MORA
MONKS ORCHARD RESIDENTS' ASSOCIATION

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hello@mo-ra.co mo-ra.co/twitter

Zoe Day - Case Officer
The Planning Inspectorate, Room 3/10
Kite Wing,
Temple Quay House,
2 The Square, Temple Quay
Bristol
BS1 6PN.

Monks Orchard Residents' Association

Planning

Emails: planning@mo-ra.co
chairman@mo-ra.co
hello@mo-ra.co

10th August 2023

TOWN AND COUNTRY PLANNING ACT 1990
Appeal (W) under Section 78

Location:	21 Woodmere Gardens CR0 7PL
LPA Application Ref:	22/02598/FUL
Appeal Ref:	APP/L5240/W/22/3308020
Written Representation:	15 August 2023

Dear Zoe Day - Case Officer

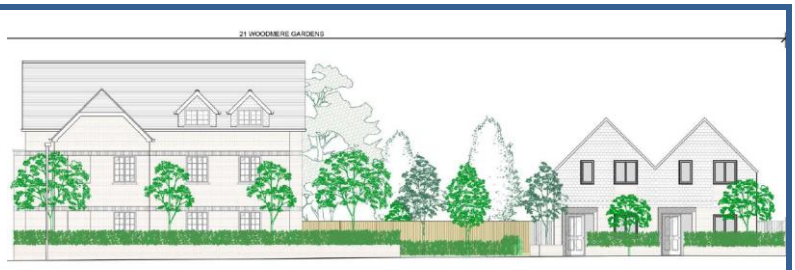
Please accept this representation from the **Monks Orchard Residents' Association** (MORA) as a request for this Appeal to be **Dismissed** on the grounds as stated in the following submission. We fully support the **Local Planning Authority** (LPA) Case Officer's Report and provide the following analysis to support the Delegate Committee agreed report. We objected to the proposal in our submission to the LPA of which you should have received a copy, if not we could supply a copy on request.

We have concentrated our submission on known adopted or emerging policies from local to National 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 **Planning Guidance documents**.

This Proposal:

Facing Woodmere Gardens



Facing Woodmere Avenue

Proposal is for: *"Demolition of single-family dwelling and garage and the erection of one storey semi-detached houses with accommodation in the roof space, comprising of 2 dwellings and 2 off street, car parking spaces and a detached 2-storey building with accommodation in the roof space, comprising of 5 self-contained apartments with integrated bike and refuse stores and 6 off-street car parking spaces."*

21 Woodmere Gardens					Ref: 22/02598/FUL											
Units	7				Residential Density	210.74	hr/ha	Floor Area Ratio	0.44		PTAL	2011	Zero			
Site Area	1210	sq.m.	Occupancy	3.71	Residential Density	214.88	bs/ha	Site Area Ratio	0.44		PTAL	2021	Zero			
Site Area	0.121	ha			Housing Density	57.85	unit/ha	Footprint Area	1.00		PTAL	2031	Zero			
New Dwellings		Floor	Bedrooms	Bed- Spaces available (Persons)	Habitable Rooms (*)	GIA Offered	GIA Required	GIA (Best Practice) (Table A1.1)	Built-In Storage offered (Note1)	Built-In Storage Required	Built-In Storage (Best Practice) (Table A1.1)	Private Open Space offered (sq.m.)	Car Parking Space	Disabled Bay or Electric Charging Point (**)	Cycle Store	Estimated Number of Adults	Estimated Number of Children
Apartment Unit 1 (M4(3))		Ground	2	4	3	87.00	70	77	2.0	2.0	2.5	44	2	1 DB	2	2	2
Apartment Unit 2 (M4(2))		Ground	1	2	3	57.00	50	55	2.0	1.5	2.0	36	1	-	2	2	0
Apartment Unit 3 (M4(2))		First	3	4	4	78.00	74	84	2.0	2.5	3.0	8	1	-	2	2	2
Apartment Unit 4 (M4(2))		First	3	4	4	78.50	74	84	2.0	2.5	3.0	7	1	-	2	2	2
Apartment Unit 5 (M4(2))		Second	2	4	3	73.00	70	77	2.0	2.0	2.5	7	1	-	2	2	2
Sub Total			11	18	17	373.50	338	377	10	11	13.00	102	6	0	10	10	8
Semi-detached Unit 6		Ground	0	0	2.5	81.2	70	77	1.5	2.0	2.5	53.0	1	-	2		
		First	2	4	2				1.5			32.5				2	2
Semi-detached Unit 7		Ground	0	0	2	81.2	70	77	0.0	2.0	2.5	29.5	1	-	2		
		First	2	4	2				1.5			16.0				2	2
Totals			15	26	26	535.90	478.00	531.00	14.50	14.50	18.00	233.00	8	(**)	24	24	20
(*) 0.5 Habitable Room open plan Kitchen/Dining/Lounge					Car Spaces per occupant			0.31		Block Area (A) GIA		373.50	sq.m.				
Average hr/unit		3.64	hr/u		Car Spaces per adult			0.33		Block Area (B) GIA		162.40	sq.m.				
Note 1	Excluding Wheelchair Storage (Unit 1)									Total		535.90	sq.m.				
(**) The seven new dwellings will be provided with 8 off-street parking with Electric Vehicle Charging (EVC) in accordance with the minimum policy requirement.																	

Parameters of the proposal

1 Appellant's Grounds for Appeal

1.1 Appellant's Grounds of Appeal (Paras 1 & 2).

1.1.1 Para 1. *"This is the Statement of Case submitted pursuant to the failure of the London Borough of Croydon (the 'Council') to determine a planning application (Ref: 22/02598/FUL) within the statutory determination period. The proposed development comprises the 'Demolition of single family dwelling and garage and the erection of one storey semi-detached houses with accommodation in the roof space, comprising of 2 dwellings and 2 off street car parking spaces and a detached 2-storey building with accommodation in the roof space, comprising of 5 self-contained apartments with intergraded bike and refuse stores and 6 off street car parking spaces' (the 'proposed development') at 21 Woodmere Gardens, Croydon, CR0 7PL (the 'site')."*

1.1.2 Para 2. *"The chronology of the application is that it was received by the Council on the 20 June 2022 and validated on the same day. Neighbour consultation expired on the 19 August 2022 and the standard consultation on the 23 August 2022. The application was due for statutory determination on the 15 August 2022. It remains undetermined and there is no indication when and how the application will be determined. There is no indication online whether the application is to be determined under delegated powers or by the Council's Planning Committee. There has been no information provided by the planning case officer and online there is no record of any comments being received from the statutory consultees."*

1.2 MORA Response to Appellant's Grounds Paras 1 & 2

1.2.1 The proposal was received and validated on Monday 20th June 2022 and was not determined within the statutory 8-week period of 15th Aug 2022 due to the levels of applications and backlog during and since the pandemic.

1.2.2 We understand the frustration that these delays cause developers as the delays have financial implications for the developer.

