

Mr. James Pocock - Case Officer
The Planning Inspectorate,
Room 3/B,
Temple Quay House,
2 The Square,
Bristol
BS1 6PN.

**Monks Orchard Residents' Association
Planning**

[Emails: planning@mo-ra.co](mailto:planning@mo-ra.co)
chairman@mo-ra.co
hello@mo-ra.co

18th September 2023

TOWN AND COUNTRY PLANNING ACT 1990
Appeal (W) under Section 78
Location: 46 The Glade CR0 7QD
LPA Application Ref: 22/03970/FUL
Appeal Ref: APP/L5240/W/22/ 3312168
Written Representation Close: Extended to 29th September

Dear Mr Pocock - Case Officer

This response has been submitted within the 21 days of the extension from 8th September to Friday 29th September, as agreed by the Casework Team Leader, East 3; to ensure our statutory right for submission, due to the Local Planning Authority (LPA) failing to notify us of the Appeal within 5 days of notification by the Planning Inspectorate, which we greatly appreciate.

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 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. To: planning@mo-ra.co

This is a linked case. The **Lead Case** associated with this linked case has a **separate timetable** and **documents**. The **Lead Case** is available at:
<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3305791&CoID=0>

We have structured this representation on the Appellant's grounds of the Appeal and **LPA's Report contesting the Appeal**. We have responded to compliance to the 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**.

It is our understanding that the Primacy and hierarchy of Planning Policy is:

- The National Planning Policy Framework (NPPF)
- Regional Plans (which were abolished under the Localism Act of 2011 and replaced by a Duty to Co-operate among local authorities)
- The London Plan
- Local Development Plans
- Neighbourhood Plans

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It is also understood that Supplementary Planning Documents and Guidance are weighted below the main Policy Document to which they refer.

Therefore, the **National Model Design Code & Guidance (2021)** is weighted below the **NPPF (2021)** but higher than **The London Plan (2021)** or the **Local (Croydon) Plan (2018)**.

The actual Proposal:



46 The Glade		App Ref: 22/03970/FUL										Post Code		CR0 7QD	
Site Area		Supplied Drawings										Area		Persons	
1020	sq.m.	Bedrooms Density	117.65	b/ha	Floor Area Ratio		0.62		Plot Area Ratio		1.51		ha		
0.102	ha	Residential Density	196.08	bs/ha	PTAL		2011		0		68		(persons)		
322.24	sq.m.	Housing Density	196.08	hr/ha	PTAL		2021		0		24		(Units)		
4		Average Occupancy	39.22	U/ha	PTAL		2031		0		15.89		Housing Density (U/ha)		
			5.00	bs/unit							45.03		Residential Density (bs/ha)		
Unit	Type	Floor	Bedrooms (b)	Bed Spaces (bs)	Habitable Rooms (hr)	GIA (Offered)	GIA (Required)	GIA (Best Practice)	In-Built Storage (Offered) (Note 1)	In-Built Storage (Required)	In-Built Storage (Best Practice)	Amenity Space (Required)	Probable Adults	Probable Children	Play Space (Required)
Unit 1	Terraced M4(2)	Ground	0	0	1	68.0	99.00	110.00	not stated	2.50	3.00	8.00	2.00	1.00	10.00
		First	2	3	3	55.4			not stated						
		Second	1	2	1	34.5			not stated						
Sub Totals			3	5	5	157.9	99.00	110.00	not stated	2.5	3.00	8.00	2	1	10
Unit 2	Terraced M4(2)	Ground	0	0	1	68.0	99.00	110.00	not stated	2.50	3.00	8.00	2.00	3.00	30.00
		First	2	3	3	55.4			not stated						
		Second	1	2	1	34.5			not stated						
Sub Totals			3	5	5	157.9	99.00	110.00	not stated	2.5	3.00	8.00	2	3	30
Unit 3	Terraced M4(2)	Ground	0	0	1	68.0	99.00	110.00	not stated	2.50	3.00	8.00	2.00	3.00	30.00
		First	2	3	3	55.4			not stated						
		Second	1	2	1	34.5			not stated						
Sub Totals			3	5	5	157.9	99.00	110.00	not stated	2.5	3.00	8.00	2	3	30
Unit 4	Terraced M4(2)	Ground	0	0	1	68.0	99.00	110.00	not stated	2.50	3.00	8.00	2.00	1.00	10.00
		First	2	3	3	55.4			not stated						
		Second	1	2	1	34.5			not stated						
Sub Total			3	5	5	157.9	99.00	110.00	not stated	2.5	3.00	8.00	2	1	10
Grand Total			12	20	20	631.6	396.0	440.0	not stated	10.0	12.0	32.0	8.0	8.0	80

Note 1: Built-In Storage Space on floor plans if shown have no dimensions, Also Built-In Storage Space Not mentioned in the Design & Access Statement.

1 Grounds of Appeal

1.1 It is understood that the appeal is in respect of the Council's failure to determine planning application Ref: 22/03970/FUL relating to 46 The Glade, Croydon within the statutory 8-week period which expired on 21st November 2022.

1.2 Appellants "Grounds of Appeal" Para 2.4 states:

"On the expiry date of 21st November, the Applicant also submitted photographic evidence of similar forms of development that exist within the vicinity of the application site, together with alternative plans to show a reduction in the scale and massing of the houses, with a revised design and external appearance, and new parking and landscaping arrangements. The Council has received these submissions, but the Planning Officer has not acknowledged or engaged with the Applicant in a pro-active way to move this scheme forward. Hence this appeal against non-determination."

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- 1.2.1 The only amended drawings provided for **Ref: 22/03970/FUL**, available for access on the **LPA Public Register** subsequent to the application pack on the 26/27th September 2022 were the list of plans, drawings & documents, and the appellant's grounds of appeal on 30th November 2022. A Case Officer's Report for the **Delegate Committee (6 January 2023)** on the Public Register on **25th January 2023**, based on the **unamended** proposal as the amended documents were **NOT** uploaded onto the **Public Register** until **28th July 2023**. No revised designs or amended external appearance details or new parking or Landscaping were available on the Public register until 28th July 2023.
- 1.2.2 The Site & Ground Floor Plan Drawing No. 37 D Job **#3271** Dated **August 2022** was revised to Drawing **#45** dated **November 2022**. The changes brought **Unit 2** in line with **Unit 3** and the Disabled Parking space was moved from the front of **Unit 2** to the Front of **Unit 3** and arranged parallel to the road. The in-line **Parking bay 4** was lost to a new **pedestrian footpath** entrance.
- 1.2.3 The Appellant's comment *"to show a reduction in the **scale and massing** of the houses, with a revised design and external appearance, and new parking and landscaping arrangements. ..."* with a loss of one parking space, were a **material change to the proposal** that changed the configuration and roof form but NOT the overall GEA footprint Area.
- 1.2.4 Therefore, the amended documents provided changes to 'the proposal' which had additional implications which were not addressed. The amendments could NOT support the remainder of the proposal. The **Housing Density** and accommodation schedule were not amended. The changes to the Roof Form from the initial proposal provides an indication that the original drawing #40 Revision 'A' dated September 22 indicated a Gable Roof Form but the amended drawings #46 * indicated a Hipped roof Form.



Amended Drawings Roof Form changed from Gable to Hipped

- 1.2.5 The hipped Roof Form is a material change to the proposal and would preclude acceptable accommodation in the roof space for **Units 1 and 4** which would modify the **accommodation schedule** and the **Residential Density**, but this implication has not been addressed in the amended drawings or other supporting documents. It seems these amendments were an afterthought which was the subject of a subsequent proposal.



