part D.

B Higher density developments should generally be promoted in locations that are **well connected to jobs, services, infrastructure**, and amenities by **public transport**, walking and cycling, in accordance with Policy D2 Infrastructure requirements for sustainable densities. ...



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

3.5 Local Design Code Assessment

3.5.1 The NPPF.

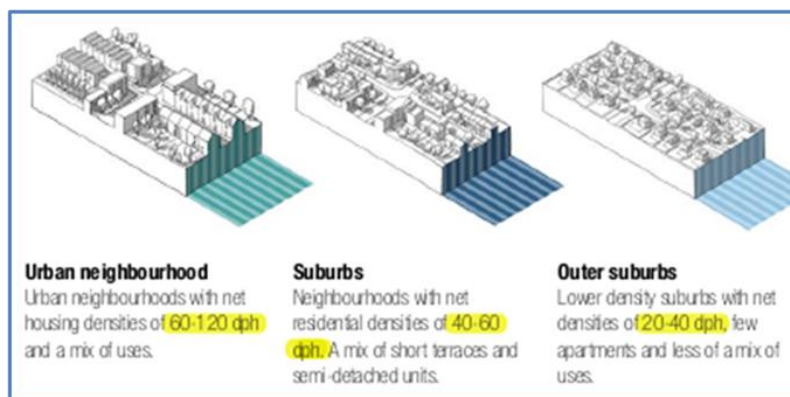
3.5.1.1 The NPPF para 129 states:

3.5.1.2 "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.*"

3.5.2 The DLUHC National Model Design Code & Guidance¹ Parts 1 & 2.

3.5.2.1 The Area Type '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 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."

3.5.2.2 Area Type Settings



National Model Design Code Area Type Settings Parameters

3.5.2.3 If the Inspector does not agree with these designations and densities, alternatives should be provided along with substantive reasons why **Croydon Area Type**

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



Settings should be different to the **National Guidance**. The Croydon LPA has had opportunities to define the methodology of determining Local Area Types and Design Codes but has not done so as yet.

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

3.5.2.5 The details for the **Post Code addresses** are found from the **Valuation Office Agency**² and the **number of occupants**.³ The **Google Earth Polygon** tool allows measurement of the assessed summation of the **Post Code property boundaries**: the approximate Area of **Post Code CR0 7QD** from 20 to 70 The Glade is defined from **Google Earth polygon** (below) from the total of the Dwelling boundaries. The **Post Code CR0 7QD** has been added to the following list which we are compiling for our Area for each planning application as they are presented for our area.

Location	Area (ha)	Population (Net Ave)	Dwellings (Units) (Net 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 (Net Ave 2.35)
Croydon	8,652.00	390,719	165,559	45.16	19.14	<Outer Suburban	<Outer Suburban	2.36
Shirley North Ward	328.00	15,406	6,528	46.97	19.90	<Outer Suburban	<Outer Suburban	2.36
Shirley South Ward	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	1.24	40	25	32.26	20.16	<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 7NN	0.75	54	28	71.94	37.30	Outer Suburban	Outer Suburban	1.93
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 ^{Note 2}	19.12	1,286	545	67.26	28.50	Outer Suburban	Outer Suburban	2.36
Shirley "Place" ^{Note 1} (Estimate)	770.00	32,995	13,981	42.85	18.16	<Outer Suburban	<Outer Suburban	2.36
Average (Not including Croydon)	143.12	5,717	2,420	40.97	18.00	<Outer Suburban	<Outer Suburban	2.29

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

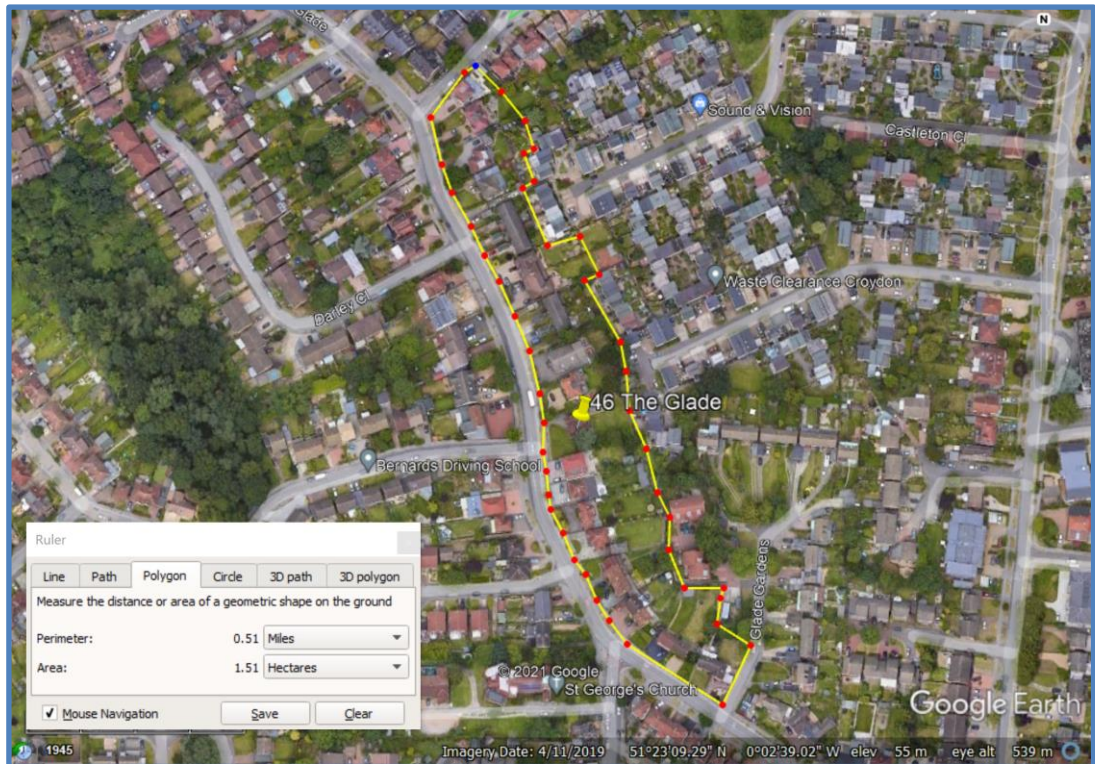
Note 2: All the green areas in Shirley Oaks Village, except for the 1.4 Hectares off Poppy Lane were legally classified as Ancillary space for the houses in the section 52 agreement with the Council when the estate was built. This was because the houses were built with small gardens.

Table of Design Code Area Type Settings for various local area groups which all return <Outer Suburban or Outer Suburban Area Type Settings.

3.5.2.6 The most appropriate **Area** to ascertain the **Local Character** and **Local Design Code** is the **Post Code Area (CR0 7QD)** and compare these with the equivalent parameters of the proposal and assess these for suitability and acceptability within the Policies for **renewal** and **growth**, acceptable for the **Area Type Setting in terms of Scale, Bulk, Depth, Form and Character**. The **Design-Led Approach** requires the definition of the localities "**Design Codes**" as a fundamental initial requirement to assess the appropriate parameters to ascertain the **Area Type Setting** and **Site Capacity**.

² <https://www.gov.uk/government/organisations/valuation-office-agency>

³ <https://www.postcodearea.co.uk/>



CRO 7QD Post Code approximate Area at 1.51hectares.

3.5.2.7 The following is the output from an interactive excel spreadsheet designed to evaluate the **Design Code** parameters of a **Post Code Area Type**.