1.2.3 However, we do question why the consultation periods for comments (Fri 19 Aug 2022) extended to a date after the decision deadline (Mon 15 Aug 2022).

1.2.4 The Statement that *"there is no record of any comments being received from the statutory consultees."* Is untrue as the Online Public Register lists Consultees:

Total Consulted: 13, Objections: 16, Supporting: 0

2 Appellant's Grounds for Appeal Paras 6.

2.1 Para 6 The Key attributes of the proposed development that have led to this conclusion are:

2.2 Para 6 a) *The proposed units would all meet and/or exceed the policy requirements in terms of internal area, and private amenity space. Additionally, as well as private amenity space, a communal amenity/play space area would be provided. Total communal garden area proposed is **190m2**. Similarly, all habitable rooms would be served by at least 1 natural light source, and all units would be (at least) dual aspect. As such, the proposed development has been designed to exceed relevant standards and would provide future occupiers with very light and airy accommodation and dual aspect views.*

2.3 MORA Response to Appellant's Grounds Para 6a)

2.3.1 The Appellant's Statement 6a) is clearly not correct. We have reassessed the proposal details since the "Grounds of Appeal" was made available and we believe the proposal fails to meet the **London Plan Policy D6 Housing quality and standards.** In order to obtain this detail, we have had to scale-off the proposed plans at a magnification of **112%** (on our monitor) and use the provided **Bar Scale** for a convenient scale. These measurements are therefore approximate but sufficient to establish areas of critical concern.

2.3.2 The proposal indicates at **page 17 of the Design and Access Statement 'Schedule of Accommodation'** that **Unit 1 provides two bedrooms, four persons. Therefore Bedroom 2 would need to accommodate 2 persons. However, Unit 1 Bedroom 2** has an Area of **≈10.23sq.m.** and as this is **<11.5sq.m. London Plan Policy D6 establishes that this bedroom #2** therefore can only accommodate a **single bed for one person**.

- **London Plan Policy D6** - Housing quality and standards - Private internal space: 4) A two bedspace double (or twin) bedroom must have a floor area of at least **11.5 sq.m..**

2.3.3 **Unit 3 Bedroom 2** & **Unit 4 Bedroom 2** both have **widths ≈ 2.15m (**this is the exact limit for a one bedspace single bedroom and needs to be **verified that the measurement is in fact ≥2.15m).** However, the Areas of both bedrooms are within the range **>7.5 <11.5 sq.m. therefore each would accommodate one person.**

- **A one bedspace single bedroom must have a floor area of at least 7.5 sq.m. and be at least 2.15m wide.**

2.3.4 **Units 3, 4 & 5 have GIAs of 78, 78.5 & 73 sq.m.** respectively. However, **Table A1.1** of **LPG Housing Design Standards** provides the **Best Practice** for **Units 3 & 4 - 2b4p, GIA to be 84sq.m. and for Unit 5 - 3b4p Units GIA** to be **77sq.m.** The **LPG Housing Design Standards** was first published in February 2022 prior to receipt and validation of the proposal with the **LPA** and thus should be taken as emerging guidance for this proposal.

2.3.5 **Unit 1 offers 2sq.m. In-Build Storage** when the **PLG Best Practice recommends 2.5sq.m. for 2b4p Units. Unit 4** provides **2sq.m., when the Best Practice is for 3b4p Units to have 3.0sq.m. Unit 4** provides **2.0sq.m. Built In Storage** when the **Best Practice for 3b4p Units** is **3.0sq.m.** and **Unit 5** has **2.0sq.m**. **In-Built Storage** when **Best Practice** for with **2b4p Units** recommends **2.5sq.m. In-Built Storage.**

2.3.6 **Unit 7 ground floor In-Built Storage is not Stated.**

2.3.7 **This under provision of GIA and Built-In Storage contributes to an inappropriate development for the locality and Area Type as it indicates overdevelopment for the local Area Type and inconvenience for possible future occupants for the life of the development. These are contributing factors as evidence for Dismissal of this Appeal.**

2.4 Appellant's Grounds for Appeal Para 6 b)

2.4.1 Para 6 b) *The proposed scheme provides 2 family units on the ground floor, which have been designed to accommodate 1 x M4(3) unit. All other units have been designed as M4(2) units. The proposal therefore meets the GLA policy 3.7 requirements in relation to accessible housing on all levels with the provision of a lift to Block-A.*

2.5 MORA Response to Appellant's Grounds Para 6 b)

2.5.1 The appropriateness for the Development is based on the **London Plan (2021) Policy D3 – Optimising Site Capacity through the Design Led Approach**, in compliance with the **National Model Design Code & Guidance (DLUHC) Parts 1 & 2** providing the methodology to assess the proposal with respect to the local **Area Type** Setting **Design Code**s for the locality of the proposal. Our detailed response to this statement is included under the Appellant's **Item 7 Below**.

2.5.2 The Appellant's paragraphs **6 c) to 6 r)** are mainly subjective descriptions of the proposal and as they are NOT specific to definable Policies, we do not have any constructive comments to contribute to these statements.

3 Appellant's Grounds for Appeal 7

3.1 Para 7. The policy context for assessing the development proposal is predicated on the following principles all of which support the appeal proposal:

3.1.1 Para 7 a). The existing site is residential in character, and the potential redevelopment of the site to create additional housing, which would contribute to the borough's housing stock and achievement of housing targets set out in London Plan (2021) is in principle supported.

3.1.2 Para 7 b). The proposal would add to the Councils strategic 30% target for family housing with 3 of the flats providing family sized three-bedroom accommodation.

3.2 MORA Response to Para 7 a) & b)

3.2.1 Housing Need

3.2.1.1 The allocation of housing ***"need"*** assessed for the ***"Shirley Place"*** **[770ha]** over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan[1] 2021 **Table 3.1**). This equates to **≈14 dwellings per year**.

3.2.1.2 In relation to meeting housing ***"need"*** we raised a **Freedom of Information (FOI)** request **Ref: 4250621** on **31st January 2022**. The **FOI** Requested data on the **Outturn** of Developments since **2018** for the **Shirley "Place"** plus the **Area**, **Housing** and **Occupancy** of the **Shirley Place** for which the response is as follows:

3.2.1.3 The **FOI** response indicated, the ***Shirley "Place"*** *as defined in the* ***Local Plan*** *has an area of approximately* ***≈770 ha*** *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.**

3.2.1.4 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.**

3.2.1.5 The **FOI** Response indicates:

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

FOI Response Ref: 4250621 on 31st January 2022

- *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."*

3.2.1.6 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

[1] https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf

≈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.**

3.2.1.7 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).**

3.2.1.8 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.***

3.2.1.9 The **Build Rate** delivery of dwellings for all **Shirley** is averaging at **55 + 102 + 69 = 226 at ≈75.33 dwellings per year**, so over **20** years the **Net Increase** at this average build rate 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.**

3.2.1.10 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**).