- 1.2.6 The amended drawings were more in keeping with the **subsequent** application **Ref: 22/05049/FUL** validated on **Fri 03rd February 2023** and **refused on 30th March 2023** which is now the subject of a separate **Appeal Ref: APP/L5240/W/23/3321539** for which we have already submitted our representation to the Planning Inspectorate on **6th September 2023**.
- 1.2.7 The Amended Drawings showing **Hipped Roofs** for **Units 1 and 4** therefore have implications on the provided accommodation for **Units 1 and 4** as the Accommodation in the roof space would not be acceptable. These amended drawings are **unacceptable material changes** to this proposal as they fundamentally change the parameters of the proposal.
- 1.2.8 The provided floor plans show a **double bed** in **Bedroom #1** ($\approx 13.24\text{sqm} > 11.5\text{sqm} \therefore 2 \text{ persons}$) in the second-floor roof space, the **First-floor Bedroom #2** ($\approx 13.68\text{sqm} > 11.5\text{sqm} \therefore 2 \text{ persons}$) i.e., **2 single Beds** and **Bedroom #3** ($\approx 11.31\text{sqm} < 11.5 > 7.5 \text{ sqm} \therefore 1 \text{ Person}$) **single Bed** which totals **5 person/Unit**; Totaling **20 bedspaces** for the proposal.
- 1.2.9 As the amended drawing for **Units 1 & 4** would **NOT** accommodate the second-floor bedspaces in the roof space, the total number of bedspaces for the development would be reduced to **16**. Therefore, the proposal as amended is **NOT** now a valid proposal as it would **NOT** provide the **20 bedspaces** of the unamended proposal. We have therefore only commented on the **original proposal**, the **Case Officer's Report** to the **Delegate Business Meeting** of **6th January 2023** and the **Appellant's undated "Grounds of Appeal"** uploaded on the Council Register on **30th November 2022**.
- 1.2.10 It is our understanding that each application proposal is assessed on its own merits and its suitability within the **Area Type** of the locality into which it is destined. It is also understood that Planning Policies are revised over time and what may have been considered acceptable previously may not necessarily be appropriate or acceptable at the time of a new proposal. Thus, precedents are time limited and if precedents are used as reason for disregarding Policies, those Policies could never be enforced and progress of Policies could never be enacted, thus stifling progress.

2 Officers Report 6 January 2023 DECISION Appeal Contested - (grounds of appeal)

- 2.1 The proposed development, by reason of the scale, mass and elevation composition and extent of hardstanding and bin storage to the frontage, would result in an unsightly, dominant and imposing form of development which would fail to integrate successfully in townscape terms to the local character and immediate surroundings contrary to Policies H2, D4 and D8 of the London Plan (2021) and SP2, SP4 and DM10 of the Croydon Local Plan (2018).
- 2.2 The proposal by reason of its massing and proximity close to neighbouring properties at nos. 44 and nos. 48 The Glade would result in an intrusive and imposing form of development detrimental in terms of outlook for these surrounding



neighbours and would be contrary to Policies D3 and D6 of the London Plan (2021) and policy DM10 of the Croydon Local Plan (2018).

2.3 The proposed development would lead to pedestrian and highway safety issues due to inappropriate pedestrian and vehicle sightlines, potential parking overspill, tandem car parking spaces, substandard disabled bay allocated to a single unit, impact of the refuse storage facilities on the parking space for unit 1 and failure to demonstrate space for bulky waste, and it therefore contrary to Policies T4, and T6.1 of the London Plan (2021) and Policies DM10.2, DM13, DM29 and DM30 of the Croydon Local Plan (2018).

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

3 MORA Support for the LPA Assessment

3.1 Assessment 1:

3.1.1 The proposed development, by reason of the scale, mass and elevation composition and extent of hardstanding and bin storage to the frontage, would result in an unsightly, dominant and imposing form of development which would fail to integrate successfully in townscape terms to the local character and immediate surroundings.

3.1.2 In order to assess the **reason 1 scale** and **mass** of the proposal against that of the locality, it is necessary to define the **Area Type** and **Design Codes** of the locality to which the proposal relates and compare the **Area Type parameters** with the **parameters** of the proposal. This can be achieved by comparison with the assessment of the Local **Post Code (CR0 7QD) Area Type Design Code** against that of the proposal at **46 The Glade** within that **Post Code**.

3.1.3 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.**"*

3.1.3.1 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)**. 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** in the London Plan



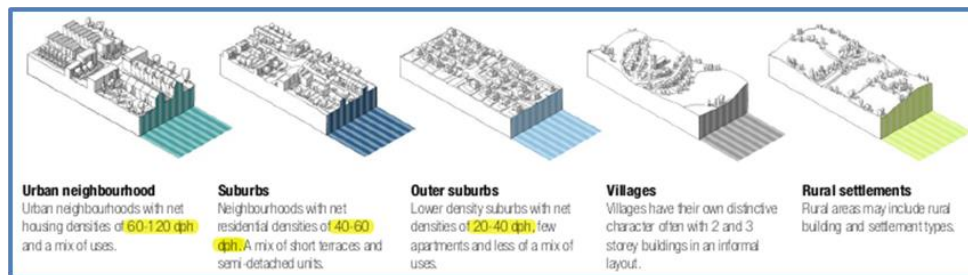
3.1.3.2 The **London Plan Guidance – ‘LPG - Small Site Design Codes’** was published in June 2023 which purports to define four stages to developing **“Area Wide Design Codes”** but the Croydon LPA have NOT engaged with local communities to define **Area Types** nor have they promulgated any guidance on **Local Design Codes**. The Revised version of the Croydon Local Plan (2018) is unlikely to be adopted before **2025**.

3.1.3.3 Thus, there is no defined **local Design Code guidance** for this locality.

3.1.3.4 Therefore, **NPPF para 129** provides the **authority** to use the **National Model Design Code and Guidance** to **“guide”** decisions in the **absence of locally produced guidance**.

3.1.4 **The LUHC National Model Design Code & Guidance¹ Parts 1 & 2.**

3.1.4.1 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 National Model Design Code parameters Definitions for Local Settings

3.1.5 **Local Design Code Assessment**

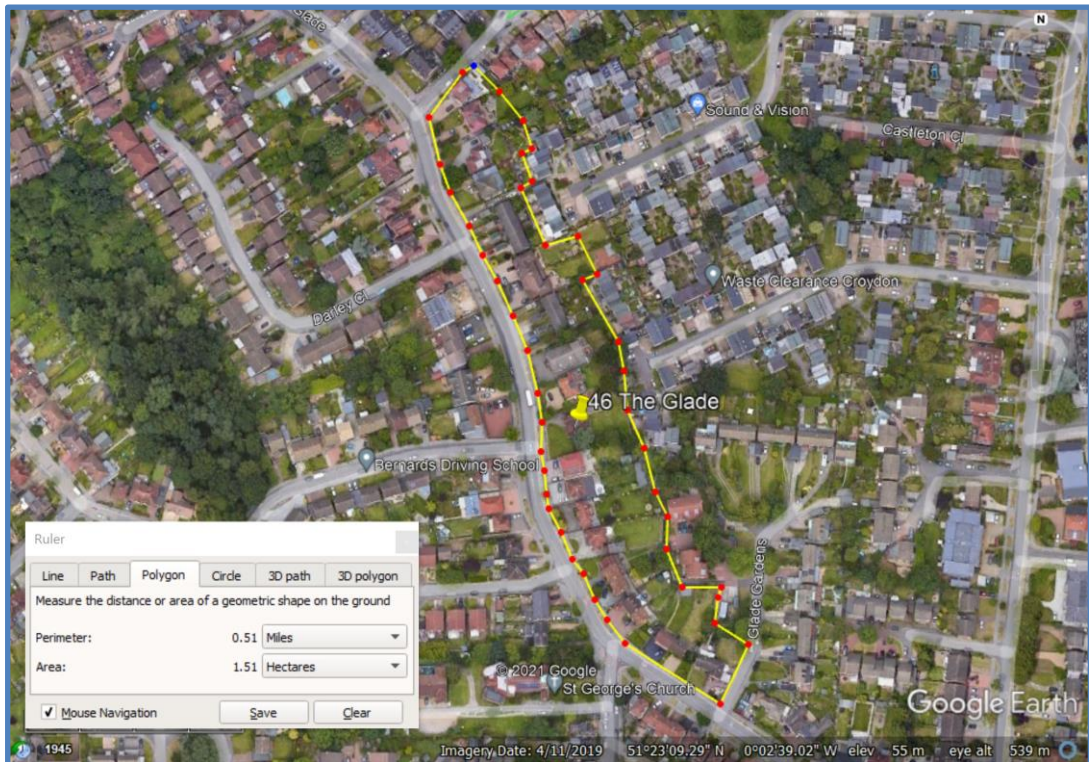
3.1.5.1 The Local **Design Code** assessment requires an analysis of a suitable area which describes the character of the locality. The most suitable for this assessment is the area of the local **Post Code** in which the proposed development will be located.