Parameters of Post Code 'CR0 7QD' Design Code				
Area Design Code Parameter (These parameters auto calc Design Code)	Input Parameters		Constrains	
Post Code	CR0 7QD		Ward	Shirley North
Area of Post Code (ha)	1.51	hectares	Flood Risks	30yr Surface
Area of Post Code (Sq.m)	15100	sq.m.	Gas	Low Pressure
Number of Dwellings (Units) 25/11/2022	28	Units	Water	N/A
Number of Occupants (Persons) 25/11/2022	68	Persons	Sewage	N/A
Occupancy	2.43	Person/dwelling	HASL (m)	Average 55m
Post Code Housing Density	18.54	Units/ha	Building Line Set-Back	Various
Post Code Residential Density	45.03	Bedspaces/ha	Set-back Guidance	3 to 6m
Area Type (National Model Design Code)	<Outer Suburban	Setting		
https://www.postcodearea.co.uk/				
Design Code Parameters		Min	Max	Measure
Area Type Setting (NMDC)	<Outer Suburban	0	20	Units/ha Range
Equivalent ¹ Residential Density (Persons/ha)	<Outer Suburban	0.00	47.20	Persons/ha Range
¹ Based upon National Occupancy Rates				
		Outer Sub'n U/ha	<Outer Sub'n bs/ha	
PTAL (now)	0.00	20.00	47.20	Limits for PTAL
PTAL (forecast 2031)	0.00	20.00	47.20	Limits for PTAL
Gentle Intensification	(Limits in U/ha & bedspaces/ha)	6.67	15.73	Limits 'Gentle' Intensification
Moderate Intensification	(Limits in U/ha & bedspaces/ha)	13.33	31.46	Limits 'Moderate' Intensification
Focussed Intensification	(Limits in U/ha & bedspaces/ha)	20.00	47.20	Limits 'Focussed' Intensification

NMDC Parameters of local Post Code (CR0 7QD) to assess the Local Design Code

3.5.2.8 The **Post Code Area CR0 7QD** has a current **population of 68 persons** Housed in **28 Dwellings** (Last updated on 26 March 2023) in an approximate Area of **≈1.51hectare** (Google Earth) which equates to a **Housing Density of ≈18.54Units/ha** and a **Residential Density of ≈45.03 persons/ha**, which places the



Post Code in an '**<Outer Suburban**' Housing Density and '**<Outer Suburban**' for an equivalent **Residential Density, Area Type Design Code Setting** as defined by the **National Model Design Code & Guidance**

3.5.2.9 In order to ensure a valid assessment, we have evaluated the various local areas, and **Design Code Type Settings** for our locality and in each case, the **NMDC** assessment has demonstrated that **Shirley** is either **< or = to an "Outer Suburban"** Setting as defined by the **National Model Design Code & Guidance**. If the Inspector **disagrees** with these parameters, we respectfully request that the Inspectorate provide alternatives with comprehensive supporting evidence why **Shirley** should be different to that recommended by the **National guidance**.

3.6 Assessment of Proposal

3.6.1 Parameters of proposed development.

46 The Glade Ref: 22/01881/FUL																
Post Code	CR0 7QD	Population	68	Dwellings	28	Residential Density (hr/ha)	284.31	hr/ha	Floor Area Ratio	0.5527	10.55%	PTAL 2011	Zero			
Units	Site Area	1020	sq.m.	Area (ha)	1.51	Residential Density (bs/ha)	274.51	bs/ha	Post Code Density	18.54	Units/ha	PTAL 2021	Zero			
8	Site Area	0.102	ha	Occupancy	2.43	Housing Density (U/ha)	78.43	u/ha	Area Post Code CR0 7QD	1.51	ha	PTAL 2031	Zero			
Dwelling	Type	Bedrooms	Bedspaces	Habitable Rooms	Functional Areas	GIA offered (Grnd Floor Plan)	GIA Required	Built-In Storage Offered	Amenity Space Offered	Amenity Space Required	Car Parking	Probable Adults	Probable Children	Play Space Offered	Play Space Required	
Flat 1	M4(3)	3	4	4	5	86.7	74	Not Stated	47.9	7	1	2	2	5.38	20	
Flat 2	M4(2)	3	4	4	5	79.7	74	Not Stated	59.1	7	1	2	2	5.38	20	
Flat 3	M4(2)	2	3	3	4	62.7	61	Not Stated	7.4	6	1	2	1	2.69	10	
Flat 4	M4(2)	2	3	3	4	63	61	Not Stated	12.1	6	1	2	1	2.69	10	
Flat 5	M4(2)	2	4	3	4	73	70	Not Stated	7.4	7	1	2	2	5.38	20	
Flat 6	M4(2)	2	3	4	5	62.7	61	Not Stated	7.4	6	1	2	1	2.69	10	
Flat 7	M4(2)	2	3	4	5	63	61	Not Stated	12.1	6	1	2	1	2.69	10	
Flat 8	M4(2)	2	4	4	5	73	70	Not Stated	7.4	6	2	2	2	5.38	20	
Totals		18	28	29	37	563.8	532		160.8	51	7	16	12	32.25	120	

The above Table provides the main characteristics of the proposal

Application Details			
Appeal Ref:			
Application Ref:	22/01881/FUL		
Address	46 The Glade		
PostCode	CR0 7QD		
Consultation Close			
Application Parameters			
Site Area (ha)	0.1020	ha	
Site Area (sq.m.)	1020.00	sq.m.	
Units (Dwellings)	8.00	Units	
Bedrooms	18.00	Bedrooms	
Bedspaces	28.00	Persons	
Housing Density	78.43	Units/ha	
Residential Density	274.51	bs/ha	
Occupancy	3.50	bs/unit	
Gross Internal Area (GIA) offered	563.80	sq.m.	
Floor Area Ratio	0.55	#	
		Min	Max
Area Type Setting (Units/ha)	Urban	60.00	120.00
Area Type Setting (Bedspaces/ha)	Urban	141.60	283.20
		U/ha	bs/ha
PTAL (Current)	0.00	20.00	47.20
PTAL (Forecast)	0.00	20.00	47.20
PTAL Required (Residential Density)	5.78		

Application Details for Comparison with Post Code Area Type Setting parameters.

3.6.2 To establish suitability of the proposal at the location proposed, it is necessary to compare the **Application** parameters with those of the local **Post Code** Area parameters. The following table is an illustration of comparison and differences between the local **Post Code** parameters and the **proposal** parameters, with percentage differences indicated.

