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**8<sup>th</sup> November 2023**

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TOWN AND COUNTRY PLANNING ACT 1990

Appeal (W) under Section 78

Location: 159-161 The Glade CR0 7QR

LPA Application Ref: 23/00549/FUL

Appeal Ref: APP/L5240/W/23/3325637

Representation Close: 21 Nov 2023

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Dear Nadia Hussain - Case Officer

Please accept this representation from the **Monks Orchard Residents' Association (MORA)** providing analysis and assessment for this **Appeal to be Dismissed** on the grounds as stated in the following submission. The Appeal is against the **LPA's refusal of 28th April 2023 Ref: 23/00549/FUL** for Demolition of two existing bungalows and associated garages, and construction of **5 family homes** with associated parking and cycle storage. The proposal is for two semi-detached and one detached dwelling, at **159 - 161 The Glade Croydon CR0 7QR**.

**The proposal:**



**Proposal facing The Glade**



**Proposal facing Brookside Way**

We have structured this representation on the **Appellant's grounds of the Appeal** and **LPA's Report for a Refusal**. We have responded with reference to whether the proposal complies 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). Further detailed analysis to support the assessment are fully explained at the **Addendum**.

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for a better community**

1 **Reason(s) for Refusal:** The decision notice to refuse the application listed two reasons for refusal:

1.1 **Reason 1:** The proposed development, by reason of scale, massing, elevation composition, bulky roof form, materials, detailing and impact on grass verge would result in an unsightly, dominant and imposing form of development which would fail to integrate successfully in townscape terms or make a positive contribution to the setting of the local character and immediate surroundings contrary to Policies H2, D4, D8 of the London Plan (2021) and SP2, SP4, DM10 of the Croydon Local Plan (2018).

1.2 **Reason 2:** The proposed development lacks an appropriate parking strategy due to the unacceptable nature of the new vehicle crossover along The Glade thereby leading to possible increase in on street parking pressure, and In the absence of a legal agreement, the application does not offer a contribution towards sustainable transport initiatives in the vicinity to alleviate traffic generation created by the development, the proposal would be contrary to Policies SP8 and DM30 of the Croydon Local Plan (2018) and Policy T4, T6 of the London Plan (2021).

## 2 **Analysis of Appellant's Grounds for Appeal**

2.1 The Appellant has indicated in the "Grounds of Appeal" General Introductory statement, that the 'reasons for refusal' are **not** supported by the planning Policies but are a re-interpretation of the policies due to a change of administration. The appellant is assuming that Planning Officers have thus made unprofessional determinations and that precedents set by the previous administration's determinations should be considered when deciding future determinations.

- *"Unfortunately, we contend that since the political changes centred around election of an independent mayor, and the revoking of SPD2 planning officers have arbitrarily reinterpreted application of policy influenced by political pressure."*
- *"The above seems contradictory to the professional guidelines planning officers are required to follow. We accept it is possible some more junior or recently appointed planning officers might be unaware of previous recent approvals, but it must be expected more experienced senior officers, team leaders and above are fully aware of interpretation of policy and they should ensure all applications when considered against Croydon Local Plan 2018 policies are dealt with by a consistent non-partisan process remote from political influence. In precis this means that applications that are broadly similar to those previously approved since adoption of policy in 2018 should also be recommended for approval. It is very apparent that expected and legally required function has changed and has been subjected to political influence."*

2.2 This proposed development **Ref: 23/0594/FUL** was **Received & Validated** by the **LPA** on Monday **13 February 2023**, which was subsequent to the change of administration (May 2022). The **Croydon Local Plan (2018)** was then **4 yrs.** out-of-date, approaching the **5 yearly revision** period advised in the **NPPF** (para 33).

2.3 Since the **Croydon Local Plan (2018)** was adopted, most **National** and **London Plan** Policies have been revised and republished, incorporating new **Policies** which supersede existing **Policies** of the **Croydon Local Plan (2018)**.



2.4 These revised policies have greater weight as they are of higher hierarchical significance than the **Croydon Local Plan (2018)** and also negate any prior precedents, as **not to do so would invalidate the revision and evolution of planning Policies and guidance**. If precedents were to prevail, it would be impossible to improve or evolve planning policies from those originally adopted.

2.5 **SPD2** was formally revoked at **Council** in **June 2022** but the intention for it to be revoked was widely published preceding and after the **May 2022** election of the **Local Councillors** and the elected **Mayor** of the new administration. Therefore, this revocation was in adequate time for the appellant to take due account, prior to submission of this proposal in **February 2023**.