3.1.5.2 The **Post Code CR0 7QD** covers an approximate area of **1.51ha** as measured Google Earth polygon (see below) and includes numbers **20 to 70 The Glade**. To ensure that our assessment is comparable across the **Shirley North Ward** and our **MORA** coverage, we have been assessing recent **Area Types** and collating the results for comparison with **Croydon** and **Shirley Ward Area Types**.

3.1.5.3 It is clearly established that both **Shirley Wards** (North & South) combined or separate and various **Post Code Areas** within the **Shirley Wards** show that the **Area Types** as defined by the **National Design Code & Guidance** are all within **≤Outer Suburban Area Types**.

3.1.5.4 However, there could be small pockets of higher densities with clusters of Flats or high-rise apartment blocks within some Croydon **Wards** or **Post Code** localities.

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



Google Earth Post Code Area CR0 7QD - 20 The Glade to 70 The Glade showing an approximate Area of 1.51ha

Location	Area (ha)	Population (Not Acc)	Dwellings (Units) (Not Acc)	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. Avg 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 7QY	1.63	85	40	52.02	24.48	Outer Suburban	Outer Suburban	2.13
Post Code CR0 7PB	1.24	40	25	32.26	20.16	<Outer Suburban	Outer Suburban	1.60
Post Code CR0 8UB	1.70	71	30	41.89	17.70	<Outer Suburban	<Outer Suburban	2.37
Post Code CR0 7NA	1.97	36	18	18.27	9.14	<Outer Suburban	<Outer Suburban	2.00
Post Code CR0 7NE	0.83	26	11	31.33	13.25	<Outer Suburban	<Outer Suburban	2.36
Post Code CR0 7NN	0.75	54	28	71.94	37.30	Outer Suburban	Outer Suburban	1.93
Post Code CR0 7RL	1.40	60	24	42.72	17.09	<Outer Suburban	<Outer Suburban	2.50
Post Code CR0 7PX	0.96	21	11	21.81	11.43	<Outer Suburban	<Outer Suburban	1.91
Shirley Oaks Village ^{Note 2}	19.12	1,286	545	67.26	28.50	Outer Suburban	Outer Suburban	2.36
Shirley "Place" ^{Note 1} (Estimate)	770.00	32,995	13,981	42.85	18.16	<Outer Suburban	<Outer Suburban	2.36
Average (Not including Croydon)	135.26	5,404	2,288	41.59	18.36	<Outer Suburban	<Outer Suburban	2.28

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 Nation Model Design Code & Guidance.

3.1.5.5 Assessment of Shirley Wards and Local Post Codes are all found to be 'equal to' or 'less than' (≤) 'Outer Suburban' as defined by the National Model Design Code & Guidance.

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3.1.6 Post Code (CR0 7QD) Design Code Assessment.

Parameters of Post Code 'CR0 7QD' Design Code				
Area Design Code Parameter	Input Parameters		Constrains	
(These parameters auto calc Design Code)				
Post Code	CR0 7QD			
Area of Post Code (ha)	1.51	hectares	Ward	Shirley North
Area of Post Code (Sq.m)	15100	sq.m.	Flood Risks	30yr Surface
Number of Dwellings (Units) (*)	28	Units	Gas	Low Pressure
Number of Occupants (Persons)	68	Persons	Water	N/A
Occupancy	2.43	Person/dwelling	Sewage	N/A
Post Code Housing Density	18.54	Units/ha	HASL (m)	Average 55m
Post Code Residential Density	45.03	Bedspaces/ha	Building Line Set-Back	Various
Area Type (National Model Design Code)	<Outer Suburban	Setting	Set-back Guidance	3 to 6m
(*) Last updated on 26 July 2023				
Design Code Parameters		Min	Max	Measure
Area Type Setting (NMDC)	<Outer Suburban	0	20	Units/ha Range
Equivalent Residential Density (Persons/ha)	<Outer Suburban	0.00	47.20	Persons/ha Range
¹ Based on National Occupancy (2021) persons/Unit				
	<Outer Suburban	<Outer Suburban		
	U/ha	bs/ha		
PTAL (now) Zero	0.00	20.00	47.20	Limits for PTAL
PTAL (forecast 2031) Zero	0.00	20.00	47.20	Limits for PTAL
PTAL Required for Post Code	-0.06		45.03	

Design Code Assessment for Post Code CR0 7QD

3.1.8.1 Application Details.

Application Details			
Application Ref:	22/03970/FUL		
Address:	46 The Glade		
PostCode:	CR0 7QD		
LPA Consultation Close	Sun 30 Oct 2022		
Application Parameters			
Site Area (ha)	0.1020	ha	
Site Area (sq.m.)	1020.00	sq.m.	
Units (Dwellings)	4.00	Units	
Bedrooms	12.00	Bedrooms	
Bedspaces	20.00	Persons	
Gross Internal Area (GIA)	631.60	sq.m.	
Gross External Area (GEA) Footprint			
Housing Density	39.22	Units/ha	
Residential Density	196.08	bs/ha	
Occupancy	5.00	bs/unit	
Gross Internal Area (GIA) offered	631.60	sq.m.	
Floor Area Ratio	0.62	#	
		Min	Max
Area Type Setting (Units/ha)	Outer Suburban	20.00	40.00
Area Type Setting (Bedspaces/ha)	Urban	141.60	283.20
		U/ha	bs/ha
PTAL (Current)	0.00	20.00	47.20
PTAL (Forecast)	0.00	20.00	47.20
PTAL Required (Urban)	3.79		196.08

Application Assessment Details & Area Type Design Codes

3.1.8.2 The parameters to define an **Area Type** are the **Local Area** in hectares, The number of **Units** (dwellings) in that **Area** and the **Number of Occupants** defines the **Housing** and **Residential Densities** and thus the appropriate **Area Type** for that locality.



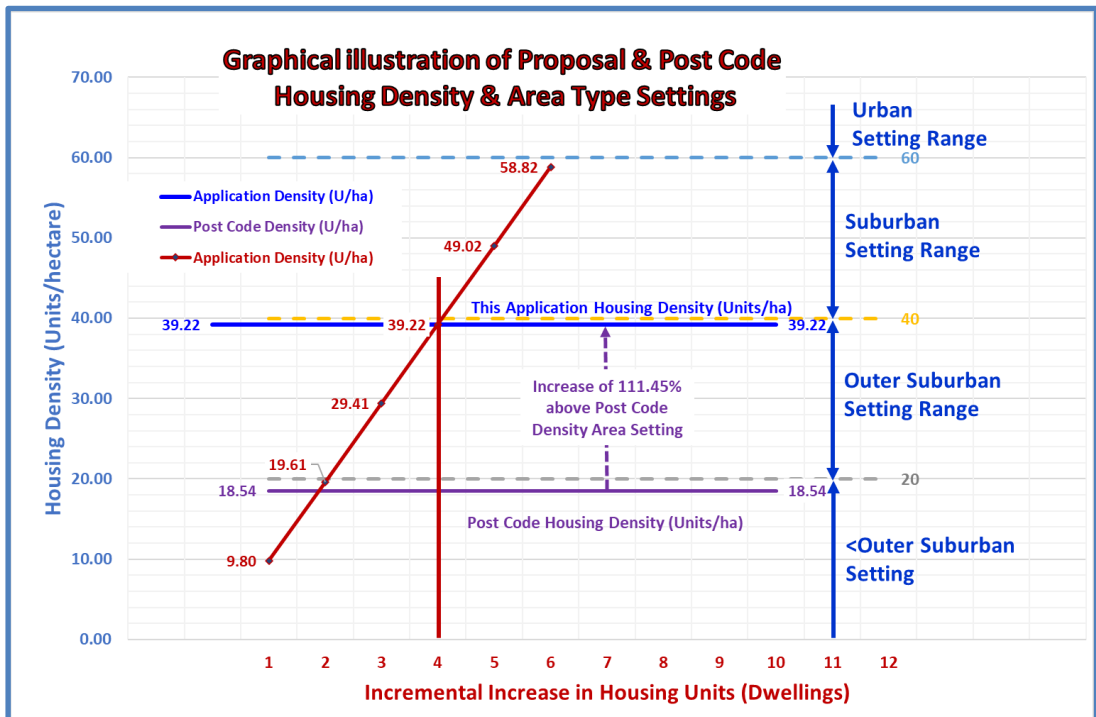
3.1.8.3 The **Valuation Office Agency**² (VOA) Last updated on 26 July 2023 for **Post Code CR0 7QD**, indicates the **Post Code** has **28 Dwellings** with **Area Data**³ Indicating an occupancy of **68 persons**, giving a **Local Design Code Housing Density** of 28/1.51 ≈ **18.54U/ha** and a **Residential Density** of 68/1.51 ≈ **45.03person/ha** which clearly places the local **Design Code** in a (less than) “<Outer Suburban”.