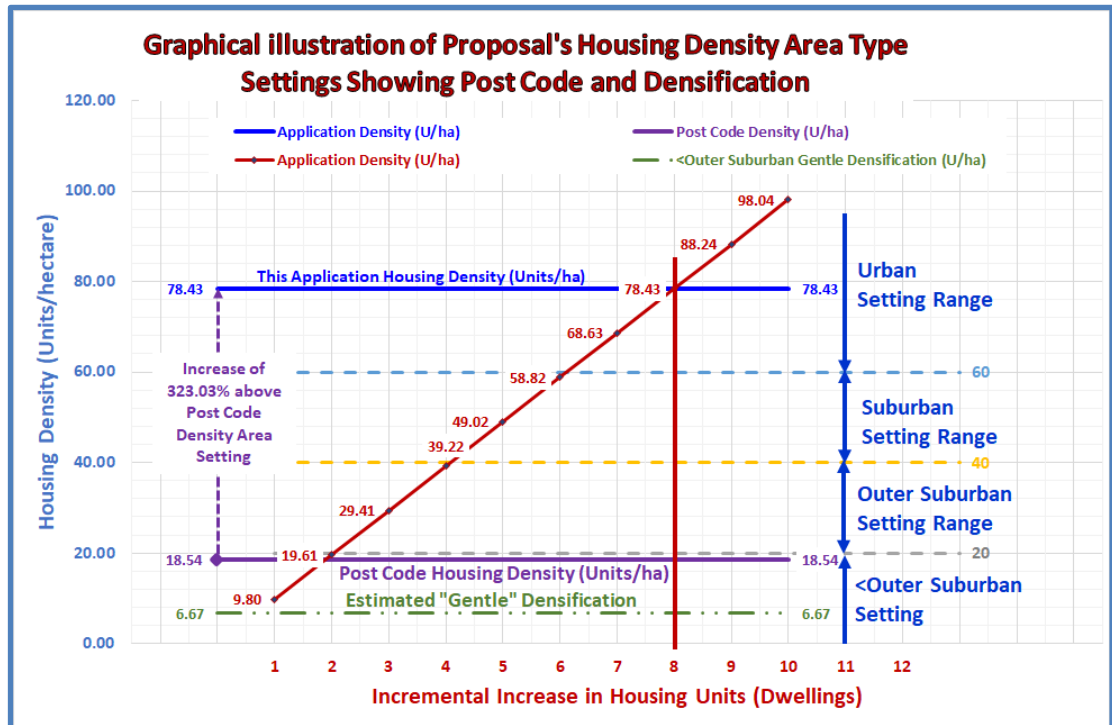
Representing, supporting and working with the local residents for a better community



Difference Between Post Code Design Code & Application Proposal			
Post Code Housing Density (Units/ha)	18.54	Area Type Setting	<Outer Suburban
Application Housing Density (Units/ha)	78.43	Area Type Setting	Urban
Difference	59.89	#	
Percentage Difference (%)	323.52	%	
Percentage Increase (%)	323.03	%	
Post Code Residential Density (bs/ha)	45.03	Area Type Setting	<Outer Suburban
Application Residential Density (bs/ha)	274.51	Area Type Setting	Urban
Difference	229.48	#	
Percentage Difference (%)	143.63	%	
Percentage Increase (%)	509.62	%	
PTAL available	0.66	<Outer Suburban	
PTAL Required	5.78	Urban	

The above interactive spreadsheet tabulates the important differences between the proposal and the Post Code parameters

3.6.2.1 The above tabular differences highlight the ‘*significant excessive*’ increases in **Housing** and **Residential Densities** between the predominant locality and the proposed application at **323.03%** increase in **Housing Density** and a **509.62%** increase in **Residential Density**.



Graphical illustration of Increased Housing Density of Proposed Development from the current local Area Type Setting Post Code Housing Density

3.6.2.2 The graphical illustration above demonstrates the increase of **323.03%** in **Housing Density** between the **Post Code Density** at **18.54Units/ha** and the proposal at a **Housing Density** of **78.43Units/ha**. This level of Increase is significantly greater than any logical assessment of the term “*Gentle*” densification.

3.6.2.3 The **Area Type Setting** of the **Post Code CR0 7QD** is at the high end of the ‘<Outer Suburban’ Range at **18.54U/ha** whereas the proposed **Application Housing Density** would be well into an ‘**Urban**’ **Area Type Setting** Range at



78.43U/ha which is a **323.03%** increase in **Housing Density** from that predominantly of the locality as established by the **Post Code Area**. The proposals **Area Type Setting** which would normally meet the “<Outer Suburban” **Area type Setting**, surpasses the “**Outer Suburban**”, the “**Suburban**” **Area Types** and finally resides in the mid “**Urban**” **Area Type Range**. This completely ignores the **National Model Design Code Guidance** for meeting the **Area Type Design Code** of the locality.

3.6.2.4 The above Graphical Illustration shows conclusively that the proposed development is a significant ‘**overdevelopment**’ for the locality as assessed against the local **Post Code** derived **Area Type Setting** thus supporting the **LPA Report** of inappropriate **Massing Scale, Bulk, Depth, Form and Character** and are reasons to recommend **dismissal of this Appeal**.

3.6.3 “Growth” and Incremental Intensification or Densification

3.6.3.1 The Revised Croydon Local Plan has three designations for Growth.

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.

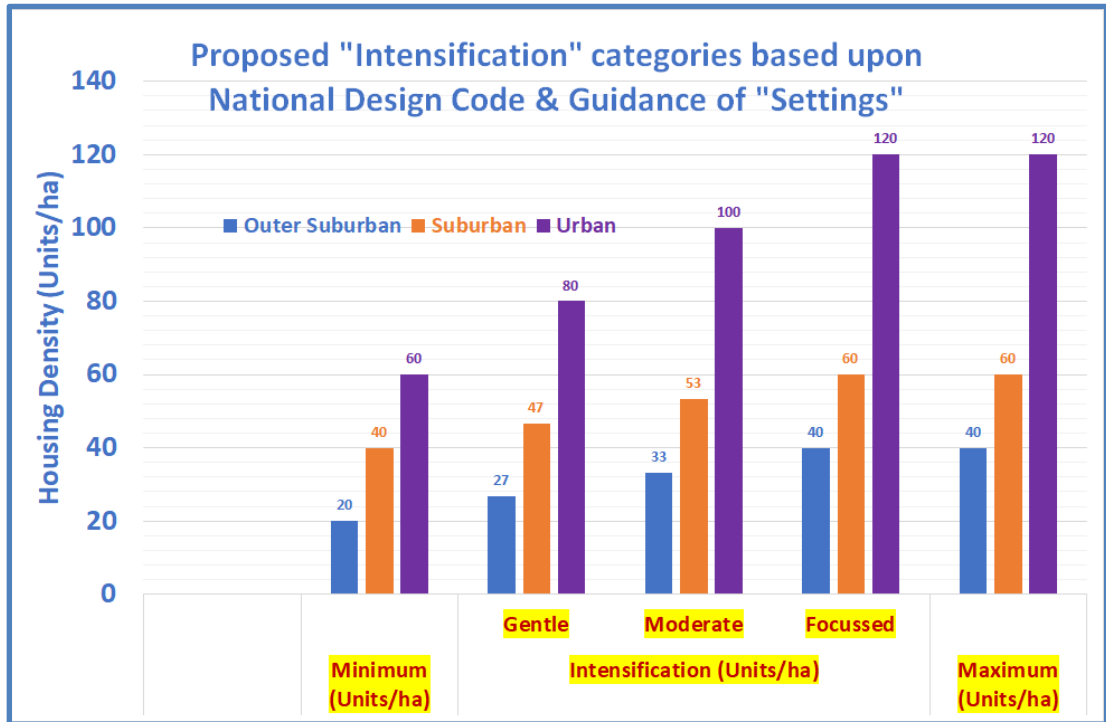
- a. Areas of **Focused Intensification** are areas where a step change of character to higher density forms of development around transport nodes and existing services will take place.
- b. **Moderate Intensification** – are areas where density will be increased, whilst respecting existing character, in locations where access to local transport and services is good.
- c. Evolution and **Gentle Densification** will be supported across all other residential areas.

3.6.3.2 The failure of the **Croydon LPA Local Plan** to define these **Growth Policies** in terms of actual meaningful, quantifiable Densities means that the Policies are fundamentally flawed as they are unenforceable as written. The guidance to define the Policies is not provided or described elsewhere in the **Local Plan** (2018) or the **revised Local Plan** (2021) at **Policy DM10**. LPA Planning Officers have historically made subjective prejudicial assessments without any substantive supporting analysis.