3.2.1.11 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.**

3.2.1.12 **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.**

3.3 Appellant's Grounds for Appeal 7c

3.3.1 Para c). London Plan Policy D3 is concerned with '**Optimising site capacity** through the design-led approach' and is prefaced by a requirement that 'All development must make the best use of land by following a design-led approach that optimises the **capacity of sites**, including site allocations. The proposed development seeks to do this in compliance with the policy.

3.4 MORA Response to Appellant's Grounds Para 7c

3.4.1 **Site Capacity - The design-led approach**

3.4.1.1 We are of the opinion that this proposal exceeds the **Site Capacity** for the **Local Area Type Setting** at a very low **PTAL of Zero.**

3.4.1.2 **London Plan Policy D3 - Optimising site capacity through the design-led approach** states:

3.4.1.3 *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 (Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.*

3.4.2 The **London Plan Policy D3 - Optimising site capacity through the design-led approach** states at para 3.3.2

3.4.2.2 Para 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. But does not define a methodology to do so.

3.4.2.3 The guidance for this evaluation is referenced from the NPPF para 129 which and states:

3.4.3 **The NPPF para 129 states:**

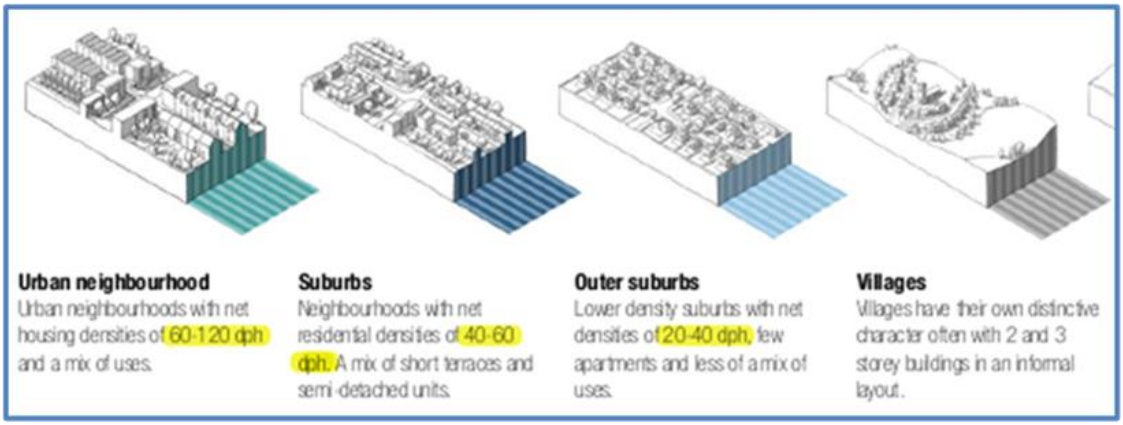
*"129. **Design guides and codes** can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as **supplementary planning documents**. Landowners and developers may contribute to these exercises but may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

3.4.3.1 There are no guidance policies for assessing **Area Type Design Codes** in the **Croydon Local Plan** (2018) or in the **Revised Draft Croydon Local Plan** (2021).

3.4.3.2 Also, although the **London Plan Policy D3** mentions **Design Codes**, there is no meaningful methodology to determine the analysis or assessment of **Local Area Design Codes**. Therefore, **NPPF para 129** provides the guidance as defined in the **National Model Design Code and Guidance** to ***guide*** decisions in the **absence** of locally produced guidance.

3.4.4 **The DLUHC National Model Design Code & Guidance Parts 1 & 2.**

3.4.4.1 The '**Settings,' 'Outer Suburban,' 'Suburban,' 'Urban'** and **'Central'** are defined in the **National Model Design Code** Part 1 The Coding Process, 2B Coding Plan, Figure 10 Page 14. The Local **Design Code** assessment requires an analysis of a suitable area which describes the character of the locality. The most suitable for this assessment is the area of the local **Post Code (CR0 7PL)** in which the proposed development will be located.



The National Model Design Code parameters Definitions for Local Settings

3.4.4.2 To ensure that our assessment is comparable across the **Shirley, the Shirley North Ward** and our **MORA** coverage, we have been assessing recent proposals **Area Types** and collating the results for comparison with **Croydon** and **Shirley Ward Area Types (see Table below).**

Location	Area (ha)	Population (Nat Ave)	Dwellings (Units) (Nat Ave)	Residential Density (bs/ha)	Housing Density (Units/ha)	"Setting" for Design Code Residential Density (bs/ha)	"Setting" for Design Code Housing Density (U/ha)	Occupancy Ratio (Nat Ave 2.36)
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 (EStim	770.00	32,995	13,981	42.85	18.16	<Outer Suburban	<Outer Suburban	2.36
Average (Not including Cro	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 Shirley & recent proposals of Area Type assessments based upon the National Model Design Code & Guidance. All are found to be = to or < Outer Suburban.

3.4.5 **Local Design Code Assessment**

3.4.5.1 The most appropriate **Local Area Type** Setting is defined by assessing the **Design Codes** of the Local **Post Code** as a suitable local Area for analysis. The **Local Post Code** for **21 Woodmere Gardens** is **CR0 7PL** and embraces **19** Dwellings [2] Housing **47** persons [3] in an approximate Area as measured by **Google Earth** to be ≈17,302sq.m. ≡ **1.7302ha.**

[2] https://www.gov.uk/government/organisations/valuation-office-agency
[3] https://www.postcodearea.co.uk/

3.4.5.2 Therefore, **Post Code CR0 7PL** as a **Housing Density** of 19/1.702 units/ha = **10.98u/ha** and a **Residential Density** of 47/1.7302 = **38.205 bs/ha**. The **Area Type** as defined by the **National Model Design Code & Guidance** is *(less than)* **<Outer Suburban.**

Google Earth Image for Post Code Area CR0 7PL

3.4.5.3 The following tabular analysis of the **Post Code Area Type Design Code** parameters which shows the **Area Type** at **10.98u/ha** to be **<Outer Suburban** as defined by the **National Model Design Code & Guidance** in an Area with **Public Transport Accessibility (PTAL)** considered very low at **Zero.**

Parameters of Post Code Design Code					
Area Design Code Parameter	Input Parameters				
(These parameters auto calc Design Code)				Constrains	
Post Code	CR0 7PL			Ward	Shirley North
Area of Post Code (ha)	1.7302	hectares		Flood Risks	100yr Surface
Area of Post Code (Sq.m)	17301.99	sq.m.		Gas Pressure	Low Pressure
Number of Dwellings (Units) (*)	19	Units		Water Pressure	N/A
Number of Occupants (Persons) 4th April 23	47	Persons		HASL (m)	54m
Post Code Housing Density	10.98	Units/ha		Bldg Line Set-Back	10m to 14m
Post Code Residential Density	27.16	Bedspaces/ha			
Occupancy	2.47	Persons/Unit			
Area Type (National Model Design Code)	<Outer Suburban	Area Type Setting			
(*) Last updated on 5 April 2023					
Design Code Parameters		Min	Max	Measure	
Area Type Setting	<Outer Suburban	0.00	20.00	Units/ha Range	
Equivalent Residential Density (Persons/ha)	<Outer Suburban	0.00	47.20	Persons/ha Range	
		U/ha	bs/ha		
PTAL (now) Zero	0.00	10.98	27.16		
PTAL (forecast 2031) Zero	0.00	10.98	27.16		
PTAL for Post Code (Residential Density)	-0.51		27.16		

Interactive spreadsheet to assess Post Codes Area Type from Post Code parameters.