3.1.8.4 **Comparison of Post Code (CR0 7QD) and Design Code of Proposal.**

Difference Between Post Code (CR0 7QD) Design Code & Application Proposal			
Post Code Housing Density (Units/ha)	18.54	Area Type Setting	<Outer Suburban
Application Housing Density (Units/ha)	39.22	Area Type Setting	Outer Suburban
Difference	20.68	#	
Percentage Difference (%)	71.61	%	
Percentage Increase (%)	111.54	%	
Post Code Residential Density (bs/ha)	45.03	Area Type Setting	<Outer Suburban
Application Residential Density (bs/ha)	196.08	Area Type Setting	Urban
Difference	151.05	#	
Percentage Difference (%)	37.35	%	
Percentage Increase (%)	335.44	%	
PTAL available	0.00	<Outer Suburban	
PTAL Required	3.79	Urban	

Table of Comparison between the Area Type Post Code and the Application Design Codes

3.1.7 **Graphical Illustration of Area Type Assessment & Comparison**



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

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

³ <https://www.postcodearea.co.uk/>



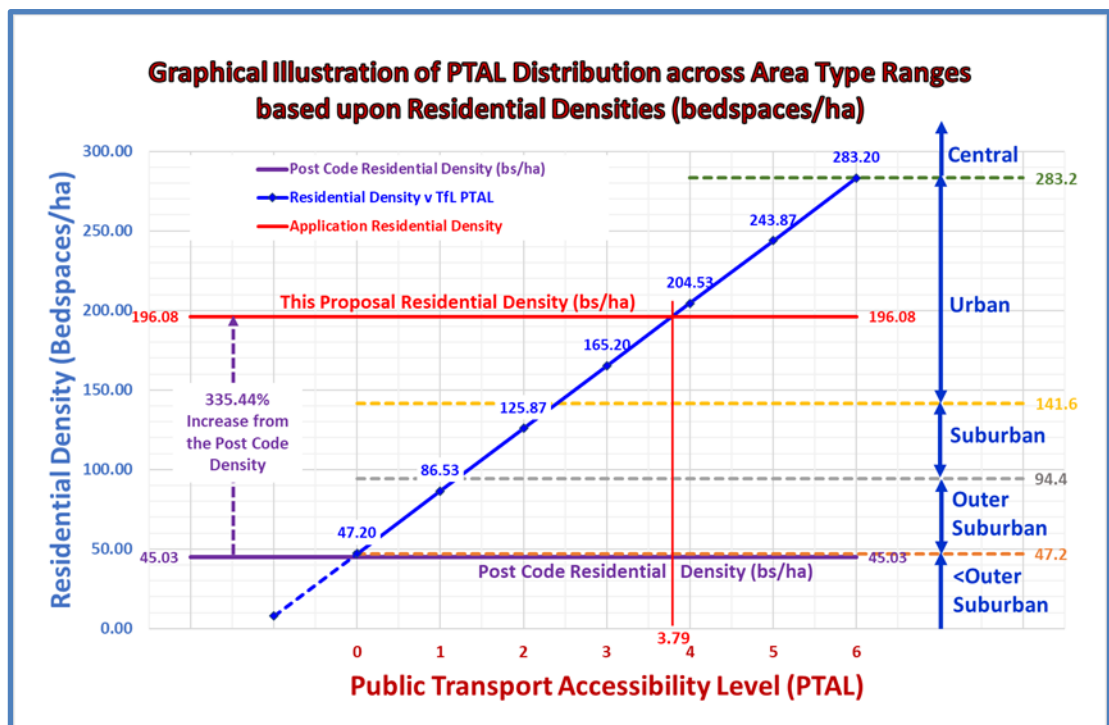
3.1.7.1 This analysis defines the **Area Types** of the **Post Code** and the Application proposal which are definitive as opposed to a subjective character assessment. The comparison provides the evidence to compare **Mass & Scale** of the proposal with that of the local **Area Type** as defined by the **Post Code Area Type Design Code**.

3.1.7.2 The above graphical illustration and tables indicate the '**significant excessive**' increases in **Housing** and **Residential Densities** between the predominant locality as assessed by the **Design Code Densities** of the **Post Code CR0 7QD** and the proposed application at an **111.54%** increase in **Housing Density**.

3.1.8 Residential Density & Public Transport Accessibility

3.1.8.1 The Mayor has decided that the **Density Matrix** in the **London Plan (2016)** should be omitted from the revised iteration dated **March 2021**. This has resulted in the removal of **any guidance or relationship** between **Area Type** Settings, **Residential** or **Housing Density** to **PTAL**.

3.1.8.2 In order to define an appropriate relationship between **Area Type** and **Public Transport Accessibility (PTAL)**, it is assumed that the **PTAL** should incrementally increase in proportion to any local increase in **Residential Density** as it is the number of people in the locality who require access to the service. It is suggested therefore that this incremental increase is **linear** over the range **PTAL 0 to 6** from **Outer Suburban** to **Central** Area Type settings.



Graphical illustration of Residential Density (bedspaces/ha) v Public Transport Accessibility Level (PTAL) showing the required PTAL for proposal



3.1.8.3 The relationship between **Residential Density** as defined by the **National Model Design Code & Guidance** can be determined from the **National Statistic for Unit Dwelling Occupancy**, as the **Area Types** are defined by **National Housing Density**. The National statistics ⁴ (2022) for Unit (Dwelling) Occupancy is **2.36 persons/unit** thus the conversion from **Unit Density** to **Residential density** is **Housing Density x 2.36**. Thus, the **Outer Suburban Area Type Housing Density** at **20Units/ha** $\equiv 20 \times 2.36 = 47.2 \text{ persons/ha}$ and at a **Central Area Type** at **120Unit/ha** $\equiv 120 \times 2.36 = 283.2 \text{ persons/ha}$.

3.1.8.4 This linear incremental increase from **PTAL Zero** to **PTAL 6** provides a methodology of assessing the appropriate proportionate distribution of **PTAL** over **Area Type settings**. The incremental increase in Residential Density v PTAL is given by the Simple Function:

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

Therefore, for the proposal Residential Density of **196.08 persons/ha**, the **PTAL** required is:

$$y = \text{Density} = 196.08 = \left(\frac{120 * 2.36 - 20 * 2.36}{6} \right) x + 20 * 2.36$$

$$\therefore x = \frac{196.08 - 20 * 2.360}{39.33} = 3.7854 \approx 3.79 = \text{PTAL}$$

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

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

3.1.8.5 The **Residential Density** of **196.08persons/ha** is equivalent to the mid-range of an **Urban Area Type** as defined by the **National Model Design Code & Guidance** which would be a **335.44% increase** in **Residential Density**, from that of the local **Post Code Residential Density** of **45.03persons/ha** requiring a **PTAL** of **3.79** when the **local PTAL** is **Zero**.

3.1.8.6 The proposal is within the existing **<Outer Suburban Area Type** as defined by the **Post Code**; However, at a **Residential Density** of **196.08person/ha** would require an **Area Type** in the mid **Urban** range, the **Supporting Infrastructure** would be **inadequate** without planned improvements. It is recognized that the **Shirley North Ward** has absolutely no prospect of infrastructure improvement over the **Life of the Plan**.⁵

3.1.8.7 This is all clear evidence that the proposal is an over development for the locality at Area Type **<Outer Suburban** which does not reflect the **Scale, Massing and Design** of the locality and supports the **LPA's Reasons** for refusal and supports the **Dismissal** of this Appeal.

