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Monks Orchard Residents' Association Planning

14th July 2023

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Reference: **23/01405/FUL**
 Application Received: Mon 10 Apr 2023
 Application Validated: Tue 26 June 2023
 Address: **6 Orchard Rise Croydon CR0 7QY**
 Proposal: **Host dwelling:** Erection of two-storey side return extension, first floor side/rear extension, first floor terrace and second floor side/rear terrace extension with associated works. Alterations to fenestrations;
Garden subdivision: Erection of two-storey four-bedroom detached house on land to the rear of No. 6 Orchard Rise, including top floor roof terrace, new vehicular access and crossover from Oakview Grove, car parking and all associated site works.
 Status: Awaiting decision
 Case Officer: Samuel Wong
 Consultation deadline: 21st July 2023

Dear Samuel Wong – Case Officer

Please accept the following **MORA** assessment of the proposed Planning Application **Reference: 23/01405/FUL** for **6 Orchard Rise Croydon CR0 7QY**.

Proposal's Parameters:

6 Orchard Rise			App Ref: 23/01405/FUL											
Site Area	836.90	sq.m.	Parameter		Existing	Combined	Building A	Building B	Post Code	Units	Infrastructure & PTAL			
App Form	0.0837	ha	Site Area (ha)		0.0837	0.0837	0.0396	0.0441	1.634	ha	PTAL	2011	1a	0.66
Post Code CR0 7QY			Site Area (sq.m.)		836.90	837.00	396.00	441.00	16340.00	sq.m.	PTAL	2021	1a	0.66
Area	16339.89	sq.m.	Bedrooms Density		47.79	95.58	101.01	90.70	N/A	b/ha	PTAL	2031	1a	0.66
Area	1.6340	ha	Residential Density		71.68	155.32	126.26	181.41	52.02	bs/ha	PTAL	Required	Existing	0.62
Persons	85	(p)	Residential Density		59.74	155.32	176.77	136.05	N/A	hr/ha	PTAL	Required	Combined	2.75
Dwellings	40	(Units)	Housing Density		11.95	23.89	25.25	22.68	24.48	U/ha	PTAL	Required	Bldg A	2.01
Existing Units	1		Bedspace		6.00	13.00	5.00	8.00	85.00	bedspaces	PTAL	Required	Bldg B	3.41
Combined Units	2		Occupancy		6.00	6.50	5.00	8.00	2.13					
Bldg A Units	1		Floor Area Ratio (FAR)		Not Provided	Not Provided	Not Provided	Not Provided	N/A					
Bldg B Units	1		Plot Area Ratio (PAR)		0.14	0.36	0.38	0.35	N/A	sq.m.				
Unit	Type	Floor	Bedrooms (b)	Bed Spaces (bs)	Habitable Rooms (hr)	GIA (Offered)	GIA (Required) (Table A1.1 Best Practice)	GEA (Offered) (Scaled-off Plans)	In-Built Storage (Offered)	In-Built Storage (Required) (Table A1.1 Best Practice)	Amenity Area (Garden)	Amenity Area (Required)	Play Space (required)	Car Parking (Offered)
Building A	Detached House	Ground	0	0	3	Not Provided		Not Provided	Not Provided		Not Provided	Not Provided		2
		First	4	0	4	Not Provided								
Sub total			4	5	7	Not Provided	108	151.79	Not Provided	3.5	Not Provided	Not Provided	30	2
Building B	Detached House	Ground	1	2	2	Not Provided		Not Provided	Not Provided		Not Provided	Not Provided		2
		First	4	6	4	Not Provided								
Sub total			5	8	6	Not Provided	142	152.16	Not Provided	4	Not Provided	Not Provided	60	2
Combined Total			9	13	13	#VALUE!	250.00	303.95	Not Provided	7.5	Not Provided	Not Provided	90	4
Note 1	GIA Not provided on Floor Plans or stated in the Design & Access Statement (Required for Compliance to Minimum Space Standards.)													
Note 2	London Plan Residential Parking for Outer London at PTAL 1a is 1.5 Bays per Dwelling = 2 Rounded up.													
Note 3	Footprint dimensions NOT provided (Calculated from supplied Drawings)													



1 Initial Observations:

- 1.1 The 'revised' **Application Form** indicates:
- Class C3 – Dwellinghouses; Existing gross internal floor area (sq.m.): 189.
 - Gross internal floor area lost (including by change of use) (sq.m.): 0.
 - Gross internal floor area gained (including change of use) (sq.m.): 311.

The **311sq.m.** is assumed the **GIA** of **Building B** plus the modification to **Building A**. (The actual **GIA** of the modified **Building A** and **Building B** are therefore unknown)

1.2 Site Area, Gross External Area (GEA).

- 1.2.1 The 'revised' **Application Form** gives a total **Site Area** of **850sq.m.** ($\equiv \approx 0.085\text{ha}$)

- 1.2.2 However, measuring off the scaled **Site Plan**, **Existing Drawing A0-01**, gives a combined overall **Site Area** of:

Area	Overall Length (m)	Overall width (m)	Area (sq.m.)	Area (ha)
Site Area	37.716	24.51	924.42	0.0924
Triangular Area (½ rectangle)	37.716	4.641	-87.52	-0.0088
Site Area			836.90	0.0837

- 1.2.3 Therefore, the **Application Form** Statement of **Site Area 850sq.m.** and the Existing Drawing **Site Area** of $\approx 836.9\text{sq.m.}$, does not equate. We have used the **836.9sq.m** & **0.0837ha** in our calculations as the most accurate supported by stated measurements.

- 1.2.4 The 'minimum' **Gross Internal Area (GIA)** of **Building A** (as modified) requires **London Plan Best Practice** for **4b5p** at **108sq.m.** with **3.5sq.m. Built-In Storage** and the new **Building B**; **London Plan Best Practice** indicates for **4b8p** at **142sq.m.** with **3.5sq.m. Built-In Storage**, these minimums should be provided and it is not reasonable for objectors to have to purchase specialised software or scale off from supplied drawings to measure the Internal Area from a monitor screen.

1.2.5 Similarly for the **Gross External Area (GEA)**. Therefore, it is NOT possible to assess the compliance to **London Plan Policy D6 Housing quality and standards Table 3.1 or London Plan SPG Table A1.1**. The Validation Checklist should require the applicant provide all parameters in order to **check compliance** with the **Policies** including the **London Plan Policy at Table 3.1** or the **London Plan SPG - Optimising Site Capacity at Table A1.1**.

1.2.6 **There is no In-Built Storage provided or specified for Building B.**

1.2.7 We questioned these omissions with the **Case Officer** who kindly made representations to the Applicant, requesting the provision of amended documents and for revalidation of the proposal. The Applicant had the opportunity therefore to provide all appropriate clarifications but did NOT provide all that were requested. The GIA of each Unit was NOT provided, and the GEA of each Unit was NOT provided. Also, the partitioned Site Areas were NOT provided. Therefore, estimates have been found by scaling off a Monitor of the displayed Plans at magnification percentages to establish a convenient scale bar for assessing measurements. There should not be a need for commentators to purchase additional proprietary software to assess proposals. The Validation Checklist needs revision and enforcement.

1.2.8 The proposal clearly does not respect the character of the locality or the character of the predominant local dwellings. The design only reflects the contrasting design of the **host dwelling at 6 Orchard Rise**, which presumably was accepted against **Planning Policy** when erected. The current Adopted Policies require proposals that reflect the predominant **local character** and **roof forms**, which this **proposal clearly does not**.