### 3 Appellants Grounds of Appeal

#### 3.1 Appellant's Statements 1 – with reference to Case Officers Report at Para 6.4.

3.1.1 **Statement 1** *"The planning officer statement is **incorrect**. The site is identified as suitable for **incremental intensification** within existing residential areas. The **London Plan** identifies such existing residential areas as within **PTAL 3-6** OR within **800m distance of a station** or town centre boundary. The London Plan 2021 Chapter 4 Housing Policy H1B 2) a) confirms a station is deemed to be a tube, rail, DLR or tram station. The submitted Design & Access Statement includes a section identifying proximity to local facilities and identifies the **Arena Tram Stop as 800m** away from the site. Accordingly, The **London Plan Policies H1 and H2 do apply to this application despite the low PTAL 1b.**"*

#### 3.2 MORA Comment on Appellant's Grounds of Appeal Statements 1 & 2.

3.2.1 We dispute the Appellant's interpretation of the **London Plan Policies H2 Small Sites**.

##### 3.2.1.1 London Plan Policy H2 Small Sites para 4.2.4

- *"Incremental intensification of existing residential areas within **PTALs 3-6** or within **800m** distance of a **station**<sup>47</sup> or **town centre boundary**<sup>48</sup> is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's needs."*

3.2.1.2 Therefore, locations with **PTAL <3** and **>800m** from a **Train/Tram Station** or **District Centre** are **inappropriate** for **"Incremental Intensification"** to meet the **Housing Targets** for **London Boroughs** in **Table 4.2**. The proportion of **Housing Targets** given at **Table 4.2** for the **London Borough of Croydon** are apportioned across the **"Places"** of Croydon.



- 3.2.1.3 The proposal Site is <PTAL 3 at PTAL 1b ≡ numerically 1.33. The policy does not define how the distances should be measured in terms of ‘line-of-sight’ or the actual shortest **physical** travelling distance (*walking*). The proposal has a “**Line of Sight**” distance of **686m** and a “**physically walking distance**” ≈**900m** (i.e.,>**800m**) from the **Arena Tram Stop** and >**800m** from a **District Centre** (Shirley is considered a Local Centre in the **Croydon Local Plan**. It is **NOT** a **District Centre**). (See **Addendum Section 1.2** and **Google Images**).
- 3.2.1.4 Therefore, if the Inspector assumes the distance to the **Arena Tram Station** is within the qualifying distance and thus “**Incremental Intensification**” is considered appropriate, we respectfully request the Inspector defines the actual appropriate ‘**incremental**’ value or percentage appropriate for increased intensification limits within which the **Housing** and **Residential Densities** that can be increased, to remain acceptable within the current **Area Type** Setting and within the current available **supporting infrastructure**, as there is no guidance defined in the policy.
- 3.2.1.5 We suggest that the Inspector assesses whether the Policy infers “**Line of Sight**” or the shortest possible “**physical route**” from the **Arena Tram Stop** as the defining policy and assesses whether the proposal is or is not appropriate for “**Incremental Intensification**” accordingly.
- 3.2.1.6 If considered appropriate for “**Incremental Intensification**”, we request that the Inspector defines the allowable “**magnitude**” or “**percentage**” of “**Incremental**” increase in **intensification** allowable in **Housing** and/or **Residential Density**. It would then be necessary to establish whether the allowable **Incremental Intensification** is within or exceeds the actual increase as a result of the proposal. See **Addendum Section 1**.
- 3.3 Appellant’s Statements 2 – with reference to Case Officer’s Report at Para 6.5 & 6.6.**
- 3.3.1 **Statement 2** “*The Planning submission included a detailed locality character appraisal used to inform the scale, form, and impact on the neighbourhood.*”
- 3.3.1.1 **The Croydon Local Plan (2018) Policies** defining **Design** and **local character** are **DM10**. However, these **Policies of DM10.1 to DM10.10** with regard to **Character** only provide vague objectives. There is no specific guidance as to an appropriate **Density** for **Area Type** settings or available **PTAL**.
- 3.3.1.2 The **New London Plan** (March 2021) has removed the ‘**Density Matrix**’ and thus has removed any defined relationship between **Area Type** setting, **Housing** & **Residential Density** and **PTAL**.
- 3.3.1.3 The new **London Plan** (2021) has replaced the **Density Matrix** with a new concept of a **Design led Approach** which is further Described in **Chapter 3 Design** and specifically, **Policies D1 - D7** but there is insufficient guidance to actually define the boundary or characteristics of an **Area Type** settings related to **Densities** or **PTAL**. These Policies rely on Officers’ subjective assessments which

are subject to personal interpretation. Further clarification of this guidance in the form of Supplementary Planning Guidance (LPGs) were not published until June 2023 which was after this proposal was submitted and validated.