⁴ <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>

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



3.1.9 Achieving Sustainable Developments

- 3.1.9.1 The Application data assessment provides a **Housing Density** of **39.22Units/ha** which places the proposal within an **Outer Suburban Area Type** setting and a **Residential Density** of **156.86person/ha**, a significant increase on the **Average** for the **Post Code** (CR0 7QD) **Residential Density** of the **Area**.
- 3.1.9.2 As the proposal requires infrastructure appropriate for an **Outer Suburban Area Type** but is actually within an **<Outer Suburban Area Type**, the proposal would conflict with the **NPPF Chapter 2. Achieving sustainable development and the London Plan Policy D2 - Infrastructure requirements for sustainable densities**.
- 3.1.9.3 The Application would present a **Housing Density** of **39.22U/ha** equivalent to the high end of an **Outer Suburban Area Type** within a **Post Code Area Type** of **18.54U/ha** equivalent to an **<Outer Suburban** which would be an **111.54% increase in Housing Density**.
- 3.1.9.4 The Application also presents a **Residential Density** of **196.08persons/ha** equivalent to the low end of an **Urban Area Type** within a **Post Code Area Type** of **45.03bs/ha** which would be a **335.44% increase in Residential Density**, requiring a **PTAL** of **3.79** when the **PTAL** of the locality is **Zero**.
- 3.1.9.5 The proposal is within the existing **<Outer Suburban Area Type** as defined by the **Post Code**; which means the Supporting Infrastructure would be inadequate without planned improvements.
- 3.1.9.6 **This is all clear evidence that the proposal is an over development for the locality at Area Type <Outer Suburban with a proposal that does not reflect the Scale, Massing and Design of the locality. This supports the LPA's Reasons for refusal and supports the grounds to Dismiss this Appeal.**

3.1.10 Site Capacity - Site Capacity London Plan Policy D3

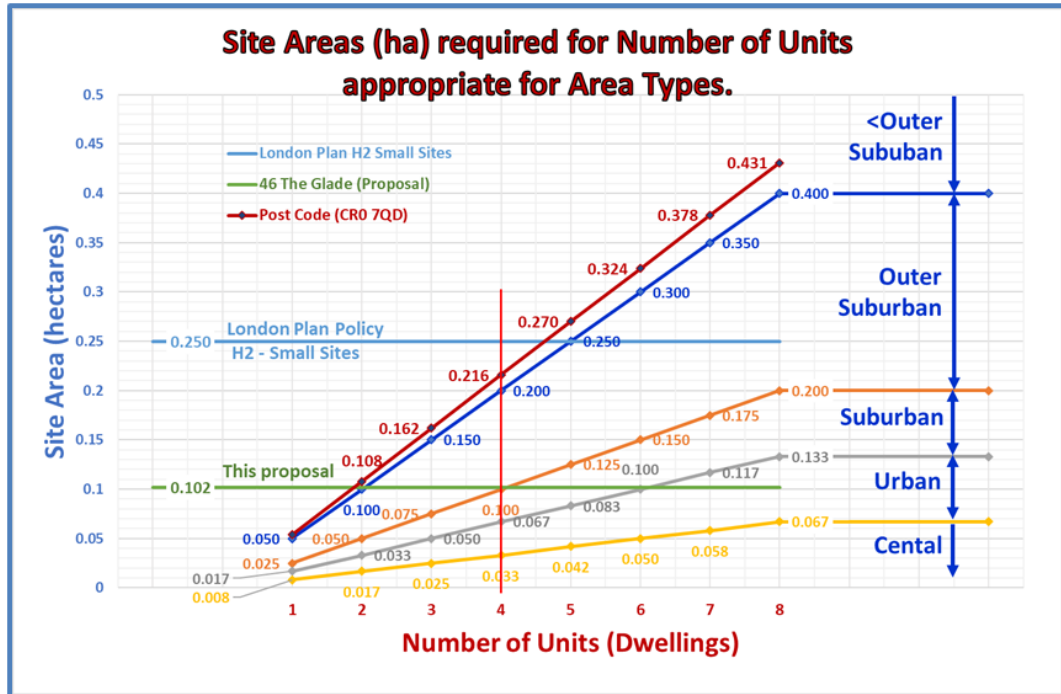
3.1.10.1 Policy D3 - Optimising site capacity through the design-led approach states:

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

- 3.1.10.2 The initial assessment is to determine whether the locality of the proposal is within an area designated for **Intensification** or **densification** and to what scope this is limited by the available **infrastructure**, then to assess the **Site areas** capacity for the number of units which can be accommodated within the **Area Type** parameters.



3.1.10.3 The graphical illustration below plots the incremental **Site Areas** required (in hectares) for the **Area Type** Ranges as defined by the **National Model Design Code & Guidance**. Overlaid are the actual Post Code incremental Site Areas to reflect the existing local areas **Design Codes** (CR0 7QD).



Site Capacity and Site Area in hectares required for Area Types as defined by the National Model Design Code & Guidance

3.1.10.4 The available **Site Area** for the proposal of **4 Units** is **0.102ha**. However, to accommodate **4 Units** in an **<Outer Suburban Area Type**, the **Site Area** should NOT be (less than) $\leq 0.2ha$. The **Site Area** is therefore **deficient** by **0.098ha** for **4 units**. The actual **Site Area** of **0.102ha** can only accommodate **2 Units** and remain in an **<Outer Suburban Area Type**.

3.1.10.5 This is further evidence of **overdevelopment** and inappropriate **Scale & Massing** of the proposal at the proposed location of **<Outer Suburban Area Type** and at **PTAL Zero**. Supporting the LPA's Assessment.

3.1.11 Policy D3 - Optimising site capacity through the design-led approach:

***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.*

3.1.10.1 The Site location is **NOT** well connected to **Jobs, Services, infrastructure** or **amenities** – other than the open space at **Ashburton Playing Fields**. The **PTAL** at the locality is **PTAL 0**. It is **NOT** an area designated an **"opportunity Area"**.



3.1.10.3 The Site Location is **NOT** designated an area of Intensification on the Policies Map.

3.1.10.2 **Therefore, the proposal fails to meet the requirements of London Plan Policy D3 – Optimising Site Capacity through the Design Led Approach Policy “B” as clearly indicated above.**

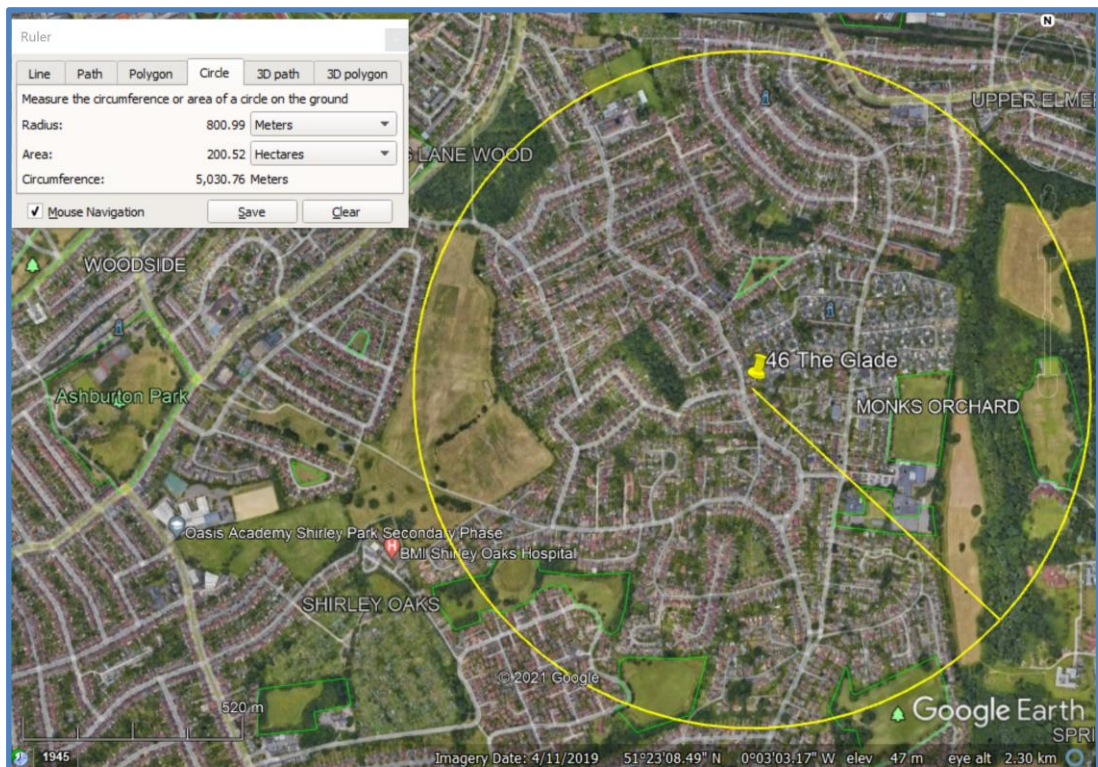
3.1.11 **Policy D3 - Optimising site capacity through the design-led approach states:**