3.6.3.3 The **National Model Design Code (NMDC) Area Types** currently assumes the **Area types** are sustainable if supported by the ‘**available**’ infrastructure. Therefore, unless there are programs of ‘**improved infrastructure**’ over the life of the plan, any **intensification** or **densification** within an **Area Type** or **Setting** relies on that **existing Supporting Infrastructure**. Thus, the **Design Code Density densification** should clearly **remain within** the **Setting** or **Area Type “Ranges”** as defined, in order to retain “**sustainable**” **supporting infrastructure** for the **proposed sustainability of developments** for the life of the Plan.



3.6.3.4 We have shown in the following **Graphical Illustration**, an **incremental** increase in **Design Code Density** of **33%** for **“Gentle”** & **66%** for **“Moderate”** and for **(100%) “Focussed”** Intensification to the **maximum** of the setting or **densification** as an example **between, and over the range of the Settings**, for **“Outer Suburban”**, **“Suburban”** and **“Urban”** for **“Gentle”** & **“Moderate”** **Densification or Intensification**.



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

3.6.3.5 This is our interpretation of the **Local Plan Policy** as determined by logical assessment and analysis, as there is no **‘meaningful’ guidance** in the **Croydon or Revised Local Plan** or the **London Plan** to assess **“Growth”**⁴.

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

3.6.3.7 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**.⁵ It is suggested that **poor infrastructure** would require the **Design Code Density** to **tend toward** the **lower value** of

⁴ NPPF para 128 & 129 states that the NMDC&G should be used if there are no local methodology for determining local Design Codes defined in the Local Plans.

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

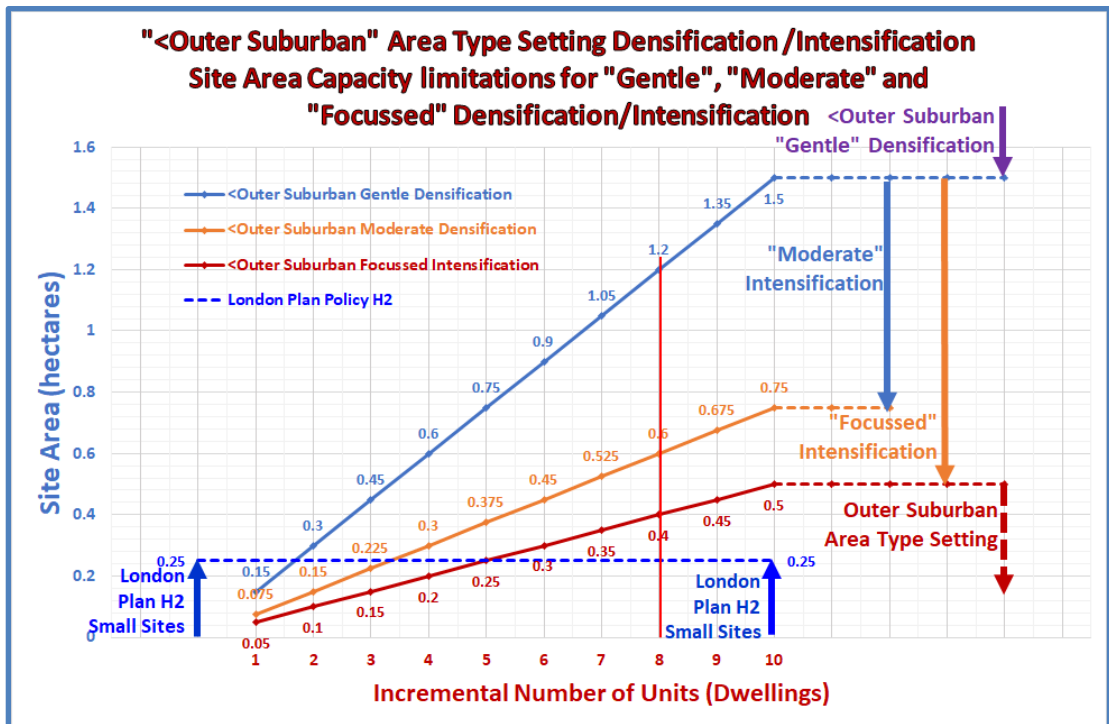


density, and higher infrastructure provision tend toward the higher value of density of the Setting Range. Similarly, the Intensification or densification should follow the same fundamental Principles.

3.6.3.8 It is presumed 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 is the objective, the distribution over the Ranges should incrementally increase approximately linearly from PTAL Zero through to a PTAL of 6 as defined by TfL.

3.6.3.9 This statistical analysis of Density is based upon the National Model Design Code (NMDC) & Guidance as published by the Department for Levelling Up, Communities & Housing (DLUCH) and therefore it is a rational assessment to convert Housing Density to Residential Density using the latest National Assessment of Unit Occupancy as defined by Statista.⁶

3.6.3.10 Thus for 46 The Glade in an <Outer Suburban Area Type Setting as defined by the Post Code Area, for 8 Units at PTAL Zero and a "Site Capacity" limitation of 0.102ha, the "Gentle" Densification would require a Site Area of 1.2ha. whereas the available Site Area is 0.102ha, a difference of 1.098ha or 1076.47%. This is further evidence of over development of the 'Site Capacity.'



Graphical representation of Site Capacity for incremental number of Units for Densification/Intensification at an <Outer Suburban Area Type Setting

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

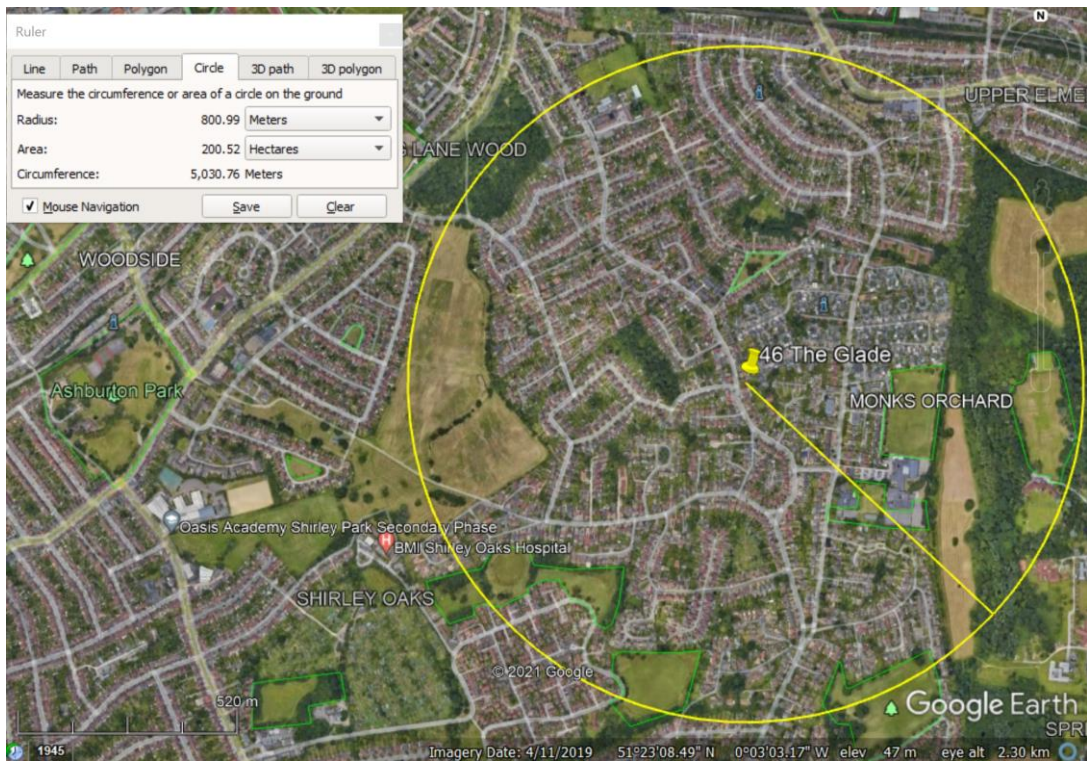


3.6.3.11 This level of increased **densification** above that appropriate for the **Post Code Area Type Density** places the proposal in the **high end of an “Outer Suburban” Area Type Setting** rather than the available **“<Outer Suburban” Area Type Setting** and is **NOT** supported by the available **local infrastructure**, which is only appropriate for the **<Outer Suburban Area Type Setting** and as there is **no planned increase in infrastructure**⁷ provision for the **Shirley North Ward** over the life of the Plan, this proposal is therefore **inappropriate**, and the **Appeal should be Dismissed**.