1.3 Design & Access Statement - Accommodation

1.3.1 The D&A statement indicates:

1.3.1.1 *“The proposal provides a new four-bedroom unit in addition to the existing detached house that is being redesigned internally to a **5-bedroom** house, therefore providing 2 family accommodations.”*

1.3.1.2 This is contradicted in the supplied Plans which shows **Building A modified** to be **4 Bedroom** plus an **Office of 6sq.m.** area (as the additional room is not large enough for a single bedroom) as defined by the **London Plan Policy D6**.

Building	Bedroom	Floor	Area (sq.m.)	Occupants	LP D6 Area (sq.m.)
Existing	Bed 1	First	9.51	1	≥7.5<11.5
	Bed 2	First	9.04	1	≥7.5<11.5
	Bed 3	First	13.65	2	>11.5
	Bed 4	First	21.55	2	>11.5
	4		53.75	6	
Building A	Bed 1	First	10	1	≥7.5<11.5
	Bed 2	First	11	1	≥7.5<11.5
	Bed 3	First	10	1	≥7.5<11.5
	Bed 4	First	15	2	>11.5
	Office	Ground	6	0	<7.5sq.m.
Sub Total	4		31	5	
Building B	Bed 1	Ground	14	2	>11.5
	Bed 2	First	18	2	>11.5
	Bed 3	First	15	2	>11.5
	Bed 4	First	27	2	>11.5
Sub Total	4		74	8	

- a) *A one bedspace single bedroom must have a floor area of at least **7.5 sq.m.** and be at least **2.15m** wide.*
- b) *A two-bedspace double (or twin) bedroom must have a floor area of at least **11.5 sq.m.***

1.4 Facing Windows

1.4.1 Both the **Old** and the modified New **Buildings A & B** have **open Plan** ground floor **Kitchen/Dining/Lounge** areas. Therefore, there is no distinction between **Habitable** and **non-habitable** accommodation as there is no physical division.

- 1.4.2 The separation between the two buildings at the point of ground floor **facing windows** is: **3.18m + 2.1m + 0.5m ≈5.78m**.
- 1.4.3 This would present two **facing windows** with a separation distance of just **≈5.78m** which allows visual intrusion and invasion of privacy between the two adjacent dwellings which is **unacceptable**. There is no indicated provision of any high fencing between the two dwellings to mitigate this **invasion of privacy** and **overlooking**.



Illustration of Facing Windows at 5.78m which allows invasion of privacy.

- 1.4.4 There are no 'clear-glass' windows in the **North facing Flank Wall** of **Building B** toward **Building A** at **first floor** level, the bathroom has obscure glass; but there is **overlooking and invasion of privacy** from the **Roof Terrace** of the **New Building B** toward the first floor **Master Bedroom** and **Bedroom 3** of **Building A**, at an **angular sight line ≈40°** below horizontal, with separation of approximately **≈4.5m to ≈5.0m**. (See: **Street view Oakview Grove and Building A Drawing AN2-02**). This is **most definitely unacceptable**.
- 1.4.5 This potential **overlooking and invasion of privacy** is clearly **unacceptable**, and the **application** should be **refused** on these grounds.

1.5 Building in the Grounds of an existing building

1.5.1 Croydon Plan (2018) **Policy DM10 - Design and Character**

- 1.5.1.1 **Policy DM10.1** Proposals should be of high quality and, whilst seeking to achieve a minimum height of 3 storeys, should respect:

- The development pattern, layout, and siting;
- The scale, height, massing, and density;
- The appearance, existing materials and built and natural features of the surrounding area; the Place of Croydon in which it is located.

In the case of development **in the grounds of an existing building** which is retained, **development shall be subservient to that building**. The council will take into account cumulative impact.

- 1.5.1.2 The proposed **Building A** is **≈8.75m** high whereas the new proposed development **Building B** is **≈10m** in height and therefore clearly a **14.29% increase**. **Therefore, Building B is NOT 'subservient' to the existing Host Building A.**

1.5.1.3 The proposed **Building B** significantly **fails** to comply with **Policy DM10.1** regarding 'subservience' and should therefore be **refused**.

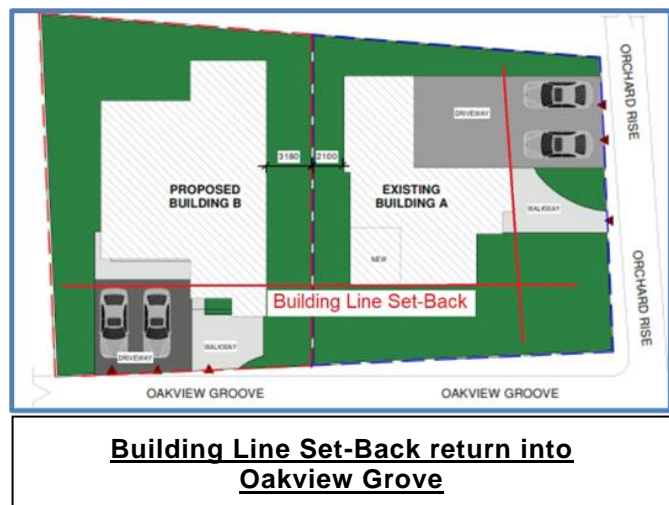
1.5.1.4 **Policy DM10.4** All proposals for new residential development will need to provide private amenity space that:

In the case of development in the grounds of an **existing building which is retained**, a **minimum length of 10m** and no less than **half or 200m²** (whichever is the smaller) of the existing garden area **is retained for the host property**, after the **subdivision of the garden**.

1.5.1.5 The retained garden of the **Host Dwelling (Building A)** after partitioning should be at least **10m** in length or no less than half or **≥200sq.m.** in area. However, the retained garden is only **≈2.1m in length** and **≈47.5sq.m.** in area. Therefore, the proposal **fails** to meet **Policy DM 10.4** and the proposal should be **refused**.

1.6 Building Line Set-Back

1.6.1 The **National Model Design Code & Guidance (2021)** provides policies for the **Building Line Set-back** for new developments. The existing **Building line from the return Flank wall of 6 Orchard Rise into Oakview Grove averages ≈5.42 metres set-back** from the footpath for the full length of the road. The proposed development should therefore follow this **established building line set-back**. (The misspelling of Grove in the illustration is a copy of the applicant's document)



1.6.2 **London Plan SPG Small Site Design Codes at Section 4.2 - Front Building line**, requires new developments to be consistent with the existing Building Line.

1.6.3 **National Model Design Code Part 1 Built Form para 52 vii Building line States:**

*The building line is created by the primary front face of buildings along a street and is a **key element of design codes**. **New development should follow the established building line where it exists**. Where there is no building line (for example on the periphery of a town centre or a development site), codes should set one. Coding for building lines can include:*

- **Variation:** The extent to which buildings can be set forward or back from the line.
- **Projections:** Allowance for elements such as balconies.
- **Compliance:** The percentage of the building line that should be occupied by development.
- **Set-Back:** The distance that buildings are set back from the pavement.
- **Figure 20** shows how building line guidance might change by area type.

1.6.4 **Figure 20. Building Line:** In urban areas, the building line should preferably be **continuous** and the set-back limited. In suburban and rural areas, the set-back may be greater and there will be much more variation.

1.6.5 B.2.ii Building Line

108 Attractive streets and other Public places are generally defined by the frontages of buildings around their edges.

109 A building line represents the **alignment of the front face of the buildings** in relation to a street or other public space. The nature of this line and its position in relation to the street **contribute to the character and identity of a place**. It may be straight or irregular, continuous, or broken. A consistent approach to building line in an area type or street type helps to give it a **coherent identity**.



Google Image showing Building Line Set-Back along Oakview Grove

1.6.6 The proposed new dwelling does **NOT** follow the established **Building Line set-Back of Oakview Grove** which is **≈5.42m**, as shown by the **illustration and Google Image**. This contributes to the reasons for **refusal of this application**.