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**.*

3.1.11.1 This Policy is defined in **London Plan Policy H2 Small Sites**:

3.1.12 **London Plan Policy H2 Incremental Intensification Para 4.2.4 States:**

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. This can take a number of forms, such as: new build, infill development, residential conversions, **redevelopment** or extension of existing buildings, including non-residential, buildings and residential garages, where this results in net additional housing provision.*



The Google Image for 46 The Glade indicating location is greater than 800m from a Tram/Train Station and District Centre.

3.1.12.1 The Site location of **46 The Glade** is **NOT** within **800metres** of a **Train** or **Tram Station** and is **NOT** within **800metres** of a **District Centre** and also has **PTAL Zero** i.e., \leq **PTAL 3**



3.1.12.2 Therefore, the proposal fails to meet the requirements of London Plan Policy D3 – Optimising Site Capacity through the Design Led Approach Policy “C” and London Plan Policy H2 para 4.2.4 as clearly indicated above.

3.1.13 Site Optimisation Toolkit

3.1.13.1 The **Site Capacity** required for the proposal can also be evaluated by assessing the site ‘optimisation’ requirements. The **London Plan Supplementary Planning Guidance LPG Optimising Site Capacity – A Design Led Approach**, includes an indicative Toolkit for assessment of **Site Capacity**.

3.1.13.2 However the interactive toolkit in the LPG is mainly targetted for major development projects of varying tenures and not for Small developments as in this case. Nevertheless, the LPG states that Local Boroughs or stakeholders can use alternative methods based upon the LPG principles of assessment as shown below:

Indicative London Plan Policy D3 - Optimising Site Capacity & H2 - Small Site Capacity Calculator:														
Input Parameters App Ref: 22/03970/FUL 46 The Glade (CR0 7QD)														
Site Area (hectares)	Site Area (sq.m.)	Proposal 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.)
0.1020	1,020.00	322.24	10	12.5	12	14	18	1.71	1.25	1.23	0.90	0.53	0.53	0.43
Unit (Type)	Site Area (sq.m.)	Footprint or GEA	Bedrooms (b)	Bedspace (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 Required (sq.m.)	Refuse Bin Storage (Note 2)	Cycle Storage	Car Parking (London Plan)	
Unit 1	1,020.00	80.56	3	5	110	3.00	8	2	3	30	1.36	3.42	21.00	
Unit 2		80.56	3	5	110	3.00	8	2	3	30	1.36	3.42	21.00	
Unit 3		80.56	3	5	110	3.00	8	2	3	30	1.36	3.42	21.00	
Unit 4		80.56	3	5	110	3.00	8	2	3	30	1.36	3.42	21.00	
Totals	1020.00	322.24	12	20	440	12	32	8	12	120	5.44	13.68	84.00	
Proposal	Footprint or GEA	Play Space (included in Garden Area)	Private Amenity Space (Required) (sq.m.)	Communal Amenity Space (Required)	Parking Spaces (sq.m.)	Cycling, Storage (sq.m.)	Refuse Bin Storage (Note 2)	Required Area (sq.m.) including GEA	Available Site Area (sq.m.)	Plot Area Ratio = GEA/Site Area	Floor Area Ratio (GIA/Site Area) (Best Practice)			
Total	322.24	120.00	32.00	0.00	84.00	13.68	5.44	577.36	1020.00	0.32	0.43			
Assessment	Floor Area Ratio = (GEA/Site Area)	Plot Area Ratio = (GEA/Site Area)	% Site Garden Area (UGF)	Site Area available (sq.m.)	Garden Area (UGF) (sq.m.) (Note 1)	Required Area (sq.m.) including GEA	± Indicative Site Area	% Site Capacity						
<Outer Suburban	0.25	0.125	100.0%	1020.00	868.00	577.36	-425.36	-41.70%						
Outer Suburban	0.375	0.25	75.0%	1020.00	613.00	577.36	-170.36	-16.70%						
Suburban	0.5	0.375	50.0%	1020.00	358.00	577.36	84.64	8.30%						
Urban	1	0.5	25.0%	1020.00	103.00	577.36	339.64	33.30%						
Central	2	1	0.0%	1020.00	-152.00	577.36	594.64	58.30%						

Note 1: Private Amenity Space and Play Space required is included in the overall requirement but deducted from the Garden Area (UGF) (if the Area Type has no Garden Area, 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.

Interactive indicative Site Capacity calculator for 46 The Glade.

3.1.13.3 We have prepared an **interactive spreadsheet** as shown above. The assessment of the indicative **Site Area** required is by summing the **total requirements** of the proposal and based upon the **Area Type** character (**Floor Area & Plot Area Ratios** and the assessed local **Urban Greening Factor [UGF] - Garden areas**) of the **Area Type** to establish whether the requirement can actually be contained within the available **Site Area**.

3.1.13.4 This detailed assessment as tabulated above clearly provides a valid analysis (as there is no equivalent guidance in the Croydon Local Plan) of the proposal’s requirements at the **Site Area Type locality** within the character of the **Post Code**



CR0 7QD at an **<Outer Suburban Area Type** which concludes the **Site Area** is inadequate for the **proposal** and the proposal should therefore be **refused (or Dismissed on Appeal)**.

3.1.13.5 **The assessment** indicates the **Site Capacity by this assessment** is **deficient by 425.36sq.m.** which equates to a **deficiency of 41.70%** for the proposal within this **Post Code <Outer Suburban Area Type**.

3.1.13.6 Based on our assessment, to meet the required **Policies** and **respect** the character of the **Area**, the **Site Area** would need to be at least **425.36 sq.m.** greater than that available to accommodate the proposal. **The offered proposal on this Site Area of 0.102ha** would require the **Area Type** to be within a **Suburban Area Type setting**. This is further evidence of **Over Development** of the **Site capacity**.

3.1.14 **Croydon Plan Growth, Densification & Intensification Policies.**

3.1.14.1 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**', '**current 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*. In fact, the Policy is quite "**meaningless.**"

3.1.14.2 The Current **Croydon Plan** Policy for "**Growth**" is set out at **Table 6.4** and para **6.58**.

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.*

3.1.14.1 **Conversion** – *The conversion or subdivision of large buildings into multiple dwellings without major alterations to the size of the building.*

3.1.14.2 **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.*

3.1.14.3 **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.*

3.1.14.4 **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.*

3.1.14.5 **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.***



3.1.14.3 The proposal **Site Location** is **NOT** designated as an area suitable for ‘**intensification**’ on the **Croydon Plan Policies Map**. For redevelopment para **6.58 e)** there is no guidance on the level of increase in **Density** or **Massing** other than remaining within the “*Broad parameters of the local character...*” which in **National Model Design Code & Guidance** terms is interpreted as remaining within the current **Area Type** i.e., **<Outer Suburban** when the proposal would increase the **Density** and **Massing** to the higher end of next higher **Area Type** of **Outer Suburban**.

3.1.14.4 **The street scene** is **irregular** as compared to the **established street scene** with a deviation in the **established building Line**. 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**’. A consistent approach to building line in an area type or street type helps to give it a coherent identity. **Thus, the proposal fails to meet the Croydon Plan Policy para 6.58 e).**

3.1.15 **Conclusion Assessment 1:**

3.1.15.1 We have conclusively shown that the proposal has an unacceptable increase in **Housing Density** over that of the surrounding locality in which the proposal is located, which is undisputable evidence of excessive **Scale** and **Massing**, which conclusively supports the **LPAs Assessment 1**. This is also conclusive clear evidence to support a **dismissal** of this Appeal.