3.6.4 London Plan Policies for Incremental Intensification.

3.6.4.1 London Plan para 4.2.4 states:

“Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station⁴⁷ or town centre boundary⁴⁸ is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London’s needs”



Google Image of 800m radius from 46 The Glade showing that it is over 800m from Tram/Train Station and District Centre

⁷ <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>



3.6.4.2 **46 The Glade** has a **PTAL at Zero** forecast to remain at **Zero** (i.e., <3) until at least **2031**. Therefore, as the location is greater than **800m from a Tram/ Train Station or District Centre**, the site is **'inappropriate'** for **"incremental"** intensification as defined by the **London Plan para 4.2.4**.

3.6.4.3 Therefore, the location of **46 The Glade** is clearly inappropriate for **incremental intensification** as defined by the **London Plan Policy**. This is further evidential support of **inappropriate densification**.

3.6.5 **London Plan Policy D2 - Infrastructure requirements for sustainable densities**

- 3.6.5.1 A The density of development proposals should:
- 1) consider, and be linked to, the **provision of future planned levels of infrastructure** rather than existing levels
 - 2) be proportionate to the **site's connectivity and accessibility** by walking, cycling, and public transport to jobs and services (including both PTAL and access to local services)
- B Where there is currently insufficient capacity of existing infrastructure to support proposed densities (including the impact of cumulative development), boroughs should work with applicants and infrastructure providers to **ensure that sufficient capacity will exist** at the appropriate time. This may mean that if the development is contingent on the provision of new infrastructure, including public transport services, it will be appropriate that the development is phased accordingly.

3.7 **Residential Density and Public Transport Accessibility (PTAL)**

3.7.1 **The Applicant's Public Transport Statement**

3.7.2 **Para 3.10** of the **Transport Statement** provided by the applicant indicates the "TfL PTAL range to be **1 through to 6b**" which is **NOT** correct. The TfL WebCAT⁸ has **PTAL Range of '0' through to 6b** and the **PTAL at 46 The Glade is clearly 0**.

3.7.3 **The applicant's Transport Statement at para 3.11 states:**

*"3.11 The site is located in an area that has PTAL rating of **1a**, which needs to be viewed in context of locations within London. A copy of the PTAL report is included as Appendix A."*

This statement is incorrect.

3.7.4 The TfL WebCAT⁹ returns **Zero (0)** at **Base Year 2011, & 2021 & Forecast 2031** for **46 The Glade** as input on the search which are (**Easting: 536212, Northing: 167004**) which are different to those at **Appendix A** of the **Transport Statement**.

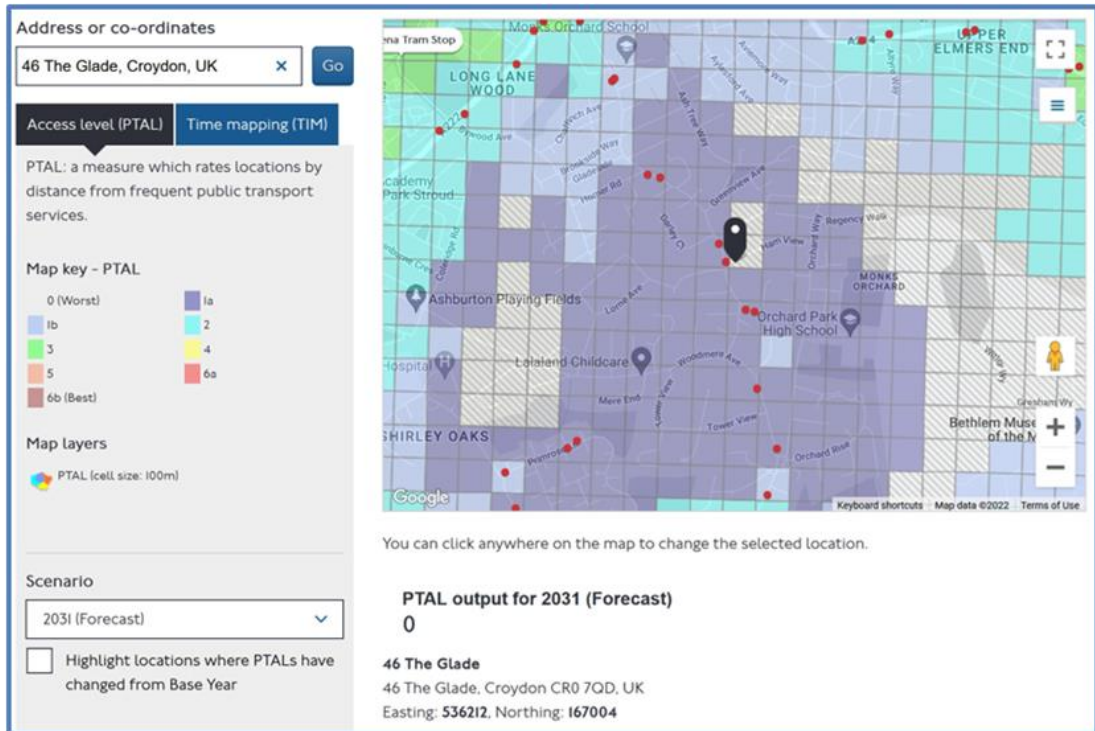
⁸ <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>

⁹ <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat?Input=46%20The%20Glade%2C%20Croydon%2C%20UK&locationId=ChIJH7h7rVUAdkgRePS6ifuACpc&scenario=2031%20%28Forecast%29&type=Ptal>



3.7.5

As it is possible to click anywhere on the Map to select a location (see note on the illustration above) the Applicant has moved the location slightly westward & southward to indicate a **PTAL of 1a** This is a **misrepresentation** of the true **PTAL for 46 The Glade**, possibly intentionally or by accident, however either reason of representation are inappropriate.



TfL WebCAT search returns PTAL '0' for 46 The Glade (Easting: 536212, Northing: 167004). Not as given at APPENDIX A of the Transport Statement.

3.8

Public Transport Accessibility (PTAL) for proposed Development.