1.7 Overlooking & Invasion of Privacy

1.7.1 The **Roof-Terrace** of the New Dwelling **Building B** allows **direct overlooking** toward and into the **gardens** (Front & Rear) of "**Briar Bank**", the adjacent existing dwelling **Building A** and probably as far as the second adjacent dwelling "**The Haven**". The height of the **Roof Terrace** invalidates any **Garden Fencing** around "**Briar Bank**" or "**The Haven**" which would normally provide a degree of **privacy**.



Street View facing Oakview Grove

1.7.2 The **invasion of privacy** toward occupants of "**Briar Bank**" and **Building A** is considered **unacceptable and warrants a refusal of this proposal**.

2 Design Codes & Guidance

2.1 Croydon Local Plan

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

2.2 London Plan

2.2.1 The **London Plan at Policy D3 – Optimising Site Capacity through the Design Led Approach** recognises the need for '**Design Codes**' but does NOT give any guidance or methodology how that should be achieved. **London Plan Supplementary Planning Guidance** has been subject to consultation (Feb 2022), and final versions published in June 2023.

2.3 The National Planning Policy Framework (NPPF)

2.3.1 The **National Planning Policy Framework (NPPF)** provides guidance by referencing out to documents produced by the **Department for Levelling Up, Housing & Communities (DLUHC)** vis: the **National Model Design Code and Guidance**. Published 2021.

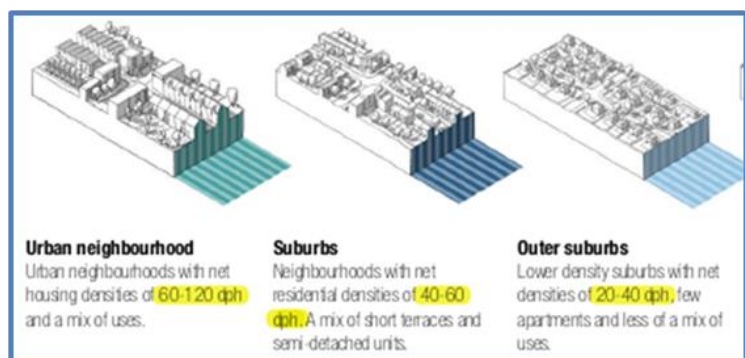
2.3.2 NPPF Para 129

129. **Design guides and codes** can be prepared at an **area-wide, neighbourhood or site-specific scale**, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises but may also choose to prepare **design codes in support of a planning application for sites they wish to develop**. Whoever prepares them, **all guides and codes** should be based on **effective community engagement and reflect local aspirations for the development of their area**, taking into account the guidance contained in the **National Design Guide and the National Model Design Code**.

These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

2.4 National Model Design Code & Guidance

2.4.1 There is absolutely no guidance on the assessment of "**Design Codes**" provided in either the adopted **Croydon Local Plan (2018)** or the **Revised Croydon Local Plan**, nor in the **Revised version of the London Plan (2021)**.



2.4.2 The **National Model Design Code & Guidance** documents were produced and published in **January 2021** and updated in **June 2021**. It is therefore reasonable to use this **guidance** for local planning proposals against the assessment and analysis as defined in the **National Model Design Code & Guidance** as published and referenced from the **NPPF**, in the absence of local guidance in the **Croydon Local Plan (2018)** or **London Plan (2021)**.

2.5 Area Type Design Code Assessment

2.5.1 The assessment of the **Local Area** to define the **Local Design Code** requires an analysis of the **locality** which will provide appropriate parameters to use for comparing and defining the **Local Design Code detail**. The simplest analogy is to assess the local **Post Code Area CR0 7QY** for such an area assessment.



Google Earth measurement of Post Code CR0 7QY Area

2.5.2 The **Google Earth** image shows the **Post Code Area (CR0 7QY)** to be ≈ 16339.89 sq.m which equates to ≈ 1.634 ha.

2.5.3 The local **Post Code CR0 7QY** has a population of **85**¹ in an Area of ≈ 1.634 ha and has **40** dwellings from Nos. **2 to 54 Orchard Rise**² This results in a **Housing Density** of **24.48U/ha** and a **Residential Density** of **52.02Persons/ha**, last updated by the Valuation Office Agency (VOA) on 25 June 2023.

2.5.4 The following interactive Spreadsheet assesses the basic data to evaluate the **Post Code (CR0 7QY) Area Design Codes** and has determined the **Area Type** to be **Outer Suburban** with an average **Unit Occupancy** of **2.13 persons per Unit**. This occupancy is slightly below the **National Average** of **2.36 persons/Unit**.

¹ <https://www.postcodearea.co.uk/>

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

2.5.5

To assess the proposal's appropriateness to reflect the **Local Design Code Area Type** it is appropriate to compare the **Local Area Type** (Post Code) with those of the Application at the original and revised for assessment of acceptability.

Area Design Code Parameter		
(These parameters auto calc Design Code)		
Post Code	CR0 7QY	(2 to 54 Orchard Rise)
Area of Post Code (ha)	1.63400	hectares
Area of Post Code (Sq.m)	16340	sq.m.
Number of Dwellings (Units) (*)	40	Units
Number of Occupants (Persons) 4th April 23 (**)	85	Persons
Post Code Housing Density	24.48	Units/ha
Post Code Residential Density	52.02	Bedspaces/ha
Occupancy	2.13	Persons/Unit
Area Type (National Model Design Code)	Outer Suburban	Area Type Setting
(*) Last updated on 25 June 2023		
(**) https://www.postcodearea.co.uk/		
Design Code Parameters		
		Min Max
NMDC&G Area Type Setting (Units/ha)	Outer Suburban	20.00 40.00
NMDC&G Area Type Setting (PersonsUnits/ha)	Outer Suburban	47.20 94.40
Equivalent Residential Density (Persons/ha) ¹		
¹ Based upon National Occupancy of 2.36 persons/dwelling ²		
² https://www.statista.com/statistics/295551/average-household-size-in-the-uk/		
		U/ha bs/ha
PTAL (now) 1a numerically = 0.66	0.66	22.20 52.39
PTAL (forecast 2031) 1a numerically = 0.66	0.66	22.20 52.39

Interactive Spreadsheet to evaluation Post Code CR0 7QY Design Codes

Application Details					
Application Ref:	23/01405/FUL				
Address	6 Orchard Rise				
PostCode	CR0 7QY				
Parameters	Existing	Combined	Building A	Building B	Units
Site Area (ha)	0.0837	0.0837	0.0396	0.0441	ha
Site Area (sq.m.)	836.90	836.90	396.00	441.00	sq.m.
Footprint (sq.m.)	Not provided	Not provided	Not provided	Not provided	sq.m.
Gross External Area (GEA) (sq.m.) (scaled off plans)	118.39	303.95	151.79	152.16	sq.m.
Gross Internal Area (GIA) (sq.m.)	Not provided	Not provided	Not provided	Not provided	sq.m.
Garden Area (sq.m.)	Not provided	Not provided	Not provided	Not provided	sq.m.
Floor Area Ratio (FAR)	Not provided	Not provided	Not provided	Not provided	
Plot Area Ratio (PAR)	Not provided	Not provided	Not provided	Not provided	
Units (Dwellings)	1	2	1	1	Units
Bedrooms	4	9	4	5	Bedrooms
Bedspaces	6	13	5	8	Persons
Housing Density	11.95	23.89	25.25	22.68	Units/ha
Residential Density	71.68	155.32	126.26	181.41	bs/ha
Occupancy	6.00	6.50	5.00	8.00	P/Unit
National Average Occupancy	2.36	2.36	2.36	2.36	P/Unit
NMDC&G Area Type Setting (Units/ha)	<Outer Suburban	Outer Suburban	Outer Suburban	Outer Suburban	
Area Type Setting (Bedspaces/ha) ²	Outer Suburban	Urban	Suburban	Urban	
² Based upon latest (2021) National Average Occupants/Dwelling (2.36)					
PTAL (Current) 1a	0.62	2.75	2.01	3.41	
PTAL (Forecast) 1a	0.62	2.75	2.01	3.41	
Assumption: Incremental linear increase: (PTAL v Residential Density)					

Interactive Spreadsheet to assess Area Types for the proposal.