3.2 **LPA Assessment 2:**

3.2.1 The proposal by reason of its massing and proximity close to neighbouring properties at number **44** and number **48 The Glade** would result in an intrusive and imposing form of development detrimental in terms of outlook for these surrounding neighbours.



Elevation of the proposed development at 46 The Glade

3.2.2 The original submission, which is assumed the subject of this appeal, had **Gable roof form** as shown above.

3.2.3 The Rear elevation was NOT provided therefore the Front elevation has been assessed assuming the approximate position of the rear ground floor windows of the adjacent properties to assess the **Vertical 45-Degree projection**.



3.2.4 The Croydon Supplementary Planning Guidance **SPD2** was **revoked at Cabinet in June 2022**. However, the **London Plan Guidance – Small Site Design Code** was initially published for consultation in **February 2022** and the final version published in **June 2023**, included the 45-Degree Vertical and Horizontal rear building line projection Rule. Therefore, the **policy guidance** was in the **public domain** prior to the validation by the **LPA** of this proposal and **prior** to the provision of the **amended documents**.

3.2.5 **LPPG para 4.1.11:** *When setting design codes for **buildings** or extensions that extend **beyond a rear building line**, parameters should be set to ensure that there is **no unreasonable impact on the amenity of neighbouring homes in relation to daylight, sunlight, and privacy**.*

3.2.6 **The proposal extends beyond the Building line for both 44 and 48 The Glade**

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

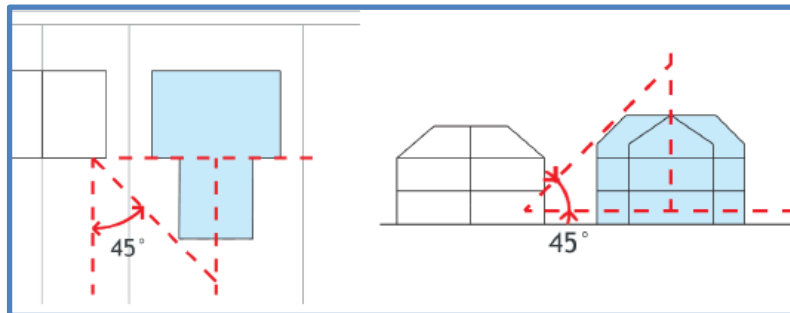


Figure 4.6 - Example code for rear building line projection of dwellings in a semi-detached character type (such as Metroland Estate)

3.2.8 **Conclusion Assessment 2:**

3.2.8.1 We believe the failure to meet the **London Plan Planning Guidance, Small Site Design Codes “building line projection”** at para 4.1 onward which provides **equivalent requirements to the revoked SPD2**, has shown that the proposal is **Overbearing** and fails to meet the **45 Degree Rule (Vertical)** to both adjacent dwellings.

3.2.8.2 We are of the view that this failure supports the **LPA Refusal 2** and is further reason for a **Dismissal** of this Appeal.



3.3 Assessment 3:

3.3.1 The proposed development would lead to pedestrian and highway safety issues due to inappropriate pedestrian and vehicle sightlines, potential parking overspill, tandem car parking spaces, substandard disabled bay allocated to a single unit, impact of the refuse storage facilities on the parking space for unit 1 and failure to demonstrate space for bulky waste.

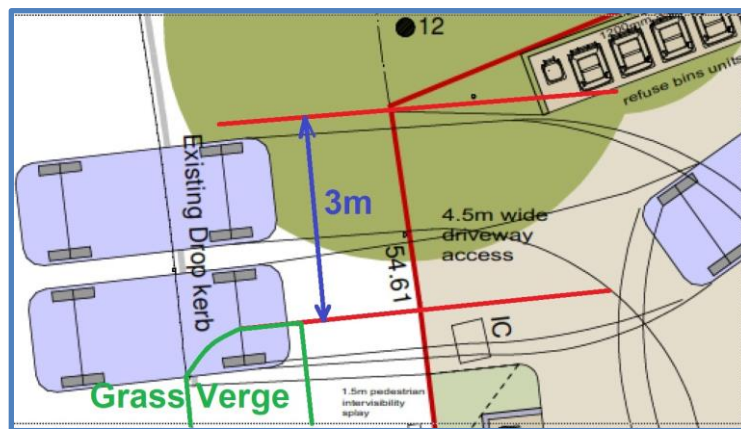
3.3.2 Pedestrian Access & Access Sight Lines

3.3.2.1 The Pedestrian Access shares the entrance with the access Drive for vehicles which is unhelpful and places pedestrians at hazard.

3.3.2.2 The Parking shows two bays #4 in tandem which is an unacceptable parking arrangement.

3.3.2.3 The access drive has no sight lines to the right when exiting the driveway. The height of the boundary fence is not given to ensure that sight line visibility could be achieved.

3.3.2.4 The amended drawings would provide a separate access path for pedestrians, but these amended drawings are considered to be inappropriate for other reasons previously mentioned in this submission. **The Appeal relates specifically to the proposal as submitted.** We have **NOT** considered the materially amended drawings for reasons set out above.



Extract from Site Layout Ground floor Plans provided showing Access.

3.3.2.5 The vehicle access shown on the proposed **Site Layout Ground Floor Plans** indicates the actual width available is limited to **3 metres** to avoid mounting the Grass Verges⁶ on the Southern side of the access. The dropped kerb is **8metres** but is shared with **#44 The Glade**. Approval for a vehicle crossover will not be given where its construction requires a part of a grass verge (the verge being 1.5m in width or more), **to be removed**. The removal of part of the verge will have an adverse effect on the street-scene, biodiversity, drainage and visual amenity of the road.

⁶ https://www.croydon.gov.uk/sites/default/files/2021-03/Highway_Vehicle_Crossover_Guidelines%28rev%29.pdf



3.3.2.6 The Design and Access Statement at Vehicle Access states:

“Vehicle access to the dedicated car parking area is via a drop kerb off The Glade. The existing drop kerb will be widened to accommodate the amended entrance width.”

This is **NOT** shown on the Plans provided.

3.3.2.7 The Site Layout and Design and Access Statement do not indicate any boundaries or separation of Unit ownership of the front forecourt. As the future tenures are not indicated, the responsibility of maintenance and upkeep of the forecourt is a concern.

3.3.2.8 **Local Plan** and the **London Plan** recommend **1.5 spaces per dwelling for >3 Bedroom Parking & Accessibility** at Outer London Boroughs with **PTALs Zero**. This equates to a recommended quota of **6** Parking Spaces required.

3.3.3 Refuse & Recycling

3.3.3.1 The **Croydon Local Plan Policy DM13: Refuse and Recycling** states:

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

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

3.3.3.2 The proposed development **Refuse & Recycling Bin Stores** are forward of the **Building Line** and are visually intrusive and compromise the shared forecourt amenity space and are therefore non-compliant to **Policy DM13.1 a)**.

3.3.3.3 The **Bin Stores** are positioned too near Vehicle Parking Bays and could cause damage to parked vehicles when depositing waste or recycling material and thus non-compliant to **Policy DM13.1 d)**.

3.3.3.4 There is no allocated space for **“Bulky Waste”** and therefore the proposal is non-compliant to **Policy DM13.1 c)**.

3.3.4 Conclusion Assessment 3:

3.3.4.1 We believe the failure to meet the **Croydon Local Plan (2018) Policy DM13.1** is reason for the LPA proposal refusal and additionally provides adequate reason for a dismissal of this Appeal.

3.3.4.2 We are of the view that this failure supports the **LPA assessment 3** and is further reason for a **Dismissal** of this Appeal.



3.4 Assessment 4:

3.4.1 Insufficient information has been provided to demonstrate that the proposed sustainable drainage strategy would adequately mitigate flood risk from the site in a sustainable fashion, contrary to Policy SI13 of the London Plan (2021) and Policies SP6.4 and DM25 of the Croydon Local (2018).