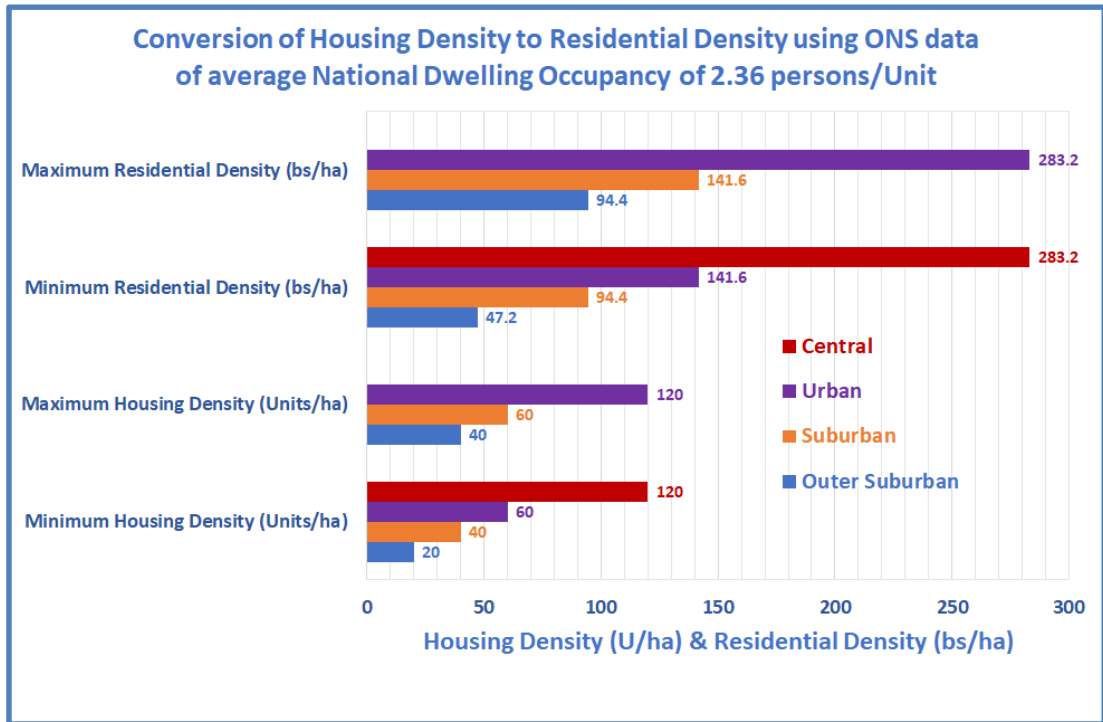
3.8.1

It is people that require **Public Transport Accessibility** therefore we need to convert the **National Housing Density (U/ha)** to a **National Residential Density (persons/ha)**. The **National** average Occupancy of Dwellings as a statistic is available from the **ONS or Statista**¹⁰ and is listed as **2.36 persons per dwelling** in 2021.

3.8.2

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 **≈47.2 persons/ha** to 40 x 2.36 persons/ha **≈94.4persons/ha Residential Density**. Similarly, for **Suburban Settings** with **Housing Density** of 40 Units/ha would have **Residential Density** of **≈94.4persons/ha** to 60 x 2.36 persons/ha **≈141.6persons/ha Residential Density** and **Urban Settings**, 60 to 120 units/ha would have **141.6persons/ha** to **283.2persons/ha Residential Density**.

¹⁰ <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



Conversion of National Housing Density for Densification/Intensification to equivalent Residential Densities using the ONS or Statista National Occupancy Data (2021)

3.8.3 It is assumed that the **Low Residential Density localities** would normally have **low PTAL**, and **Higher Residential Density** have higher **PTAL Irrespective of Area Types** as the requirement is for **accessibility to support the localities' Residents**. Thus, **PTAL** should incrementally increase proportionately with the increase in **Residential Density** (population).

3.8.4 Thus, **PTAL Zero** is assumed at the low range of **“Outer Suburban”** as the **TfL Accessibility Level** assumes **PTAL 0** to be an appropriate value at Low densities (i.e., not zero densities). However, the **TfL Public Transport Accessibility** does not align with the **Area Type Settings** as defined by the **National Model Design Code & Guidance**. The **TfL** range for **Suburban** extends from **150hr/ha at Zero PTAL** to **350hr/ha at 6 PTAL**. TfL has no recognition of **‘Outer Suburban’**.

3.8.5 Therefore, the **PTAL** over the range **0 to 6** should be proportionate to the increase in Density over the ranges from Low **“Outer Suburban”** to the higher densities of the **“Urban”** range. Assuming **“Central”** Areas would of necessity have the highest possible access to public transport.

3.8.6 Areas **<Outer Suburban** would also require **Zero PTAL** as Defined by TfL. For the **Proposal**, at **Residential Density** of **274.51bs/ha**, the required **PTAL** would be:

$$y = mx + c; \text{ where } y = \text{Density}; m = \frac{\delta y}{\delta x}; x = \text{PTAL} \text{ \& } c = y \text{ when } x = 0$$



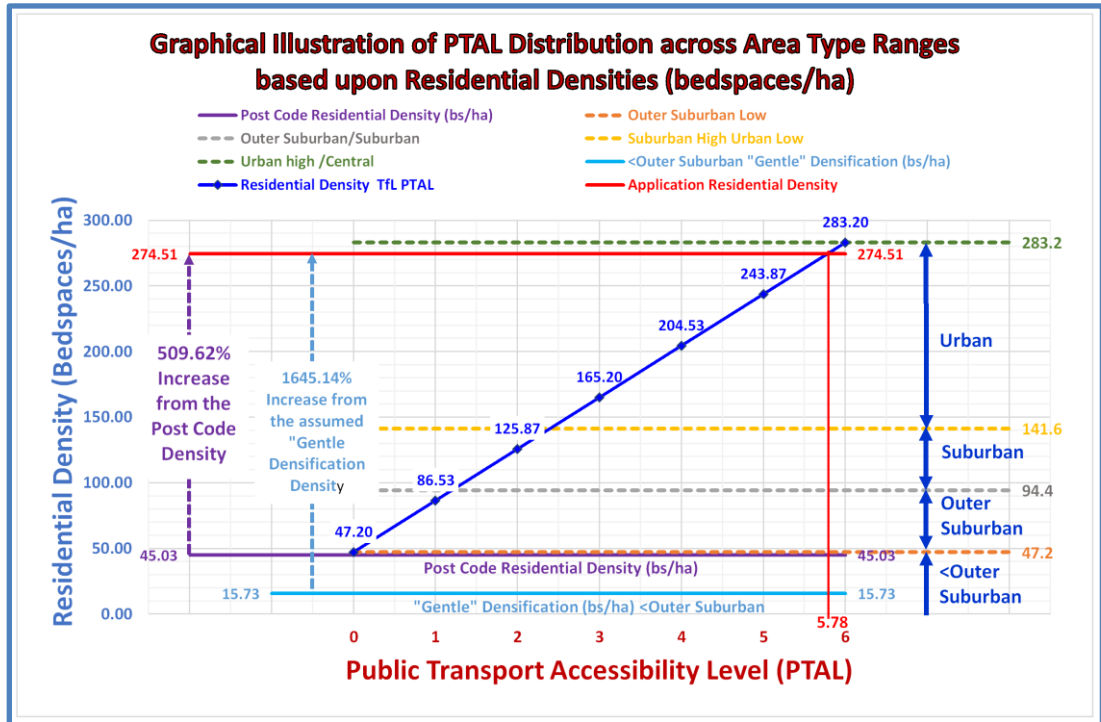
The proposal would require a PTAL to support a Residential Density of 274.51 (bs/ha)

$$\therefore \text{for: } 274.51 = \left(\frac{283.2-47.2}{6}\right) * x + 47.2 \quad \therefore x = \frac{227.31}{39.33} = 5.7795 \approx 5.78 = \text{PTAL}$$

When 46 The Glade has PTAL of Zero.