2.5.6

Therefore, The existing Site had a Housing Density of 11.95Units/ha which translated to an Area Type less than (<)Outer Suburban (i.e., less than <20 Units/ha) as defined by the National Model Design Code & Guidance.

2.5.7 The proposed partitioning of the Site would create a combined **Area Type Housing Density** of **23.89Units/ha**, **Building A** at **25.25Units/ha** and **Building B** at **22.68Units/ha**, all at '**Outer Suburban**' Area Types.

2.5.8 Additionally, the **existing Site** had the potential for **6 Bedspaces** which translates to a **Residential Density** of $6/0.0837 = 71.68\text{bedspaces/ha}$ at **Outer Suburban Area Type**. The proposed partitioning of the Site would create a combined **Area Type Residential Density** of $13/0.0837 = 155.32\text{bedspaces/ha}$ requiring an **Urban Area Type**. The modified **Building A** would provide a **Residential Density** of $5/0.0396 = 126.26\text{bedspaces/ha}$ requiring a **Suburban Area Type** and **Building B** would provide a **Residential Density** of $8/0.0441 = 181.41\text{bedspaces/ha}$ also requiring an **Urban Area Type** setting.

2.5.9 This indicates the proposal would increase the **Housing Density** of the **Site** from **<Outer Suburban** to **Outer Suburban** with no increase in the **infrastructure** to support the increase.

Comparison - Post Code (CR0 7QY) Design Code & Application Proposal					
	Existing	Combined	Building A	Building B	
Housing Density:					
Post Code Housing Density (Units/ha)	24.48	24.48	24.48	24.48	Units/ha
Application Housing Density (Units/ha)	11.95	23.89	25.25	22.68	Units/ha
Percentage Increase (%)	-51.18	-2.41	3.15	-7.35	%
Residential Density:					
Post Code Residential Density (bs/ha)	52.02	52.02	52.02	52.02	bs/ha
Application Residential Density (bs/ha)	71.68	155.32	126.26	181.41	bs/ha
Percentage Increase (%)	37.79	198.58	142.71	248.73	%
Public Transport Accessibility Level (PTAL):					
PTAL Available (1a)	0.66	0.66	0.66	0.66	PTAL
PTAL Required	0.62	2.75	2.01	3.41	PTAL
Percentage Increase (%)	-6.06	316.67	204.55	416.67	%
Occupancy:					
National Average Occupancy	2.36	2.36	2.36	2.36	bs/Unit
Post Code Occupancy	2.13	2.13	2.13	2.13	bs/Unit
Application Occupancy	6.00	7.00	8.00	9.00	bs/Unit
Percentage Increase (%)	181.69	228.64	275.59	322.54	%

Assessment of Design Code Variations for each configuration of the proposal compared with the Local Design Code of the Post Code Area CR0 7QY.

2.5.10 The equivalent increase in **Residential Density** would be from an original of **Outer Suburban** to **Building A** (as modified) at a **Suburban Area Type** and **Building B** and a combined **Buildings A & B** at **Urban Area Type**.

2.5.11 The above tabulation spreadsheet provides an illustration of the comparison of **Design Code** assessment between those of the **Post Code** (CR0 7QY) for the locality and the various configurations of the **proposal**, showing the percentage Increase/decrease as a result of the proposal compared to the **Local Design Code** as defined by the **National Model Design Code & Guidance**.

2.6 Public Transport Accessibility

2.6.1 The **London Plan (2021)** has omitted the **Density Matrix** in the revised published version and therefore there is now NO relationship guidance between **Residential Density**, **Area Type Settings** and the TfL **Public Transport Accessibility Levels (PTALs)**. As the Accessibility Level is to provide the local public with access to Public Transport, it is assumed that the **PTAL** should therefore incrementally increase accessibility in proportion with any increases in **Residential Density**.

2.6.2 For the purposes of assessment, it is assumed that the incremental increase should follow a simple linear function of:

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

$$\text{Thus } y = \text{Residential Density} = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) x + 20 * 2.36$$

$$\therefore y = \text{Residential Density} = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) x + 20 * 2.36$$

(where **2.36** is the **National Occupancy (2021)** in persons/unit³)

For the Existing Residential Density therefore:

$$\text{Residential Density: } 71.68 = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) * x + 20 * 2.36$$

$$\therefore \frac{71.68 - 47.2}{39.33} = x = 0.6224 \quad \text{PTAL} \approx 0.62$$

Similarly for Building A:

$$\text{Residential Density: } 126.26 = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) * x + 20 * 2.36$$

$$\therefore \frac{126.26 - 47.2}{39.33} = x = 2.010 = \text{PTAL} \approx 2.01$$

Similarly for Building B:

$$\text{Residential Density: } 181.41 = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) * x + 20 * 2.36$$

$$\therefore \frac{181.41 - 47.2}{39.33} = x = 3.4124 = \text{PTAL} \approx 3.41$$

For a combination of Buildings, A & B.

$$\text{Residential Density: } 155.32 = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) * x + 20 * 2.36$$

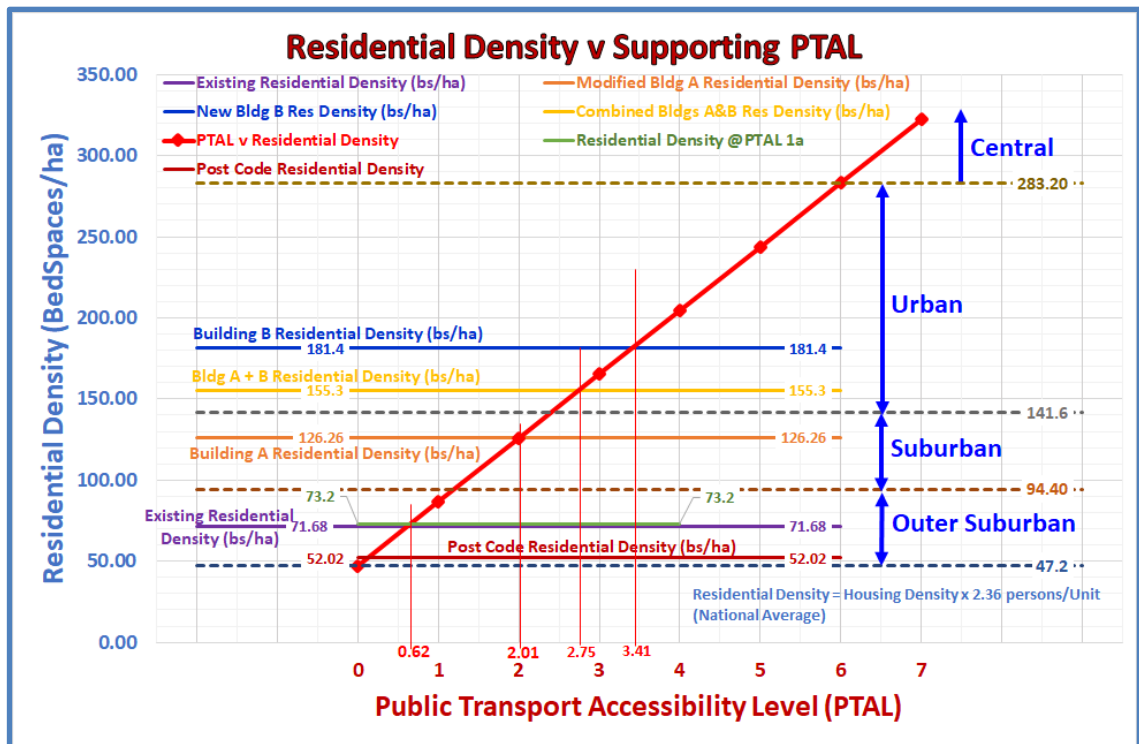
$$\therefore \frac{155.32 - 47.2}{39.33} = x = 2.749 = \text{PTAL} \approx 2.75$$

2.6.3 The Local **Area Type** Setting is **Outer Suburban** and the **Residential Density** of **73.2 bs/ha** would be appropriate for a **PTAL 1a** \equiv **0.66**.