3.4.2 We have no further constructive comment on the LPA Assessment #4.

4 Additional Reasons for Dismissal of this Appeal

4.1 Sustainability

4.1.1 NPPF Chapter 2 relates to sustainable Developments and Chapter 9 to Sustainable Transport.

4.1.1.1 Chapter 2: Achieve Sustainable Development

a) 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.

4.1.1.2 Chapter 9: Promoting sustainable transport.

a) Transport issues should be considered from the earliest stages of plan-making and development proposals.

b) The fundamental requirements for Sustainable Developments require that the appropriate physical infrastructure is available at the site of the proposed developments and the social and connectivity requirements are available for future occupants for the life of the development.

4.1.1.3 For redevelopment it is reasonable to assume the physical infrastructure is defined by the existing **Area Type** Design Code to which we refer earlier in this submission to support the **Housing Density**. The Social and connectivity requirements need to support any increase in population as defined by the Residential Density resultant from the proposed development.

4.1.1.4 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 and the **Accessibility Level** to Public Transport. This provided ranges of acceptable **Residential Density** according to the available **PTAL** and its **Area Type Setting**.

4.1.2 The Applicant's Public Transport Statement 22 September 2022 at Para 3.10 & 3.11.

4.1.2.1 *Para 3.10 "Public Transport Access Level PTAL ... are ranked between 1 and 6 (with sub-divisions of 1a & 1b and 6a & 6b), with 1 representing areas with low accessibility ..."*

4.1.2.2 *Para 3.11 The Site is located in an area that has a PTAL rating of 1a. which needs to be reviewed in context of locations within London ... Appendix A.*



4.1.2.3

Both these statements are INCORRECT The Applicant's Transport Statements at Paras 3.10 & 3.11 indicate the "TfL PTAL range to be **1 through to 6b**" which is **NOT correct**. The TfL WebCAT ⁷ has a Range of Zero **'0' through to 6b** and the location of 46 The Glade is PTAL **Zero** NOT 1a. This scale is also shown on the Map key – PTAL screen.

Address or co-ordinates
46 The Glade, Croydon, UK

Access level (PTAL) Time mapping (TIM)

PTAL: a measure which rates locations by distance from frequent public transport services.

Map key - PTAL

0 (Worst)	1a
1b	2
3	4
5	6a
6b (Best)	Change from base year

Map layers
PTAL (cell size: 100m)

Scenario
2031 (Forecast)

Highlight locations where PTALs have changed from Base Year

PTAL output for 2031 (Forecast)
0

46 The Glade
46 The Glade, Croydon CR0 7QD, UK
Easting: 536208, Northing: 166999

Address or co-ordinates
CR0 7QD

Access level (PTAL) Time mapping (TIM)

PTAL: a measure which rates locations by distance from frequent public transport services.

Map key - PTAL

0 (Worst)	1a
1b	2
3	4
5	6a
6b (Best)	

Map layers
PTAL (cell size: 100m)

Scenario
Base Year

Highlight locations where PTALs have changed from Base Year

PTAL output for Base Year
0

CR0 7QD
The Glade, Croydon CR0 7QD, UK
Easting: 536203, Northing: 167020

The TfL WebCAT for BOTH 46 The Glade & the Post Code CR0 7QD return PTAL ZERO "0".

⁷ <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>



4.1.2.4 However, the search of the TfL WebCAT⁸ on input of **46 The Glade** returns **Zero (0) PTAL at Base Year 2011, & 2021 & Forecast 2031** and returns grid reference (*Easting: 536212, Northing: 167004*) which are different to those given at Appendix A of the Transport Statement.

4.1.2.5 **This indicates the Applicant has moved the location on the search as indicated on the WebCAT to select a slightly westward & southward position in order to indicate a more advantageous Higher PTAL of 1a.**

4.1.2.6 There is a note on the WebCAT which states: *“you can Click anywhere on the map to select a location”*. **But why would you want to do such, other than to modify the PTAL assessment to give the impression that the location has a HIGHER PTAL than is actually available? This is extremely unprofessional!**

4.1.2.7 Resultant on the unprofessional analysis of the author of the Public Transport Statement dated 22 September 2022, we have concluded that we have **“NO CONFIDENCE”** in the remainder of the report and thus have ignored its findings and its conclusions.

4.2 Housing Need

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

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

4.2.3 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**.

4.2.4 The FOI Response indicates:

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

⁸ <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat?Input=46%20The%20Glade%2C%20Croydon%2C%20UK&locationId=ChIJH7h7rVUAdkGRePS6jfuACpc&scenario=2031%20%28Forecast%29&type=Ptal>



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

Response to FOI Request (Ref: 4250621)

- 4.2.5 Analysis of the recorded data shows over the ‘three’ full years 2018 to end of 2020, the **Net Increase in Dwellings for Shirley = Shirley North Ward + Shirley South Ward = 55 + 102 + 69 = 226 ≈ 75 per yr.** (However, this is **NOT The Shirley “Place”** at **≈770ha** but the net increase for the **Shirley North [327.90ha] + Shirley South Wards [387.30ha]** total of **715.20ha**) a difference of **54.8ha**.
- 4.2.6 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 for the Whole of the Shirley “Place” (≈770ha FOI response)**.
- 4.2.7 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.***
- 4.2.8 The Build rate delivery of dwellings for **all Shirley** is averaging at **55 + 102 + 69 = 226 ≈ 75.33 dwellings per year**, so over **20** years the **Net Increase** will be **≈1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The **Target for the Shirley “Place”** at **Table 3.1** of the Revised **Croydon Local Plan** indicates a **Target of 278 dwellings over the period 2019 to 2039**.
- 4.2.9 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**).
- 4.2.10 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**.



4.2.11 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.

5 Summary and Conclusions

5.1 Summarising.

5.1.1 In order for the proposal to provide the **4 Housing Units** accommodation for **20 occupants** the **Housing Density** would need to be **39.22Units/ha**, which is appropriate to an **Outer Suburban Area Type**, and a **Residential Density** of **196.08persons/ha**, which is equivalent to an **Urban Area Type** Setting. The Local Area as defined by the Post Code (CR0 7QD) has a Housing Density of **18.54Units/ha**, which is an **<Outer Suburban Area Type** Setting and a **Residential Density** of **45.03 persons/ha Area Type** Setting, which is also equivalent to an **<Outer Suburban Area Type** Setting.

5.1.2 This equates to an **111.54% increase** in **Housing Density** and a **335.44% increase** in **Residential Density** above the **Area Type Design Code** Densities of the Locality as defined by the **National Model Design Code & Guidance**.

5.1.3 This proposal, therefore, significantly exceeds the available **Site Area Capacity** of **1020 sq.m. or 0.102ha**. For **4 Units** in an **<Outer Suburban Area Type** Setting would require a **Site Area** ≈ or < than **2000 sq.m. or 0.2ha** to meet the **National Model Design Code & Guidance**.

5.1.4 The proposal is also significantly above that considered appropriate for “**Incremental Intensification**” for evolutionary growth as the location has **PTAL Zero** and is greater than **800m** from any **Train/Tram Station** or **District Centre** as specified in the **London Plan para 4.2.4**. The location is therefore inappropriate for ‘**Incremental Intensification**’.

5.1.5 We have shown analytical assessment supporting each **LPA Assessment** reason for a **Refusal** of the proposed development and in each case commented and have provided supporting evidence for a **Dismissal of this Appeal**.

5.1.6 Also, we have provided analysis and assessment of adequate evidence of Additional Reasons for Dismissal of this Appeal, including requirements for **Sustainability, Growth** and **Housing Need**.

5.1.7 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**.

5.1.8 If the Inspector does NOT agree with the **National Model Design Code Guidance** as listed above, we would respectfully request the Inspector provides an alternative assessment with methodology and justification.



- 5.1.9 Local Residents have lost confidence in the Planning Process with the significant number of local redevelopments which, in the majority of cases, disregarded Planning Policies. Once that confidence is lost, it is extremely difficult to regain it.
- 5.1.10 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**.
- 5.1.11 *If this proposal is allowed, it would be absurd to believe that the Planning Policies have any meaningful weight and local residents would be quite correct in their current complete loss of confidence in the Planning Process.*

Kind Regards

Derek



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



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