3.3.1.4 However detailed guidance has been published by the **Department for Levelling Up, Communities & housing** (DLUCH) in the form of the **National Model Design Code & Guidance** in January and updated in June 2021. **“This Guidance is Referenced from the NPPF para 128 & 129 which categorically states that:**

- *“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.”*

3.3.1.5 This guidance was available at the time of submission and validation of this proposal. Therefore, in answer to the **Appellant’s Statement 2** we have invoked the assessment of **Area Type** assessment for the locality and the Application which is fully detailed at **Addendum Section 2 - Local Character Appraisal – Area Type Assessment** but summarised herewith.

3.3.1.6 The **National Model Design Code & Guidance** does not provide a method of determining an appropriate **Area** for designation of the **Local Area Type**; therefore, we have assumed the **Area Type** can be assessed on the assumption that the **Local Post Code** would be of an **Area** to provide appropriate parameters to define an **Area Type** for the locality of a proposal.

3.3.1.7 The **Post Code Area CR0 7QR** is approximately **0.41ha** and currently embraces **12 Units** accommodating **17 persons** which equates to a **Housing Density** of **≈29.27units/ha** and a **Residential Density** of **≈41.46bedspaces/ha**. This returns an **Outer Suburban Area Type**. The **PTAL** for the **Post Code CR0 7QR** is **1b**. See **Addendum Section 2 Table 1**.

3.3.1.8 These **ratios** of **Units & Persons** to **hectares** can be compared to the proposed development **ratios** which has a **Site Area** of **0.095ha** with a proposed **5Units** accommodating **33persons** which equates to a **Housing Density** of **≈52.63units/ha** and a **Residential Density** of **≈347.37bedspaces/ha**. This returns a **Central Area Type**. See **Addendum Section 2 Table 2**.

3.3.1.9 The Increase in **Housing Density** is therefore **79.81%** which bridges an **Area Type** from **Outer Suburban** to **Suburban** and an increase in **Residential Density** of **737.84%**. which would require a **PTAL** of **7.63**. See **Addendum Section 2 Table 3**.

3.3.1.10 As the infrastructure provision for the **Post Code CR0 7QR** only supports an **Area Type** **Outer Suburban**, and there is **no planned increase** over the life of the

Local Plan<sup>1</sup>, the proposed increase to support an increase to a **Suburban Area Type** is not available and therefore the proposal is '**Unsustainable**' by definition as required by **London Plan Policy D2 - Infrastructure requirements for sustainable densities**.

3.3.1 **London Plan Policy D2 - Infrastructure requirements for sustainable densities:**

**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)<sup>2</sup>.

3.3.2.1 The **TfL WebCAT** search at **CR0 7QR** returns a **PTAL of 1b** ( $\equiv 1.33$ ) but as the **Density Matrix** has been removed, there is now no defined relationship between **Area Type** setting, **Housing & Residential Density** and **PTAL**.

3.3.2.2 The requirement for **Public Transport** is considered to be proportionately required for the level of **Residential Density** irrespective of **Area Type** and an assessment of **PTAL** across the full Range of **Zero to 6+** should therefore be available to the **Full Range of Area Types** from **Outer Suburban** to **Central Area Types**.

3.3.2.3 This relationship between **Public Transport Accessibility** should be proportionate to the **Residential Density** over the **Area Type** Ranges but the **Area Types** are defined by **Units/ha** which needs to be converted to **Residential Density** units of **persons/ha** for evaluation and assessment.

3.3.2.4 The **National Model Design Code & Guidance** provides **National Housing Density** relationship for **Area Type** definitions. Therefore, using a **National Statistic** for **Unit Occupancy** (ONS or Statista<sup>3</sup>) of **2.36 persons/Unit** we can convert the **Housing Densities** for **Area Type** to equivalent **Residential Densities** by the factor of **2.36**. See **Addendum Section 2.5 & 2.6**

3.3.2.5 Using this conversion, the current **PTAL of 1b** is available at this development site with **Residential Density** of the **Post Code** at **41.46bedspaces/ha**. A **linear incremental increase of PTAL** over the range **Outer Suburban** to **Central Area Type** would provide a **PTAL of -0.15**.