2.6.4 This assessment of **Public Transport Accessibility** clearly demonstrates the overdevelopment of the proposal in terms of **Residential Densities** inappropriate for the locality defined by the **Design Code** on the evaluation based upon the guidance provided in the **National Model Design Code & Guidance (2021)** as published by the **Department for Levelling Up, Communities & Housing (DLUCH)** and referenced from **para 129 of the NPPF (2021)**.

2.6.5 If the Case Officer disputes this assessment based on **National Guidance**, we respectfully request provision of alternative methods of evaluation and for a specific statement defining why **Croydon LPA** should use different parameters to that defined by the guidance at **National Level**.

³ <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



Graphical illustration of Proposal’s Residential Densities and the required supporting PTALs as appropriate for the Area Type Settings.

3 London Plan Policy D3 – Optimising Site Capacity

3.1 Site Capacity

3.1.1 The application **Site Area** is **0.0837ha**, the **Site Area** for the retained partitioned **Building A** is **0.0396ha** and the partitioned **Site Area** for **Building B** is **0.0441ha**.

3.1.2 **London Plan D3 Policy - Optimising site capacity through the design-led approach**, requires proposals be designed within the limitations of the **Area Type Design Codes** as defined by the **National Model Design Code & Guidance** (NPPF para 129) if there is no guidance in the **Local Plan**.

3.1.3 The **London Plan Policy D2 - Infrastructure requirements for sustainable densities** requires Densities of proposals to:

- 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)²⁶.

3.1.4 The **Site Capacity** required can also be evaluated by assessing the site optimisation requirements. The **London Plan Supplementary Planning Guidance LPG Optimising Sit Capacity – A Design Led Approach**, includes an indicative Toolkit for assessment. However the interactive toolkit supplied is mainly targetted for major development projects and not for Small developments as in this case. However, the LPG states that Local boroughs or stakeholders can use alternative methods based upon the LPG principles.

3.1.5

We have assessed the proposal based on the requirements and best practice recommendations for **all area requirements** appropriate for the proposal and the **Area Type** character with the following results:

Indicative London Plan Policy D3 - Optimising Site Capacity & H2 - Small Site Capacity Calculator:														
Input Parameters														
Existing Site Area (hectares)	Existing Site Area (sq.m.)	Existing GEA (Footprint) (Scaled-off Plans)	Play Space per Child (sq.m.)	Car Parking Standard (per space) (sq.m.)	Parallel Parking (per space) (sq.m.)	Car Park Standard with EVC (Per Space) (sq.m.)	Car Parking (Disabled Bays) (Per Space) (sq.m.)	Cycle Rack Storage (two bikes) (sq.m.)	Refuse Eurobin (1280L) Storage (per Bin) (sq.m.)	Refuse Eurobin (1100L) Storage (per Bin) (sq.m.)	Refuse Eurobin (660L) Storage (per Bin) (sq.m.)	Refuse Eurobin (360L) Storage (per Bin) (sq.m.)	Refuse Eurobin (240L) Storage (per Bin) (sq.m.)	Refuse Eurobin (180L) Storage (per Bin) (sq.m.)
0.0837	836.90	118.39	10	12.5	12	14	18	1.71	1.25	1.23	0.90	0.53	0.53	0.43
Unit	Site Area (sq.m.)	Footprint or GEA (includes GIA & Built-in Storage)	Number of Storeys (#)	Bedrooms (b)	Bedspaces (bs)	GIA Required (Best Practice) (sq.m.)	In-built Storage (Best Practice) (sq.m.)	Private Amenity Space (Required) (sq.m.)	Probable Adults	Probable Children	Play Space (sq.m.)	Refuse Bin Storage	Cycle Storage	Car Parking (London Plan)
Building A	396	151.79	2	4	5	108	3.5	8	2	3	30	1.49	5.13	21.00
Building B	441.00	152.16	2	3	8	138	3.5	11	2	6	60	1.49	6.84	21.00
Totals	837.00	152.16		7	13	246	7	19	4	9	90	2.98	11.97	42.00
Proposal	GIA Required (Best Practice) (sq.m.)	Footprint or GEA (includes GIA & Built-in Storage)	Play Space	Private Amenity Space (Required) (sq.m.)	Communal Amenity Space (Required)	Parking Spaces (sq.m.)	Cycling, Storage (sq.m.)	Refuse Bin Storage	Required Area (sq.m.) (including GEA)	Available Site Area (sq.m.)	Site Capacity Ratio (Available /Site Area)	Floor Area Ratio (GIA/Site Area) Best Practice		
Building A	108.00	151.79	30	8	-	21.00	5.13	1.49	217.41	396.00	0.55	0.27		
Building B	138.00	152.16	60	11	-	21.00	6.84	1.49	252.49	441.00	0.57	0.27		
Total	246.00	303.95	90.00	19.00	0.00	42.00	11.97	2.98	469.90	837.00	0.56	0.54		
Assessment Building A	Plot Area Type Ratios	Percentage of Site for Garden	Site Area available (sq.m.)	Appropriate Garden Area (sq.m.)	GEA plus Required Areas (sq.m.)	Required Site Area (sq.m.)	± Site Capacity	Optimised % Site Capacity						
<Outer Suburban	0.25	75.0%	396.00	297.00	217.41	514.41	-118.41	-29.90%						
Outer Suburban	0.375	62.5%	396.00	247.50	217.41	464.91	-68.91	-17.40%						
Suburban	0.5	50.0%	396.00	198.00	217.41	415.41	-19.41	-4.90%						
Urban	0.75	25.0%	396.00	99.00	217.41	316.41	79.59	20.10%						
Central	1	0.0%	396.00	0.00	217.41	217.41	178.59	45.10%						
Assessment Building B	Plot Area Type Ratios	Percentage of Site for Garden	Site Area available (sq.m.)	Appropriate Garden Area (sq.m.)	GEA plus Required Areas (sq.m.)	Required Site Area (sq.m.)	± Site Capacity	Optimised % Site Capacity						
<Outer Suburban	0.25	75.0%	441.00	330.75	252.49	583.24	-142.24	-32.25%						
Outer Suburban	0.375	62.5%	441.00	275.63	252.49	528.12	-87.12	-19.76%						
Suburban	0.5	50.0%	441.00	220.50	252.49	472.99	-31.99	-7.25%						
Urban	0.75	25.0%	441.00	110.25	252.49	362.74	78.26	17.75%						
Central	1	0.0%	441.00	0.00	252.49	252.49	188.51	42.75%						
Combined Buildings A + B	Plot Area Type Ratios	Percentage of Site for Garden	Site Area available (sq.m.)	Appropriate Garden Area (sq.m.)	GEA plus Required Areas (sq.m.)	Required Site Area (sq.m.)	± Site Capacity	Optimised % Site Capacity						
<Outer Suburban	0.25	75.0%	837.00	627.75	469.90	1097.65	-260.65	-31.14%						
Outer Suburban	0.375	62.5%	837.00	523.13	469.90	993.03	-156.03	-18.64%						
Suburban	0.5	50.0%	837.00	418.50	469.90	888.40	-51.40	-6.14%						
Urban	0.75	25.0%	837.00	209.25	469.90	679.15	157.85	18.86%						
Central	1	0.0%	837.00	0.00	469.90	469.90	367.10	43.86%						

Interactive Site Capacity spreadsheet to assess the Optimised Site Capacity.