At the Post Code Residential Density of 45.03bs/ha:

$$\therefore \text{for: } 45.03 = \left(\frac{283.2-47.2}{6}\right) * x + 47.2 \quad \therefore x = \frac{-2.17}{39.33} = 0.05517 \approx -0.06 = \text{PTAL}$$



Distribution of Public Transport Accessibility with incremental Increase in Residential Density and relationship with Area Type Settings as defined by National Model Design Code & Guidance.

- 3.8.7 The local PTAL of Zero would therefore reasonably be within a small tolerance for supporting the **'Post Code Residential Density'** but NOT that of the application proposal which would require a PTAL of **5.78**.
- 3.8.8 The quantum for **Residential Density** as defined by TfL is **habitable Rooms/hectare**, which is not a rational parameter, as **"Habitable Rooms"** do not require infrastructure or other supporting requirements such as Public Transport Accessibility ¹¹ as it is people who require **Public Transport Accessibility**. Additionally, proposals include open plan accommodation to give the impression of greater living space without dividing walls which fundamentally flaws assessment of habitable rooms as a measure of **Residential Density**.

¹¹ <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>



3.8.9 The most obvious parameter for **Residential Density** is people per hectare which from a development proposal perspective is the **occupancy** of the development in **bedspaces per hectare (bs/ha)**. Whereas the **National Model Design Code (NMDC)** Area Design Codes has “**Outer Suburban,**” “**Suburban,**” “**Urban**” & **Central** Area Type designations, TfL has **Suburban, Urban & Central** designations in **hr/ha** .

3.9 The preceding evidence is conclusive verification and demonstration that the proposal significantly exceeds the Scale, Massing and Bulk for the locality and therefore supports the LPA’s Reasons 1 & 2 for Contesting the Appeal which should therefore be Dismissed.

4 LPA Report Contesting the Appeal Reasons Contested 3:

4.1 **Reason 3:** *“The proposed development would provide inadequate car parking provision for this site, poorly designed disabled bay, inappropriate pedestrian sightlines, poor vehicle access, poorly accessed and designed cycle and refuse storage facilities and would therefore be contrary to Policies DM10.2, DM13, DM29 and DM30 of the Croydon Local Plan (2018) and Policies T4, T5 and T6 of the London Plan (2021).”*

4.2 Proposed Parking Provision

4.2.1 The proposal provides **7 Car Parking Spaces**, one of which is a disabled Space (Bay #2). The London Plan Table 10.3 recommends **1.5 spaces** for dwellings with **1 to 3 Bedrooms** in Outer London at **PTAL Zero**. The Croydon Local Plan (2018) recommends an allocation as

Dwelling	Type	Bedrooms	London Plan PTAL Zero (Outer London)	Croydon Plan Parking 2018 PTAL Zero (as London Plan)	Croydon Plan Parking 2021 PTAL Zero
Flat 1	M4(3)	3	1.5	1.5	1.5
Flat 2	M4(2)	3	1.5	1.5	1.5
Flat 3	M4(2)	2	1.5	1.5	1
Flat 4	M4(2)	2	1.5	1.5	1
Flat 5	M4(2)	2	1.5	1.5	1
Flat 6	M4(2)	2	1.5	1.5	1
Flat 7	M4(2)	2	1.5	1.5	1
Flat 8	M4(2)	2	1.5	1.5	1
Totals		18	12	12	9

defined by the London Plan (which has since been revised in March 2021) and the Revised unadopted Croydon Local Plan (2021) recommends **1.5 spaces for 3 Bedroom** and above, but only **One space for 1 & 2-Bedroom Units** at **Zero PTAL**.

4.2.2 Thus the adopted Croydon Plan and the London Plan recommend a **12 Parking Space** requirement for the proposed Development. As the Revised Croydon Plan is yet to be adopted, this reduced requirement is not yet Policy and therefore is only advisory.

4.2.3 Thus, the **Policy** currently adopted clearly indicates that there is **inadequate** Parking provision to support the development, deficient by **5 parking spaces**, a Difference of: $|12 - 7| / ((12 + 7) / 2) = 5 / 9.5 = 0.5263 = 52.63%$ or a Decrease of: $|12 - 7| / 12 = 5 / 12 = 0.4166 = 41.66%$. This supports the **LPA Reason 3** to Contesting this Appeal.



4.2.4 The lack of any space for the appropriate number of **Car Parking** spaces to support the development is a **clear indication** of the limited **Site Capacity to provide adequate Parking spaces to support the development** for the locality and **Area Type Setting** at **<outer Suburban** and at a **PTAL of Zero**.

5 LPA Report Contesting the Appeal Reasons Contested 4

5.1 **Reason 4:** In the absence of a legal agreement, the application does not offer a contribution towards sustainable transport initiatives in the vicinity to alleviate traffic generation created by the development, the proposal would be contrary to Policies SP8 and DM29 of the Croydon Local Plan (2018) and Policy T4 of the London Plan (2021).

5.2 We have no additional comments relating to Appeal Contested Reasons 4

6 LPA Report Contesting the Appeal Reasons Contested 5

6.1 **Reason 5:** The development would result in an area subject to surface water flooding (1:30yrs) insufficient evidence has been supplied which does not demonstrate that the proposal would successfully drain the site in a sustainable fashion thereby contributing to local flood risk and is contrary to guidance in the National Planning Policy Framework and Policy SP6.4 of the Croydon Local Plan 2021

6.1.1 Insufficient information has been provided to demonstrate that the proposed sustainable drainage strategy would adequately mitigate flood risk from the site in a sustainable fashion, contrary to Policy S113 of the London Plan (2021) and Policies SP6.4 and DM25 of the Croydon Local (2018).

6.1.2 The listed constraints for this site on the Public Register includes:

- Flood Risk 30yr Surface Water
- Flood Risk 100yr Surface Water.

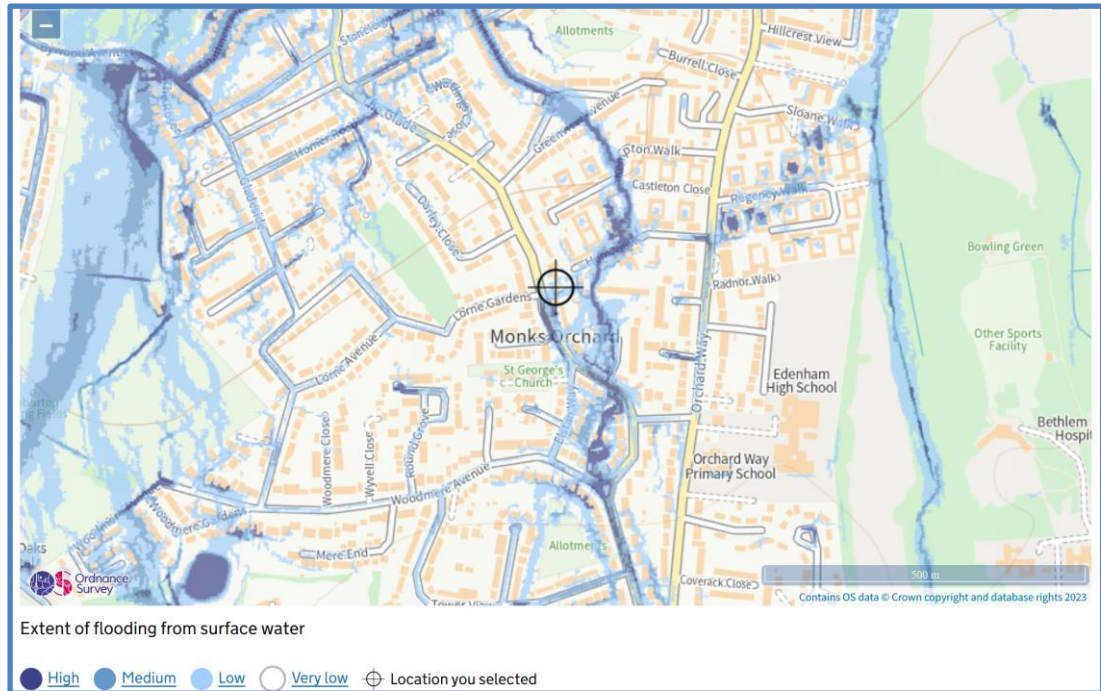
6.1.3 However, no details have been provided of what measures would be introduced to mitigate Surface Water issues. Google Earth indicates a 1 metre fall from 55m ASL in the front Garden to 53m ASL in the rear garden thus water surface run-off will pool toward the site rather than away from the site. Further, it is understood level access is provided for the ground floor entrances, which could be problematic in periods of heavy precipitation.