3.4.5.4 The **Residential Density** at **38.205 bs/ha** is equivalent to an **<Outer Suburban Area Type** if the conversion to persons/hectare is based upon the **National Average Unit Occupancy** (2.36 persons/Unit latest statistic for 2021).

Application Details			
Application Ref:	Ref: 22/02598/FUL		
Address	21 Woodmere Gardens		
PostCode	CR0 7PL		
Appeal Consultation Close	TBA		
Parameters			
Site Area (ha)	0.1210	ha	
Site Area (sq.m.)	1210.00	sq.m.	
Units (Dwellings)	7.00	Units	
Bedrooms	15.00	Bedrooms	
Bedspaces	26.00	Persons	
Housing Density	57.85	Units/ha	
Residential Density	214.88	bs/ha	
Floor Area Ratio (FAR)	0.44		
Area Type Setting (Units/ha)	Suburban		
Area Type Setting (Bedspaces/ha)	Urban		
PTAL (Current) (Zero)	0.00		
PTAL (Forecast) (Zero)	0.00		
PTAL to Support proposal	4.26	214.88	bs/ha

The Proposal Area Type Design Code Assessment

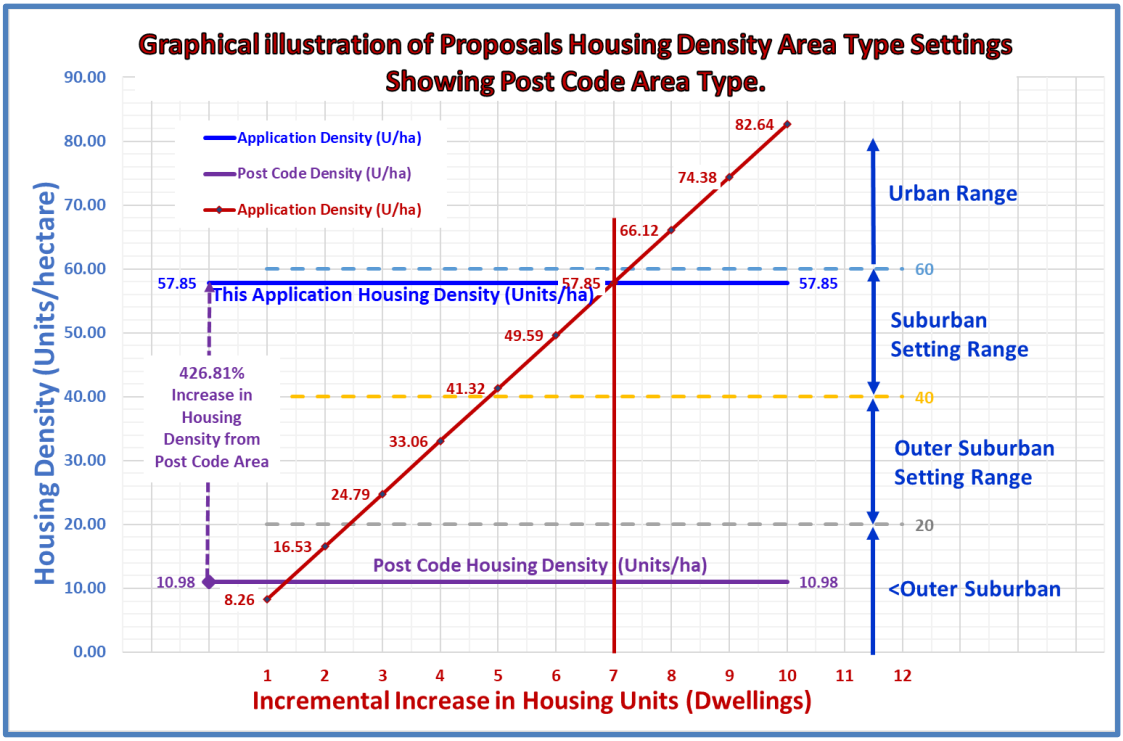
3.4.6 **Comparison Area Types - Post Code v Application**

Comparison - Post Code (CR0 7PL) Design Code & Application Proposal		
		Area Type Setting
Post Code Housing Density (Units/ha)	10.98	<Outer Suburban
Application Housing Density (Units/ha)	57.85	Suburban
Percentage Difference (%)	136.18%	
Percentage Increase (%)	426.81%	
Post Code Residential Density (bs/ha)	27.16	<Outer Suburban
Application Residential Density (bs/ha)	214.88	Urban
Percentage Difference (%)	155.11%	
Percentage Increase (%)	691.02%	
PTAL Available (Zero)	0.00	
PTAL Required	4.26	
Percentage Increase	#DIV/0!	% from Zero innapropriate

Comparison between Post Code & Application Area Types

3.4.6.1 The above data allows comparison between the **Post Code Area Type** and that of the **Application** and the assessment in the form of a graphical illustration is shown below.

3.4.6.2 The **Area Type Design Code** for the locality is defined by the **Post Code** at **10.98Units/ha** which places the **Area Type** as defined by the **National Model Design Code & Guidance** clearly in the mid **<Outer Suburban Area Type** range. The proposal would have a Housing Density of **57.85Units/ha** which places the **Area Type Design Code** at the **high end** of a **Suburban Area Type Setting.**



Graphical representation of Area Type Design Code comparisons for Application against Area Type Post Code Design Code.

3.4.6.3 **This is a 426.81% increase,** which cannot by any **rational assessment be considered appropriate** for a **locality** with an **Area Type** in the **<Outer Suburban Area Type** and with the **lowest possible supporting PTAL of Zero.**

3.4.7 **London Plan Policy D2 Infrastructure requirements for sustainable densities** states:

3.4.7.1 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).

3.4.7.2 B Where there is currently insufficient capacity [4] 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.

[4] PTAL and Time Mapping (TIM) catchment analysis is available on TfL's WebCAT webpage. TIM provides data showing access to employment, town centres, health services, and educational establishments as well as displaying the population catchment for a given point in London (see Public Transport Access Levels (PTALs) in Glossary for more information on WebCAT and Time Mapping).