3.1.6

This evaluation is assessed by the summation of all relevant area requirements to meet the Policy requirements of the proposal for each dwelling (Unit) on the available **Site Area**. Once this has been completed, the **Site Capacity** is calculated by assessment of the available **Site Area** with a proportion allocated to the **Area Type** which assumes an appropriate percentage of the **Site Area** is for a nominal **Garden Amenity** appropriate to the **Area Type**. The total is compared to the actual **Site Area** against that theoretical required area to give a **± value** of the available **Site Area** and a **percentage variance**.

3.1.7

This **Site Capacity** evaluation clearly shows the **Site Area** is not sufficiently large enough for the proposed development with a **partitioned Site** for the **modified Building A** or for the proposed **Building B** or for a combination of **Buildings A & B** on the whole available **Site** within the **Post Code Area Type 'Outer Suburban'** as defined by the **National Model Design Code & Guidance for Post Code CR0 7QY**.

4 Growth, Densification & Intensification.

- 4.1 The **Croydon Local Plan (2018) 'Growth'** Policies, as defined in **Table 6.4**, 'purports' to describe "**Growth**" by either "**Redevelopment**" or "**Evolution**" by "**Regeneration**", but gives no definition of the acceptable magnitude of '**growth**' in terms of '**Site Capacity**', '**Local and future Infrastructure**' or '**Public Transport Accessibility**' therefore, the Policy is '**unenforceable**' and '**undeliverable**' as it has no measurable methodology, is imprecise, indeterminate and devoid of any Policy definition other than guidance to "*seek to achieve*" a minimum height of **3 storeys** at specific locations.
- 4.2 The current **Croydon Plan (2018)** and **Revised Croydon Plan** Policy Fail to meet the guidance required in **NPPF (2019-21) Section 3. Plan-making** and specifically **NPPF** para 16 d) or Para 35, a) Positively prepared, b) Justified, c) Effective and d) **Consistent with National Policy** or the **Statutory requirement** to ensure '**Sustainable Developments**'. In fact, the Policy is quite "*meaningless.*"
- 4.3 The Current **Croydon Plan** Policy for "**Growth**" is set out at **Table 6.4** and para **6.58**.
- 4.3.1 **6.58** *There are existing residential areas which have the capacity to accommodate growth without significant impact on their character. In these locations new residential units can be created through the following interventions.*
- a) **Conversion** – *The conversion or subdivision of large buildings into multiple dwellings without major alterations to the size of the building.*
 - b) **Addition** – *This can include one or more extensions to the side, rear, front or on the roof, and is often combined with conversion of the existing building into flats.*
 - c) **In-fill including plot subdivision** – *Filling in gaps and left over spaces between existing properties. It can also include subdivision of large plots of land into smaller parcels of land with a layout that complements the existing urban pattern.*
 - d) **Rear garden development** – *The construction of new buildings in rear gardens of the existing properties. Houses **must be subservient in scale to the main house.***
 - e) **Regeneration** – *The replacement of the existing buildings (including the replacement of detached or semi-detached houses with flats) with a development that increases the density and massing, within the broad parameters of the existing local character reflected in the form of buildings and street scene in particular.*
- 4.3.2 Thus, for Rear Garden Development the construction of new buildings in rear gardens of the existing properties must be **subservient in scale to the main house**. The proposal fails this Policy requirement definition by approximately $\approx 1.5\text{m}$ and should therefore be refused.
- 4.4 **London Plan "Incremental Intensification".**
- 4.4.1 **London Plan (2021) Policy H2 – Small Sites; Para 4.2.4:**
- 4.4.1.1 **4.2.4** *"Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2."*
- 4.4.2 **The developments Site** is within an area of **PTAL 1a** which is below **PTAL 3**, and the Google Earth Image illustrates that **the locality** is greater than **800m** from any **Tram or Train Station** and is also greater than **800m** from the **Shirley Local Centre**.

- 4.4.3 However, the requirement for **“incremental Intensification”** is for the proposal to be within **800m** distance from a **“District Centre”** and Shirley is a **“Local Centre”**, **NOT a District Centre**. The nearest **District Centre** is the **Croydon Centre** boundary, which, although not defined in the Croydon Local Plan, is greater than **800m** from **6 Orchard Rise**.

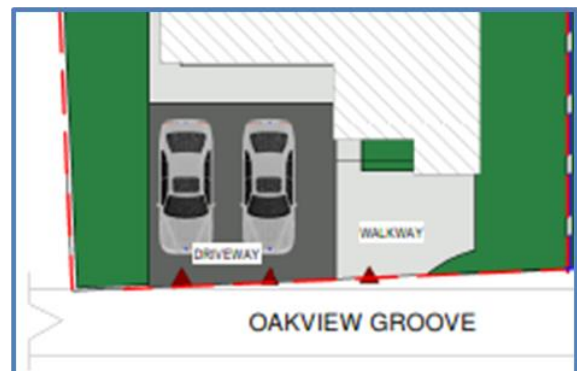


Google Earth Image showing Location of 6 Orchard Rise >800m from any Tram/Train Station and >800m from the nearest Local or District Centre

- 4.4.4 The London Plan does NOT ‘define’ exactly what “Incremental Intensification” means in terms of Density parameters. It is a subjective assessment which has no determinant and therefore unenforceable.
- 4.4.5 Therefore, the Site location is inappropriate for any subjective interpretation of **“Incremental Intensification”** as defined by the **London Plan Para 4.2.4:**

5 Access

- 5.1 Most passenger cars have a turning curve of **≈5.3m** inner radius and an outer radius of **≈12.5m**. Therefore, to access the drive of the New **Building B** would require more than a single attempt at access.
- 5.2 It would probably require an initial attempt, a reversal and re-attempt to gain satisfactory access.



- 5.3 Swept path diagrams should definitely be provided to show the required number of attempts to gain ingress or egress, for each bay with the other Bay occupied. (The misspelt “Grove” is a copy of the applicant’s document). This would be further restricted by the existing mature ‘**Street Tree**’ directly in the path of the access to the parking Bays for **Building B**. This **Street Tree** would need to be removed and a new **crossover provided**, and a **replacement tree** positioned some distance away.
- 5.4 **Oakview Grove** road width is $\approx 3.7\text{m}$ as measured on Google Earth and the footpath (one Side only) facing the proposed Building B is approximately $\approx 1.8\text{m}$ width. The Width at **3.7m** is the minimum width allowable for Emergency vehicles and Fire Tenders.



Google Earth image of Oakview Grove showing width of access road and footpath (One Side only)

6 Sustainability and Housing Need

6.1 NPPF Para 7 States:

6.1.1 *“The purpose of the planning system is to contribute to the achievement of **sustainable** development. At a very high level, the objective of **sustainable development** can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own **needs** ... “*

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

6.2 Housing Need

6.2.1 The allocation of housing “**need**” assessed for the “**Shirley Place**” [FOI suggests **≈770ha**] over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan 2021 **Table 3.1**). This equates to **≈14 dwellings per year over 20 yrs**. In relation to meeting housing “**need**” we raised a **Freedom of Information (FOI)** request **Ref: 4250621** on **31st January 2022**. The FOI Requested data on the “**Outturn**” of Developments since **2018** for the **Shirley “Place”** plus the **Area, Housing and Occupancy** of the **Shirley Place** for which the response is as follows:

6.2.2 The **FOI** response indicated, the **Shirley “Place”** as defined in the Local Plan has an area of **approximately ≈770 ha** (i.e., *The LPA has no idea of the actual Areas of the “Places” of Croydon*) and comprises **Shirley North** and **Shirley South Wards** and therefore the **FOI** response ‘suggests’ completions for **Shirley “Place”** can be calculated by **adding** the completion figures together for each **Shirley Ward**”.