3.3.2.6 This **PTAL** requirement to support a **Residential Density** of **41.46bs/ha** is below that offered at **1b** numerically  $\equiv 1.33$  and therefore adequately supports the existing. The **PTAL** required to support the proposed **Residential Density** of **347.37bs/ha** would be **7.36**. See **Addendum Section 2.6**

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<sup>1</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>

<sup>2</sup> 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)

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



3.3.2.7 For **PTAL** at **1b**  $\equiv$  **1.33** the **Residential Density** should be **≈99.51bedspaces/ha**. This illustrates that the required **PTAL** for the proposal would be more appropriate in a **≥Central Area Type** setting rather than that of the locality of the proposed development **Outer Suburban Area Type**. See **Addendum Section 2.6**.

### 3.4 **Appellant's Statement 3:**

3.4.1 *"The Design and Access Statement included a detailed analysis of the site location and identified key features. As illustrated the immediate context has a mix of bungalows, two storey detached, semi-detached and terraced houses most with private rear gardens.*

3.4.2 *The planning officer does not stipulate what constitutes a reasonable sized garden. The London Plan specifies a minimum private amenity area per residential dwelling and the application exceeds that minimum standard by a factor of three. It is also important to note many of the properties in the immediate vicinity have existing rear gardens comparable in size to those proposed within the application.*

3.4.3 *For example:*

- a) *Nos 16-18 Ash Tree Close (CR0 7SR)*
- b) *Nos 1-23 Aldersmead Avenue (CR0 7SA)*
- c) *Nos 2-20 Aldersmead Avenue (CR0 7SA)*
- d) **Nos 153-157 The Glade (CR0 7QR)**
- e) *Nos 32-36 Homer Road (CR0 7SB)*

3.4.4 *It is also noted that adapting **London Plan policies H1 and H2** means that private garden sizes are likely to reduce. However, we contend all the proposed gardens are generous providing ample space for leisure and play space".*

### 3.5 **Appellant's Statement 4:**

3.5.1 *"The planning submission was comprehensive and clearly identified the design rationalisation in terms of scale and massing reflecting the local context."*

### 3.6 **MORA Response to Appellant's Statements 3 & 4**

3.6.1 The relevant Policies to establish the relationship between **Built Area** and **Amenity Area** of **Area Types** are given in The **London Plan Policies at Chapter 3 – Policy D3 Optimising site capacity through the design-led approach** and the **National Model Design Codes & Guidance** Parts 1 & 2.

### 3.7 **Optimising Site Capacity Assessment**

#### 3.7.1 **London Plan Policy D3 – Optimising Site Capacity through the Design-Led Approach**

- *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**.*

3.7.2 The attributes of a development site are the **Area Type Setting** of the locality and the **Site Area** available for the proposed development. These are fundamental to the **Capacity** of the **Site for development**.



- 3.7.3 The proposed **Site** has an **Area** of **950 sq.m. = 0.095ha** and the **Locality** as defined by the local **Post Code CR0 7QR** is **29.27Units/ha = Outer Suburban**. The Capacity for “**Growth**” is extremely limited as we believe the locality is ‘**inappropriate**’ for ‘**incremental intensification**’, (**Policy H2 para 4.2.4** as described above) and that even if allowed, the actual increase should be minimal.
- 3.7.4 At an **Outer Suburban Area Type** Setting the area for **5 dwellings** should be  $\geq(5/20)$  and  $\leq(5/40)$  i.e.,  **$\geq 0.25ha$  to  $\leq 0.125ha$** , when the **actual available Site Area** is **0.095ha**. i.e., **deficient** by a minimum of **0.03ha** and maximum of **0.155ha**. Therefore, the proposed development of **5 dwellings** on a **Site Area** of **0.095ha** in an **Outer Suburban Area Type** Setting exceeds the available **Site Capacity** and is **Non-Compliant** to the **London Plan Policy D3 - Optimising Site Capacity through the Design-Led Approach**. See **Addendum Section 3.1**
- 3.7.5 The **Site Capacity** required 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. Although this LPG guidance was published in June 2023 it can be used to explain this assessment.
- 3.7.6 The **Small Site Area** Calculator assesses the Attributes of the proposal and by summation of all requirements and provisions required by the Policies, establishes whether or not these can be accommodated within the available **Site Area**.