3.4.7.3 C When a proposed development is acceptable in terms of use, scale and massing, given the surrounding built form, uses and character, but it exceeds the capacity identified in a site allocation or the site is not allocated, and the borough considers the planned infrastructure capacity will be exceeded, additional infrastructure proportionate to the development should be delivered through the development. This will be identified through an infrastructure assessment during the planning application process, which will have regard to the local infrastructure delivery plan or programme, and the CIL contribution that the development will make. Where additional required infrastructure cannot be delivered, the scale of the development should be reconsidered to reflect the capacity of current or future planned supporting infrastructure.

3.4.8 Public Transport Accessibility

3.4.8.1 One measure of the available local connectivity is the **Public Transport Accessibility Level (PTAL)** defined by **Transport for London** (TfL). The **London Plan (2016)** included the **TfL Density Matrix** which provided guidance on appropriate **Residential Densities** for the Different **Area Types** Settings **Housing** and **Residential Densities** and the **Public Transport Accessibility Level** (PTAL) to Public Transport. This provided ranges of acceptable **Residential Density** according to the available **PTAL** and its **Area Type Setting**.

3.4.8.2 However, the Mayor has decided that the **Density Matrix** be omitted from the latest **London Plan (2021)** which has resulted in a void in the assessment and policy definition for suitable **PTAL** appropriate for **Residential Densities** and **Area Type** Settings.

3.4.8.3 The **Public Transport Accessibility (PTAL)** at the **Post Code CR0 7PL** is rated by **TfL** to be **Zero (0)** and if the **PTAL** is considered to range from **Zero** at **Outer Suburban** to **6** at **Central** over a linear increase the value of **PTAL** required at the Post Code would follow the linear' function $\boldsymbol{y = mx + c}$.

3.4.8.4 At **PTAL Zero** the **Residential Density** conversion would be at the low range of **Outer Suburban** of 20 Units/ha x Occupancy, and at the Higher Range of **Urban** at 120 Units/ha x Occupancy. The **National average Unit Occupancy** (2021 figure) is **2.36** and the Local **Post Code Unit Occupancy is** 47/19 = **2.47**.

3.4.8.5 As the assessment is Based on the **National Average Residential Occupancy**, the required **PTAL** for the **Area Type** using this function is;

Where $\boldsymbol{y = Density; m = \frac{\delta y}{\delta x}}$; $\boldsymbol{x = PTAL}$ & $\boldsymbol{c = y\ when\ x = 0}$

$$\therefore\ \boldsymbol{y = 27.17 = \left(\frac{120 * 2.36 - 20 * 2.36}{6}\right) * x + 20 * 2.36}$$

$$\therefore\ \boldsymbol{x = \frac{27.17 - 20 * 2.36}{39.33} = -0.50924 \approx -0.51\ PTAL}$$

3.4.8.6 The actual available **PTAL** is **Zero** therefore a required **PTAL** of **–0.51** is below the available **PTAL** of **Zero** which means the available **PTAL** for **Post Code CR0 7PL** at **Zero** is adequate for the **Design Code Residential Density** of **27.17 Persons/ha** at the **National Occupancy** of **2.36 persons per Unit** in an **<Outer Suburban Area Type Setting.**

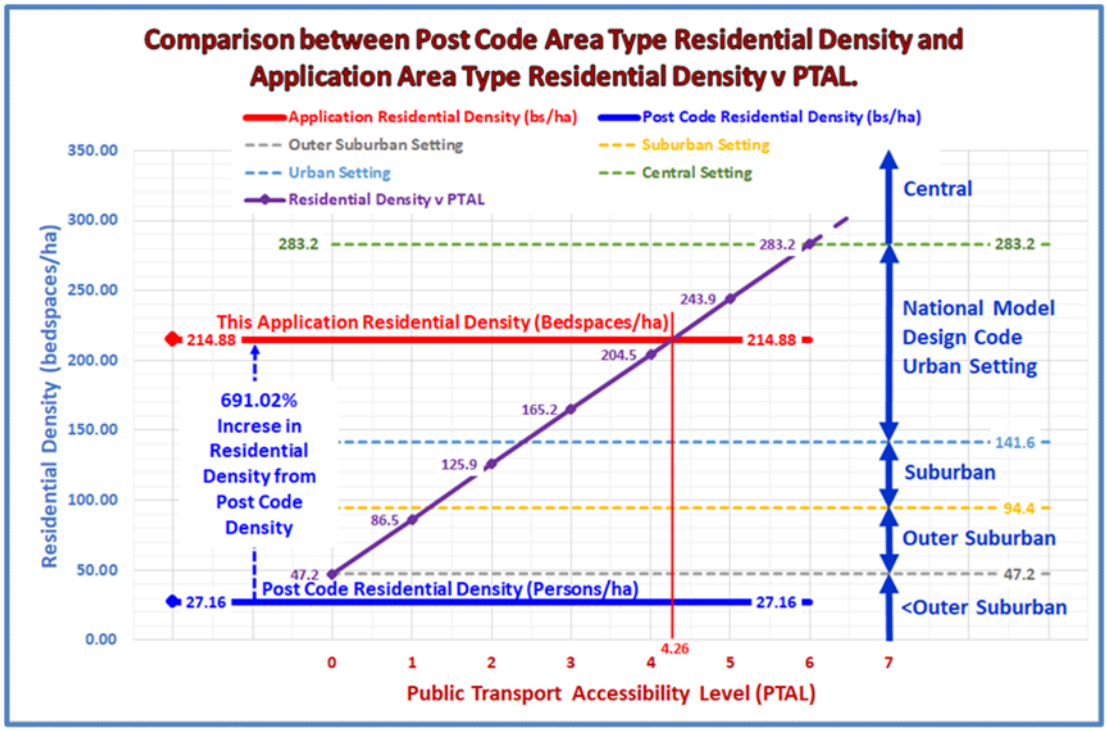
3.4.8.7 If calculated on the basis of the Local Occupancy of **2.47** the **PTAL required would be -0.565.**

3.4.8.8 As a mechanism to meet the objectives of the **London Plan Policy D2** it is reasonable to assume the physical infrastructure is defined by the existing **Area Type Design Code,** to which we referred earlier in this submission, to support the **Housing Density. London Plan Policy D2** requires the Social and connectivity requirements needed to support any increase in **population** as a result of **redevelopment** as defined by the **Residential Density** resultant from that proposed development, taking account of any proposed future infrastructure provision.

3.4.9 Residential Density and Public Transport Accessibility

3.4.9.1 It is people that require **Public Transport Accessibility** therefore conversion from the **National Housing Density** (U/ha) to a **National Residential Density (persons/ha)** is required. The **National** average Occupancy of Dwellings is available from the **ONS or Statista** [5] and is **2.36 persons per dwelling** in 2021 census.