(The statement of equivalence of the Sum of the Wards equals the Area of the “Place” is ‘NOT True.’)

6.2.3 Analysis of this limited information (**FOI response**) supports our assumption that completions are recorded but **NOT** against the “**Places**” of Croydon and **no action** is taken by the **LPA** as a result of those completions. In addition, the “**Shirley Place**” **Area does NOT equate** to the sum of the **Shirley North & South Ward Areas**.

6.2.4 The **FOI** Response indicates:

- *The Council does not hold the information we requested in a reportable format.*
- *The Council does not know the exact Area in hectares of any “Place.”*
- *The Council does not hold the Number of Dwellings per “Place.”*
- *The Council does not hold the Number of Persons per “Place.”*

6.2.5 Analysis of the recorded data shows that over the ‘three’ full years **2018** to end of **2020**, the **Net Increase in Dwellings for Shirley = Shirley North Ward + Shirley South Ward = 55 + 102 + 69 = 226 ≈ 75 per yr**. However, this is **NOT The Shirley “Place”** at **≈770ha** but the net increase for the **Shirley North [327.90ha] + Shirley South Wards [387.30ha]** total of **715.20ha**, a difference of **54.8ha**.

6.2.6 The **MORA Area** of **178.20ha** (which we monitor) is only **24.92%** of **All Shirley (715.2ha)**, but at a rate of **36dpa** over the **20yr** period **≈720 dwellings**, would exceed the **Target for the Shirley “Place”** of **278** by **442 Dwellings** i.e., for the ‘**Whole**’ of the **Shirley “Place”**.

6.2.7 The **Build Rate Delivery** of dwellings over **3 years** for all **Shirley** is averaging at **55 + 102 + 69 = 226 Ave ≈ 75.33/yr. dwellings per year**, so over **20** years the **Net Increase** will be **≈1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The **Target** for the **Shirley “Place”** at **Croydon Plan Table 3.1** of the Revised **Croydon Local Plan** indicates a **Target of 278 dwellings over the period 2019 to 2039**. Over the Full Four Years the estimate outturn is **1257 dwellings** (see completions analysis table below).

- 6.2.8 This is $|278 - 1257.5|/278 = 979.5/278 = 3.5234 = 352.34%$ Increase for the **Shirley “Place” estimate** when the **MORA Area** is only $(770-178.2)/178.2 = 23.15%$ of the area of the **estimated Shirley ‘Place’** and $(178.26-715.2/715.2) = 24.92%$ of all **Shirley**. *This is definitely NOT respecting the character of the locality when the locality of this proposal is “Inappropriate for Incremental Intensification” with a **PTAL of 1a** and there is no probability for increase in supporting infrastructure.*

Shirley North				
	2018	2019	2020	2021 (partial)
Gross units	48	94	73	16
Net units	45	87	69	12
Shirley South				
	2018	2019	2020	2021 (partial)
Gross units	12	17	3	5
Net units	10	15	0	5
Shirley Place				
	2018	2019	2020	2021 (partial)
Gross units	60	111	76	21
Net units	55	102	69	17

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

- 6.2.9 This current rate (if retained) would exceed the Target over **20 yrs.** (of **278**) at **1257.5** by: **Percentage of Increase** of $|128 - 1257.5|/128 = 1129.5/128 = 8.8242 = 882.42%$, or a **Percentage Difference** of 128 and 1257.5 = $|128 - 1257.5|/((128 + 1257.5)/2) = 1129.5/692.75 = 1.63 = 163%$.
- 6.2.10 From the **FOI Request**, the Area of the **Shirley “Place”** is **≈770ha**. The total Area of **Shirley North & South Wards** is **715.2ha** (GLA figures) therefore, there is **≈54.8ha excess of land** which is in other adjacent **Wards** which numerically means the **Target for Shirley Wards of 278** should be reduced by **7.12% = 258** (and the difference of **20** added to the **Targets** of the relevant **adjacent Wards**).
- 6.2.11 This rate (if retained) would result in the number of developments **significantly exceeding** the available **supporting infrastructure** provision which has been acknowledged as unlikely to be improved over the life of the Plan.
- 6.2.12 We are confident that **this analysis completely refutes** any suggestion that **“Housing Need”** is a reason for approval in this locality as the assessed **‘Housing Need’ for this area has already been satisfied**.
- 6.2.13 It is therefore plainly obvious that the inability to contain or mitigate the **excessive outturns** above the stated **Targets** is a **significant failure** to meet the **legally required objectives of Sustainability** as defined in the **NPPF Chapter 2. Achieving sustainable development** ⁴ as Shirley has no prospect of infrastructure improvement over the life of the Plan. The **Sustainability of Developments** is a **legal requirement**⁵ of development approvals.

⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

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

- 6.2.14 We challenge the use of “Place” Target if those **Targets** for each “Place” are **NOT monitored** or if deviating from the requirement, there is no mitigating action to manage those Targets to meet “**Sustainable Developments.**”
- 6.2.15 It is our understanding the *Managing Developments* is the prime responsibility and the Job Description of the LPA “**Development Management.**”
- 6.2.16 All Development proposals should be judged on compliance to adopted Planning Policies and NOT on the basis of meeting Targets to support a **Housing “need” especially so if that “need” has already been met, and there are NO infrastructure improvements to support the surpassing of that “Need.”**

7 Summary and Conclusions

7.1 General Observations

- 7.1.1 The proposal clearly does not respect the character of the locality or the predominant character of local dwellings. The design only reflects the contrasting design of the host dwelling at **6 Orchard Rise**, which presumably was accepted against Planning Policy when erected. The current Adopted Policies require proposals to reflect the predominant **local character** and **roof forms**, which this proposal clearly does not.
- 7.1.2 The Applicant has failed to provide all necessary appropriate information to confirm compliance to **London Plan Policies** related to **Chapter 3 Design and specifically Policy D6 Table 3.1 or the SPG Table A1.1 for Minimum Space Standards.**
- 7.1.3 The **Gross Internal Area (GIA)** of **Building A** (as modified); **London Plan Best Practice** indicates **4b5p** at **≥108sq.m.** with **≥3.5sq.m. Built-In Storage** and the new **Building B; London Plan Best Practice** indicates **4b8p** at **≥142sq.m.** with **≥3.5sq.m. Built-In Storage.** These minimums should be provided with the proposal documentation. It is not reasonable for objectors need to purchase specialised software or to scale off from supplied drawings scale bar or to measure the Internal Area of each Floor Plan from a monitor screen.
- 7.1.4 There is NO indicated provision of **In-Built Storage** for **Building B** to meet the **Minimum Internal Space Standards** required.
- 7.1.5 The ‘revised’ Application Form gives a total **Site Area of 850sq.m.** (≈0.085ha), whereas the supplied Drawing “**Building A, Old Site Plan Drawing A0-01**” give measurements indicating the Site Area to be **≈836.9sq.m.**
- 7.1.6 We assume the **850 sq.m.** was a rough estimate, so we have used the **836.9sq.m & 0.0837ha** in our assessment as the probable most accurate dimension.
- 7.1.7 The Design and Access Statement accommodation indicated **Building A** to be modified “internally to a **5-bedroom** house, therefore providing **2** family accommodations” whereas the plans show **Building A** modified to be **4 Bedroom plus an Office of 6sq.m.** area (as the additional room is not large enough for a single bedroom) as defined by the **London Plan Policy D6.**