6.1.4 It is acknowledged that the Units are M4(2) and not wheelchair compliant. However, the Design and Access Statement categorically states that "All dwellings have been designed to Building Regulation M4(2) with level access from the highway and parking area."

6.1.5 Therefore the proposal does not demonstrate that it would achieve adequate suitable drainage in periods of prolonged heavy precipitation.



6.1.6 Environmental Surface Water Map for CRO 7QD



6.1.7 Conclusion Reason 5:

6.1.7.1 We believe the proposal fails to offer adequate surface water protection facilities as stated by the LPA refusal 5 and that this failure supports the LPA in its refusal. The proposal fails to meet the requirements of DM25 and therefore the LPA refusal is considered valid and reasonable.

6.1.7.2 We are of the view that this failure supports the LPA Refusal 4 and is further reason for a Dismissal of this Appeal.

7 LPA Report Contesting the Appeal Reasons Contested 6

7.1 **Reason 6:** The local authority is not satisfied that the sufficient information has been provided to demonstrate satisfactorily that the proposal would not have adverse impact on the neighbouring trees along the boundary with no.48 The Glade and therefore would be contrary to Policy DM28 of The Croydon Local Plan 2018.

7.2 We have no further comments on the LPA Reasons 4 to 6.

8 Additional Comments:

8.1 Sustainability and Housing Need

8.1.2 NPPF Para 7 States:

8.1.2.1 *"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... “

8.1.2.2 For **Sustainability**, developments require adequate **supporting infrastructure** but there is **NO planned improvement** in the provision or delivery of new or improvements to the existing Infrastructure¹² for **Shirley** over the life of the Plan.

8.1.3 Housing Need

8.1.3.1 The allocation of housing **“need”** for the **“Shirley Place” [770ha]** (equivalent to greater than Shirley North [**327.9ha**] and South Wards [**387.3ha**]) over the period **2019 to 2039** is **278** (Revised Local Plan 2021 **Table 3.1**). This equates to **≈14 dwellings per year**.

8.1.3.2 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 **“Place” Area, Housing and Occupancy** of the **Shirley “Place”** for which the response was as follows:

8.1.3.3 The FOI response indicated, the **Shirley “Place”** as defined in the Local Plan has an area of **approximately ≈770ha** and comprises **Shirley North and Shirley South Wards** and therefore the FOI response ‘suggests’ completions for **Shirley “Place”** can be calculated by **adding** the completion figures together for each **Shirley Ward”**. **This is ‘NOT True’ as described later.**

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

Response to FOI Request (Ref: 4250621)

8.1.3.4 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**.

8.1.3.5 The FOI Response indicates:

- *The Council does not hold the information we requested in a reportable format.*

¹² <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>



- *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”***

- 8.1.3.6 Analysis of the recorded data shows over the ‘three’ full years 2018 to end of 2020, the **Net Increase in Dwellings for Shirley = Shirley North Ward + Shirley South Ward = 55 + 102 + 69 = 226 ≈ 75 per yr.** (However, this is **NOT The Shirley “Place”** at **≈770ha** but the net increase for the **Shirley North [327.90ha] + Shirley South Wards [387.30ha]** total of **715.20ha**) a difference of **54.8ha**.
- 8.1.3.7 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 for the Whole of the Shirley “Place” (≈770ha FOI response)**.
- 8.1.3.8 This is $(720-278)/278 = 158.99\%$ Increase for the **Shirley “Place”** when the **MORA Area** is only $(770-178.2)/178.2 = 23.15\%$ of the area of the **estimated Shirley ‘Place’** and $(178.26-715.2)/715.2 = 24.92\%$ of all Shirley. **This is definitely NOT respecting the character of the locality when the locality of this proposal is “Inappropriate for Incremental Intensification” with a PTAL of Zero and there is no probability for increase in supporting infrastructure.**
- 8.1.3.9 The Build rate delivery of dwellings for **all Shirley** is averaging at **55 + 102 + 69 = 226 ≈ 75.33 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 **Table 3.1** of the Revised **Croydon Local Plan** indicates a **Target of 278 dwellings over the period 2019 to 2039**.
- 8.1.3.10 This 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 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**).
- 8.1.3.11 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.**
- 8.1.3.12 **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.**

9 Summary and Conclusions

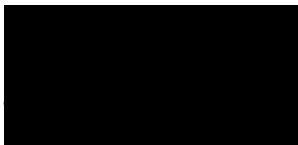
- 9.1 Local Residents have lost confidence in the Planning Process with the significant number of local redevelopments which, in the majority of cases, disregard Planning Policies. Once that confidence is lost, it is extremely difficult to regain it. Confidence and support of local residents is necessary to ensure the general requirement of housing need is satisfied with the



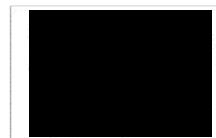
provision of appropriate sustainable developments. This can only be achieved by ensuring developments comply with the agreed **National and local planning policies and guidance**.

- 9.2 Our comments on this Appeal are all supported by the **National or Local Planning Policies** which have defined measurable methodology and assessment. We do **NOT** quote any **subjective or vaguely** described objectives as they can be misconstrued to one's advantage or disadvantage but are not quantifiably conclusive. Therefore, our analysis is **definitive**.
- 9.3 The Growth Policies as specified in the Revised Croydon Local Plan are fundamentally flawed as they do NOT define the magnitude of "Growth" in their definitions. There is NO actual mechanistic difference between the different categories of '**Intensification**' or '**densification**'.
- 9.4 We have also shown that the proposed development is a significant overdevelopment for the available **Site Area** of **0.102ha** at **PTAL Zero** in this "**Outer Suburban**" **Area Type Setting (CR0 7QD)** as defined by the **National Model Design Code Guidance** and that the proposed development would be more appropriate in a "**Suburban**" **Area Type Setting for Housing Density** and "**Urban**" for **Residential Density**. This analysis therefore supports the **LPA's Reasons 1 & 2** for refusal on grounds of **Scale, Massing and Bulk**.
- 9.5 If the Inspector does NOT agree with the **National Model Design Code Guidance** as listed above, we would respectfully request the Inspector provides an alternative assessment with detailed methodology justification.
- 9.6 We have shown that for all the appellant's "Grounds of Appeal" we have provided a quantifiable response which demolishes the appellant's vague and subjective statements. We therefore urge the Inspector to **Dismiss** this appeal such that the Appellant can reapply with a more appropriate and compliant proposal.
- 9.7 *If this proposal is allowed, it would be absurd to believe that the Planning Policies have any meaningful weight and local residents would be quite correct in their current complete loss of confidence in the Planning Process.*

Kind Regards



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