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



Graphical illustration of incremental increase in PTAL with increase in Residential Density

[5] https://www.statista.com/statistics/295551/average-household-size-in-the-uk/

3.4.9.3 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 public transport accessibility to support the localities Residents.** Thus, **PTAL** should incrementally increase proportionately with the increase in **Residential Density** (population) as shown in the following graphical illustration across all **Area Types.**

3.4.9.4 **PTAL Zero** is assumed at the low range of **"Outer Suburban"** as the **TfL Accessibility Level** assumes **PTAL 0** (TfL Zero PTAL) to be an appropriate value at Low densities and PTAL 6 would be the appropriate level for **"Central" Area Type.**

3.4.9.5 The **National Model Design Code (NMDC) Area Design Codes** has **"Outer Suburban," "Suburban," "Urban" & Central Area Type** designations, but **TfL** has **Suburban, Urban** & **Centra**l designations in **hr/ha, thus not comparable.**

3.4.9.6 Therefore, the **PTAL** over the range **0 to 6** should be proportionate to the increase in **Density** over the ranges from Low **"Outer Suburban" (≈47.2 persons/ha)** to the higher densities of the **"Urban/Central" (≈283.2persons/ha)** range Assuming **"Central" Areas** would of necessity have the highest possible access to public transport (6, 6a & 6b) [6]**.** Areas at **<Outer Suburban** would also require **Zero PTAL.** (There are no **PTAL** designations <Zero).

3.4.9.7 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'** or **'<Outer Suburban'**.

3.4.9.8 In the absence of any guidance on relationship between **Residential Density** and **PTAL** in the **Revised London Plan** (2021) and the **Revised unadopted Croydon Local Plan (2021/22)**, it is assumed **Public Transport Accessibility (PTAL)** should increase linearly with the increase in population across **Area Type** Settings as defined in the **National Model Design Code & Guidance** from **Outer Suburban Area Type** at **PTAL Zero** through **Suburban** and **Urban** to **Central Area Type** at **PTAL 6**.

3.4.9.9 The **Required PTAL** to support a Residential Density of **214.88 bedspaces/ha** is found from the function: $\boldsymbol{y = mx + c}$

$$\boldsymbol{where\ y = Density;\ m = \frac{\delta y}{\delta x};\ \&\ x = PTAL\ \ and\ \ c = y\ when\ x = Zero}$$

$$\boldsymbol{\therefore\ 214.88 = \left(\frac{283.2-47.2}{6}\right) * x + 47.2 = 39.33 * x - 47.2}$$

$$\boldsymbol{\therefore\ x = (214.88 - 47.2)/39.33) = 4.2634\ PTAL \approx 4.26 = PTAL}$$

For **PTAL** at **Zero** the **Residential Density** should be**:**

$$\boldsymbol{Residential\ Density, y = \left(\frac{283.2-47.2}{6}\right) * 0 + 47.2 = 47.2\ bedspaces/ha.}$$

[6] https://content.tfl.gov.uk/connectivity-assessment-guide.pdf

3.4.9.10 The quantum for **Residential Density** as defined by **TfL** is **habitable Rooms/hectare,** which is not a logical parameter, as **"Habitable Rooms"** do not require **infrastructure** or other supporting requirements such as **Public Transport Accessibility** [7] as it is people who require **Public Transport Accessibility.** 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)**.

3.4.9.11 For sustainable development, the **Residential Density** at **PTAL Zero** should be **≈ 47.2 bedspaces per hectare** whereas the proposed **Residential Density is 214.88bedspaces/ha**. This is a **691.02% increase** from the **Post Code Residential Density** of **27.16 persons/ha.**

3.4.9.12 As the **Shirley Wards** have **no prospect of infrastructure improvement** [8] over the life of the plan and **TfL** have no prospect of improvements to **Public Transport Accessibility (PTAL Zero)** at **21 Woodmere Gardens** before **2031** as shown on their **WebCAT** search response, the assessment as detailed above clearly shows that the proposal is **unacceptably excessive** for the current **Area Type Setting** as the **supporting infrastructure** would not meet the **Design Code requirements.**

3.4.9.13 The Increase in **Density** from the **Post Code Residential Density of 27.16persons/ha <Outer Suburban Area Type** to the **Application Residential Density** of **214.88bedspaces/ha, Urban Area Type, is 691.02%**, which would require an improved **PTAL** from **Zero** to **4.26,** which cannot equally seriously be considered as an **acceptable evolutionary increase** for the locality.

3.4.10 Optimising Site Capacity by the Design Led Approach

3.4.10.1 Our assessment for evaluating the **Optimal Site Capacity** is based upon the Area actually required against the Area actually available as based on the **LPG Optimising Site Capacity toolkit**. The Ratio of **Area required** to **Area Available** is modified by the **Area Type** to reflect the relationship between the nominal garden space (Urban Greening Factor UGF) reflecting the character of the **Area Type.**

3.4.10.2 The **London Plan Guidance LPG – Optimising Site Capacity**: A design Led Approach - provides an **'Indicative Site Capacity' Toolkit.** The Toolkit is more appropriate to large scale developments of Dwelling Types and Tenures. We do not have the appropriate Software packages to deploy this Toolkit, but the Guidance does indicate that LPAs or stakeholders can develop their own interactive spreadsheets based upon the principles of the Toolkit.

3.4.10.3 For the **Indicative Small Site Capacity** spreadsheet (below) shows the **Site Capacities** for the different **Area Types**, as defined by the **National Model Design Code & Guidance.** This definition allows the **Indicative Optimised Site Capacities to be assessed.**

[7] https://content.tfl.gov.uk/connectivity-assessment-guide.pdf
[8] https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf

3.4.10.4 **Indicative Small Site Capacity Calculation**.

Indicative Small Site Capacity Calculator:			21 Woodmere Gardens			Ref: 22/02598/FUL								
Input Parameters														
Site Area (hectares)	Site Area Application Form (sq.m.)	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.)
0.121	1210	535.90	10	13	12	14	18	2	1	1	0.90	0.53	0.53	0.43

Unit	Building Reg (M4(?))	Number of Storeys (#)	Bedrooms (b)	Bedspaces (bs)	GIA Reguired Table 1A.1 (Best Practice) (sq.m.)	In-built Storage Table 1A.1 (Best Practice) (sq.m.)	Private Amenty Space (Required) (sq.m.)	Probable Adults	Probable Children	Play Space Required (sq.m.)	Wheelchair Storage (sq.m.)	Refuse Bin Storage (Note 2) (sq.m.)	Cycle Storage (sq.m.)	Car Parking (Space x London Plan Outer London @ PTAL)
Flat 1	M4(3)	1	2	4	77	2.5	7	2	2	20	1	1.49	3.42	24.25
Flat 2	M4(2)	1	1	2	55	2	6	2	0	0	0	0.96	1.71	21.00
Flat 3	M4(2)	1	3	4	84	3	7	2	2	20	0	1.49	3.42	21.00
Flat 4	M4(2)	1	3	4	84	3	7	2	2	20	0	1.49	3.42	21.00
Flat 5	M4(2)	1	2	4	77	2.5	7	2	2	20	0	1.49	3.42	21.00
Unit 6	M4(2)	2	2	4	77	2.5	7	2	2	20	0	1.49	3.42	21.00
Unit 7	M4(2)	2	2	4	77	2.5	7	2	2	th	0	1.49	3.42	21.00
Totals			15	26	531	18	48	14	12	100	1.00	9.87	22.23	150.25