- 7.1.8 There are no proposals for any **Refuse** and **Recycling Bin Storage**.
- 7.1.9 The separation between **Building A** and **Building B** at the two ground-floor facing windows would be **≈5.78m**, and there is no provision of obstructing fencing offered in the proposal. There is no window in the **North facing Flank Wall** of **Building B** toward **Building A** at first floor level, but there is overlooking and **invasion of privacy** from the **Roof Terrace** of the **New Building B** toward the first floor **Master Bedroom and Bedroom 3** of **Building A**, at an **angular sight line, ≈40° below horizontal, with separation of approx. 4.6m. This is definitely NOT acceptable.**
- 7.1.10 The **Roof-Terrace** of the New Dwelling **Building B** allows direct overlooking toward and into the gardens (Front & Rear) of "**Briar Bank**", and probably as far as the second adjacent dwelling "**The Haven**", and also the adjacent existing dwelling **Building A** retained garden. The **invasion of privacy** toward occupants of "**Briar Bank**" and **Building A** is considered **unacceptable and warrants a refusal of this proposal.**
- 7.1.11 The proposed **Building A** is **≈8.75m** high whereas the new proposed development **Building B** is **≈10m** in height and therefore **Building B** is **NOT subservient** to the existing **Building A**. This fails to comply with **Croydon Plan Policy DM10.1** regarding '**subservience**' and are therefore **grounds for a refusal.**
- 7.1.12 The retained garden of the **Host Dwelling** (Building A) after partitioning should be at least **10m** in length or no less than half or **200sq.m.** in **area**. However, the retained garden is only **2.1m in length** and **≈47.5sq.m.** in area. This proposal **fails** to meet **Policy DM 10.4** and should therefore be **refused.**
- 7.1.13 The **National Model Design Code & Guidance** (2021) provides policies for the **Building Line Set-back** for new developments. The existing **Building line** of **Oakview Grove** averages **5.42 metres** set-back from the footpath for the full length of the road. The proposal fails to meet the established building Line as set by both the existing **Building A** return, and the adjacent dwellings at "**Briar Bank**" and "**The Haven**" in **Oakview Grove.**
- 7.1.14 The local **Post Code CR0 7QY** has a population of **85⁶** in an Area of **≈1.634ha** and has **40** dwellings from Nos. **2 to 54 Orchard Rise⁷** This results in a **Housing Density** of **24.48U/ha** at **Area Type <Outer Suburban** and a **Residential Density** of **52.02Persons/ha**, at **Area Type Outer Suburban.**
- 7.1.15 The proposed partitioning of the **Site** would create a combined **Area Type Housing Density** of **23.89Units/ha**, **Building A** at **25.25Units/ha** and **Building B** at **22.68Units/ha** all at **Outer Suburban Area Types.**
- 7.1.16 Additionally, the **existing Site** had the potential for **6 Bedspaces** which translates to a **Residential Density** of $6/0.0837 = 71.68\text{bedspaces/ha}$ at **Outer Suburban Area Type**. The equivalent increase in **Residential Density** would be from an original of **Outer Suburban** to a **Building A** (as modified) at a **Suburban Area Type** and **Building B** and a combined **Buildings A & B** at **Urban Area Type.**

⁶ <https://www.postcodearea.co.uk/>

⁷ <https://www.gov.uk/council-tax-bands>

- 7.1.17 These increases are not supported by any commensurate increase in local **infrastructure** over the life of the Plan (2019-2039) or any planned increase in **Public Transport Accessibility** by TfL by 2031. The **PTAL** required for occupants of **Building A** would be **PTAL 2.01**, for **Building B** **PTAL 3.41** and for the combined Site Occupants **Building A + B**, **PTAL 2.75**.
- 7.1.18 It is clear from the forgoing that the **Site Capacity** evaluation clearly shows the **Site Area** is not sufficiently large enough for the proposed development with a partitioned Site for the modified **Building A** or for the proposed **Building B** or a combination of both **Buildings A & B** on the whole available Site within the **Post Code Area Type Outer Suburban** as defined by the **Post Code CR0 7QY**.
- 7.1.19 We have shown that the Site location is inappropriate for any subjective interpretation of “**Incremental Intensification**” as defined by the **London Plan Para 4.2.4**.
- 7.1.20 **The Oakview Grove road width** could present parking difficulties. **Oakview Grove** road width is **≈3.7m** as measured on **Google Earth** and the **footpath** facing the proposed **Building B** is approximately **≈1.8m** width. The Width at **3.7m** is the minimum width allowable for Emergency vehicles and Fire Tenders. Swept path diagrams should definitely be provided to show the required number of attempts to gain ingress or egress, for each bay with the other Bay occupied.
- 7.1.21 This **Access** would be further restricted by the existing mature ‘**Street Tree**’ directly in the path of the access to the parking Bays for **Building B**. This **Street Tree** would probably need to be removed and a replacement provided at a position recommended by the **LPA**.
- 7.1.22 In addition, a new “**Crossover**” with **specified sight lines** would need to be provided.
- 7.1.23 There are no proposals for any cycle storage.
- 7.1.24 We are confident that our “**Housing Need**” an **analysis, supported by the FOI response, completely refutes** any suggestion that “**Housing Need**” is a reason for approval of this proposal in this locality as the assessed **‘Housing Need’ for this area has already been satisfied.**

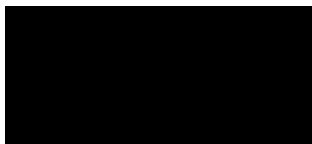
8 The Planning Process

- 8.1 The forgoing submission is compiled on the grounds of **National and Local Planning Policies** and based upon **rational observations and evaluation**. There have been no **vague or subjective assessments** and therefore we respectfully request that all our foregoing analysis and evidence is a sound assessment and therefore extremely relevant to the final determination.
- 8.2 If the **Case Officer disagrees** with the above assessments or analysis in any respect, we respectfully request that the **Case Officer’s Report** to officers or Committee Members, provides an explanation of the **professional appraisal** of the **Area Type Setting, Site Capacity Assessment**, fully supported by evidence to qualify why the **Croydon LPA** should have **different Policies** to those espoused by the **National Model Design Code & Guidance** as referenced from the **NPPF paras 128 & 129**.

- 8.3 Local Residents have **“lost confidence in the Planning Process”** resultant on recent local **over-developments** and lack of additional supporting infrastructure, Once that confidence is **lost**, it is extremely difficult to regain it.
- 8.4 Confidence and support of local residents is necessary to ensure the general requirement of housing **‘need’** is supported and satisfied with the provision of appropriate sustainable developments. This can only be achieved by ensuring developments comply with the agreed **National and Local Planning Policies and Guidance**.
- 8.5 If this proposal is approved it will make a mockery of the Planning Policies referenced in our submission and give further evidence to the local residence complete loss of confidence in the Planning Process.
- 8.6 We urge the **LPA to refuse this application** and request the applicant submit a revised proposal meeting the defined **National Model Design Code and Guidance** as published by the **Department for Levelling Up, Housing & Communities Build form Policies** for the **Local Area Type and the London Plan Policies Chapter 3**.
- 8.7 Please Register this representation as **Monks Orchard Residents’ Association (Objects)** on the Public Access Register.

Kind Regards

Derek



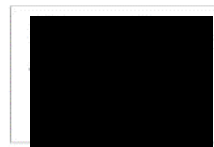
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Cc:

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Cllr. Richard Chatterjee
Cllr. Mark Johnson

Bcc:

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