Proposal	GEA (Footprint) (scaled off Plans)	Play Space (sq.m.) Note 1	Private Amenty Space (Required) (sq.m.)	Communal Amenity Space (Required) (sq.m.)	Wheelchair Storage (sq.m.)	Parking Spaces (sq.m.)	Cycling, Storage (sq.m.)	Refuse Bin Storage (Note 2) (sq.m.)	Proposal Area required (sq.m.)	Proposal requirement plus GEA (sq.m.)	Area Remaining (sq.m.)	Site Area (sq.m.)	Site Capacity Ratio (covered/Site Area)	Floor Area Ratio (GIA/Site Area)
Totals	535.90	100.00	48.00	50.00	1.00	150.25	22.23	9.87	381.35	917.25	292.75	1210.00	0.76	0.01

Assessment	Assessed Floor Area Ratio (Area Type)	Suggested Percentage of Site for Garden Area (Area Type)	Site Area available (sq.m.)	Garden Area (UGF) (Note 1) (sq.m.)	Proposal requirement plus GEA (sq.m.)	Indicative ± Site Capacity (sq.m.)	% Site Capacity
<Outer Suburban	0.25	100.0%	1210.00	1110.00	917.25	-817.25	-67.54%
Outer Suburban	0.375	75.0%	1210.00	807.50	917.25	-514.75	-42.54%
Suburban	0.5	50.0%	1210.00	505.00	917.25	-212.25	-17.54%
Urban	1	25.0%	1210.00	202.50	917.25	90.25	7.46%
Central	2	0.0%	1210.00	-100.00	917.25	392.75	32.46%

Note 1: Urban Greening Factor (UGF) - Garden Area. The Private Amenity Space and Play Space required is included in the overall requirement but deducted from the Garden Area. (if the Area Type has no Garden Area (UGF), this Private Amenity and Play Space should be included in the total GEA or the GIA of the individual Units).
Note 2 : Refuse Bins capacities based upon Croydon Refuse Guidance Capacities required for the Type(s) of Dwellings with equivalent Dimensions for the minimum capacity of the total unit(s) required.

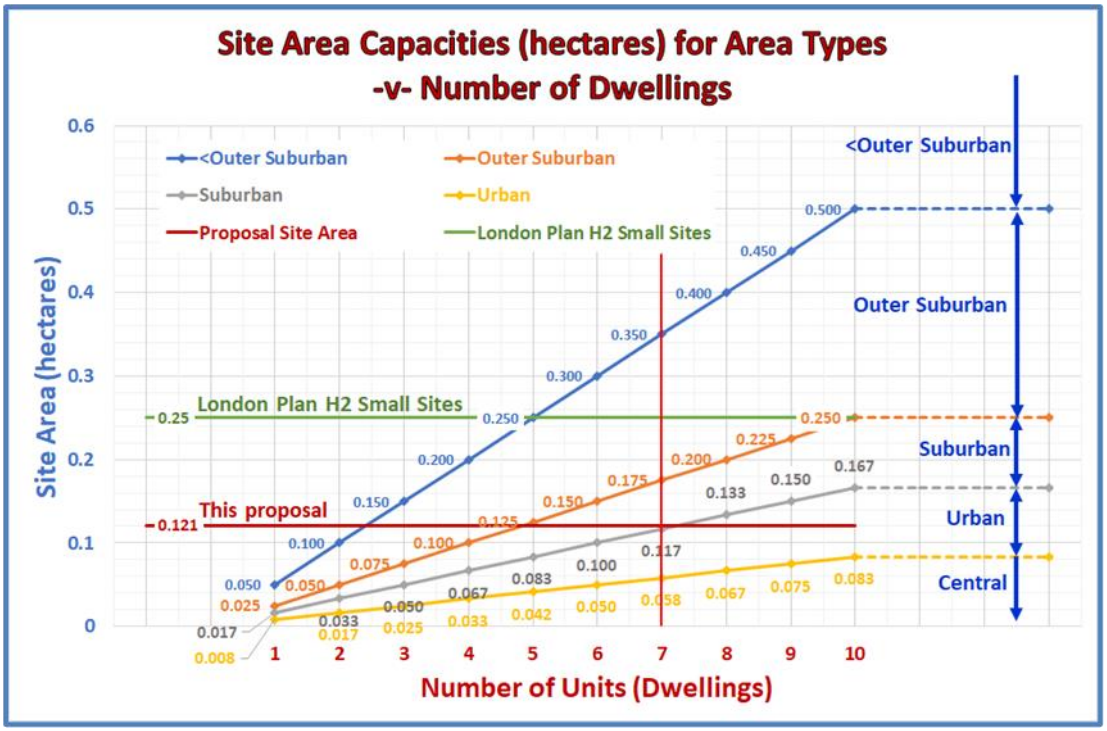
Indicative Site Capacity assessment for Site Area 0.121ha for the proposal at 21 Woodmere Gardens at various Area Type Settings.

3.4.10.5 We have endeavoured to encompass all requirements as a summation and have estimated the proportion of **Site Area** retained for **Garden (UGF)** use. This assessment reflects the summation of requirements and the character of the **Area Type** of the proposal and shows that the proposal would be more suitable in an **Urban Area Type setting.** For the actual **Post Code location of CR0 7PL** at (less than) **<Outer Suburban Area Type** would be deficient by **817.25sq.m. ≈0.0817ha; a 67.54% deficiency**. This assessment indicates that the proposal exceeds the **Site Capacity** available for an **<Outer Suburban Area Type** at the **Post Code (CR0 7PL)** thus failing **London Plan Policy D3 Optimising Site Capacity by the Design Led Approach.**

3.4.11 **Area Type Site Capacities**

3.4.11.1 The **National Model Design Code & Guidance** provides ranges of **Densities** for each **Area Type** which can be used to determine **Site Area** requirements for the number of **Units** (Dwellings) to be within that **Area Type range**.

3.4.11.2 The '**Site Capacity'** has been exceeded for the **Area Type** Setting of ***(less than)* <Outer Suburban** as defined by the **National Model Design Code & Guidance** as shown below and further clarified by the Graphical illustrated below.



Area Type Site Capacities as defined by the National Model Design Code & Guidance

The Site Area of **0.121ha** at **<Outer Suburban Area Type** has a maximum number of Units (Dwellings) is given by:

$$0.121 = \left(\frac{0.5}{10}\right) * x \ \therefore \ x = \frac{0.121}{0.05} = 2.42 \approx 2 \ dwellings$$

Similarly for **0.121ha** at **Outer Suburban Area Type** has a maximum capacity of:

$$0.121 = \left(\frac{0.25}{10}\right) * x \ \therefore \ x = \frac{0.121}{0.025} = 4.84 \approx 5 \ dwellings$$

3.4.11.3 This indicates that an **Area Type <Outer Suburban** for a proposal of **7 Units** would require a **Site Area** of at least **0.350ha** which indicates the proposed development **Site Area** is **deficient** by **0.229ha**.

3.4.11.4 The above analysis and Graphical illustration for a **Site Area of 0.121ha** clearly shows a **Site Capacity** for an **<Outer Suburban Area Type** is limited to **≈2 Dwellings** and at **Outer Suburban Area Type**, is limited to **≈5 Dwellings,** when the proposal is for **7 Dwellings** which would require the near **maximum** of a **'Suburban' Area Type** when the **PTAL** of the **Area** at **PTAL Zero** would require a **lower Density** to compensate for low level of supporting **Infrastructure** and **PTAL accessibility**.

3.4.12 **This analysis by the indicative spreadsheet and graphical illustration provides further clear evidence to support the Dismissal of this Appeal.**

3.5 Appellant's Grounds for Appeal 7 d) to e).

3.5.1 Para 7 The policy context for assessing the development proposal is predicated on the following principles all of which support the appeal proposal:

3.5.1.1 Para d). ***"London Plan Policy D3*** *confirms that in locations which do not have a high* ***PTAL*** *incremental densification should be actively encouraged to achieve a change in densities in the most appropriate way."*

3.5.1.2 Para e). *"**London Plan Policy H2** 'Small Sites' states that 'Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making and that they should 'recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites'. The proposed development qualifies as a small site and the policy therefore supports the application."*

3.6 MORA Response to Appellant's Grounds Para 7 d) & e)

3.6.1 The actual wording of **Policy D3** States:

3.6.1.1 *"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**. Where these locations have existing areas of high-density buildings, expansion of the areas should be positively considered by Boroughs where appropriate. This could also include expanding Opportunity Area boundaries where appropriate."*

3.6.1.2 ***"C In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 Small sites."***

3.6.2 The actual wording of **Policy H2 Small Sites** states:

3.6.2.1 ***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.***

3.6.2.2 The location of **21 Woodmere Gardens** is:

- Not well connected to Jobs, Services or Infrastructure or amenities other than Open Land.
- Nor is it well connected to Public Transport at Zero PTAL.
- Nor is it within Policy D2 Infrastructure Requirements for sustainable Densities.
- It is not and nowhere near the Croydon Opportunity Area.
- It is > 800m from a Tram or Train Station (960m Line of sight) and >800m from a District Centre (Shirley is designated a Local Centre in the Croydon Local Plan 2018)).

Google Image of 21 Woodmere Gardens and the circular Radius of 800m does Not include a Train/Tram Station or a District Centre

3.6.2.3 Therefore, the location is clearly inappropriate for **incremental intensification**, and only appropriate for ***"gentle Densification"*** suitable for evolution within the existing **infrastructure Capacity**. We are confident that the **significant** increases in **Housing and Residential Density** for the **local Area Type** exceeds the reasonable **"gentle densification"** for this **Area Type** at **Post Code CR0 7PL** at **<Outer Suburban Area Type** and that **this Appeal should be Dismissed.**

3.7 Appellant's Grounds for Appeal 7 f) to j).

3.7.1 Para f). The proposed development is of high quality and enhances local character and contributes positively to landscape and townscape to create a sustainable community in accordance with Croydon Local Plan Policies SP4.1 and SP4.2.

3.7.2 Para g). The proposals are of high quality and achieve a minimum height of 3 storeys in accordance with Croydon Local Plan Policy DM10.

3.7.3 Para h). The appeal proposal is a technically sound and policy compliant development which has been informed by two rounds of pre-application consultation with the Council and a refusal of a previous scheme which is now subject to appeal.

3.7.4 Para i) The proposed development accords with the development plan, taken as a whole and the National Planning Policy Framework's (the 'Framework') presumption in favour of sustainable development should apply as a result of the proposals' accordance with an up-to-date development plan.

3.7.5 Para j). Material considerations in the form of the Framework lend weight in exercising the planning balance to support a grant of planning permission. The appeal proposal is consistent with paragraph 60 of the Framework in contributing to the significant boost in the supply of new homes that the Government is seeking and as a small and medium sized site which the Framework recognises at paragraph 69 can make an important contribution to the housing requirement of an area and are often built out relatively quickly. In this regard it will also meet the small sites policy (H2) in the London Plan.

3.8 MORA Response to Appellant's Grounds Para 7 f) to j).

3.8.1 Paragraphs 7 f) to h) are mainly subjective statements that cannot be validated or substantiated and therefore we cannot adjudicate their authenticity.

3.8.2 Paragraphs 7 i) is a statement from the **NPPF** as guidance and again this statement is an objective with no measurable definition or quantifiable mechanism for assessment and as such does not contribute to an analysis of compliance. The foregoing MORA evidence clearly indicates that the proposal conclusively fails to meet **National, Regional** and **Local Planning Policies** and guidance of which the Appellant should be clearly aware but is making every effort to misrepresent the case. The proposal definitely does **NOT** accord with the local **Development Plan** or the **National Planning Policy Framework NPPF** and **this Appeal should therefore be Dismissed.**

3.8.3 Paragraph 7 j) has been addressed earlier in this submission which indicates the **Housing Need** in the **Shirley Ward ("Place")** has already been satisfied and targets have currently been met.

4 Summary and Conclusions

4.1 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.**

4.2 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.**

4.3 The Growth Policies as specified in the **Adopted Croydon Local Plan** (2018) or the (draft) **Revised Croydon Local Plan** are fundamentally flawed as they do NOT define a magnitude of ***"Growth"*** in their definitions. There is NO actual mechanistic difference between the different categories of ***'Intensification'*** or ***'densification'***.

4.4 In addition, we have conclusively shown that the proposed development at **PTAL Zero** is greater than **800m** from any **Train** or **Tram Station** or **District Centre** is inappropriate for **"Incremental Intensification"**.

4.5 We have also shown that the proposed development is a significant overdevelopment for the available **Site Area** of **0.121ha** at **PTAL Zero** in this **"<Outer Suburban" Area Type Setting (CR0 7PL)** as defined by the **National Model Design Code Guidance** that the proposed development would be more appropriate in a **"Suburban" Area Type Setting for Housing Density and "Urban" for Residential Density**.

4.6 We have shown that for all the appellant's "Grounds of Appeal" we have provided a quantifiable response which demolishes the appellants vague and subjective statements.

4.7 We therefore urge the Inspector to **Dismiss** this appeal such that the Appellant can reapply with a more appropriate and compliant proposal. *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*. ***An allowed determination would contribute to further loss of confidence in the Planning Process.***

Kind Regards

Derek Ritson

[redacted]
Derek C. Ritson I. Eng. M.I.E.T.
Monks Orchard Residents' Association
Executive Committee – Planning
Email: planning@mo-ra.co

[redacted]
Sony Nair
Chairman MORA
Monks Orchard Residents' Association.
Email: chairman@mo-ra.co