Assessment	Floor Area Ratio = (GIA/Site Area)	Plot Area Ratio = (GEA/Site Area)	Percentage of Site for Garden Area (Area Type)	Site Area available (sq.m.)	Garden Area (UGF) (sq.m.) (Note 1)	Required Area (sq.m.) (including GEA)	± Site Capacity (sq.m.)	% Site Capacity
<Outer Suburban	0.25	0.875	87.5%	950.00	568.25	679.28	-297.53	-31.32%
Outer Suburban	0.375	0.75	75.0%	950.00	449.50	679.28	-178.78	-18.82%
Suburban	0.5	0.5	50.0%	950.00	212.00	679.28	58.72	6.18%
Urban	1	0.25	25.0%	950.00	-25.50	679.28	296.22	31.18%
Central	2	0	12.5%	950.00	-144.25	679.28	414.97	43.68%

**Small Site Area Calculator Summary – actual Site Area Required for Area Types. (See Addendum Section 3.2)**

**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).**

- 3.7.7 We have as accurately as feasible, endeavoured to include all ‘areas’ required of the proposal to meet the appropriate **Policies** of the **Area Type**. The summation of these required Areas is based upon the Character of the locality as defined by the **Post Code Design Code** parameters.
- 3.7.8 This assessment shows the proposal’s **Site Area** for an **Outer Suburban Area Type** would be **deficient** by **178.78 sq.m.** or **18.82%** as defined by the **Small Site Calculator** based upon the required capacities to meet the Policies. (For full analysis and assessment See **Addendum Section 3.2.**)





- 3.7.9 This detailed and comprehensive assessment as fully tabulated in the **Addendum Section 3** clearly indicates the **Site Capacity** of **0.095ha** (950sq.m.) is inadequate for the proposal offered within an **Outer Suburban Area Type** and would be more appropriate in a **Suburban Area Type** setting. This analysis supports the **LPA's Refusal** and is a direct answer to the **Appellant's Statements 3 & 4**. This analysis provides valid logical evidence to support a **Dismissal of the Appeal**.
- 3.7.10 **We are of the considered opinion that we have conclusively shown that the proposal exceeds the appropriated Scale and Massing for the local character and exceeds the available Site Capacity at the Outer Suburban Area Type as Defined by the National Model Design Code & Guidance. In addition, recognising the Public Transport Accessibility Level of 1b equivalent numerically to 1.33 at the Post Code CR0 7QR which translates to an unsustainable proposed development.**
- 3.7.11 **We therefore suggest that this evidence supports the LPA's Reasons for Refusal and is appropriate evidence for the Inspector to Dismiss this Appeal.**
- 3.8 Plot Area Ratio (PAR) & Garden (Amenity) Space**
- 3.8.1 The local area **Post Code** is **CR0 7QR** and only **153-157 The Glade** of the Group referenced in the **Appellant's list** above are within this **Post Code**. The other referenced examples are **NOT** in this locality and therefore are not assessed as contributing to this local **Post Coded Design Code**. The average for **Post Code CR0 7QR** provides the **Area Type** as '**Outer Suburban**' as defined by the **National Model Design Code & Guidance**.
- 3.8.2 Our assessment is based upon a comparison of the **ratios** of the proposal with the **Post Code Area** of **≈4100.33sq.m. ≈0.41ha** and **number of dwellings** and **persons** within the **Post Code CR0 7QR**. As 'Ratios' they are valid comparisons.
- 3.8.3 The **National Model Design Code & Guidance** suggests a range of **Plot Area Ratios (PARs)** for the various **Area Types**; we have estimated the appropriate **PARs** for **<Outer Suburban & Outer Suburban** on the basis of proportionate reductions from the higher ranges. **See Addendum Section 2.7.**
- 3.9 Plot Area Ratio (PAR) (GEA/Site Area) & Floor Area Ratio (FAR) (GIA/Site Area). See Addendum Section 2.7**
- 3.9.1 **Floor Area Ratio (FAR)** is given as Gross Internal Area divided by the Site Area in sq.m.
- 3.9.2 **Plot Area Ratio (PAR)** and **Plot Coverage** is given as **Gross External Area (Footprint)** divided by the **Site Area** in sq.m.
- 3.9.3 The **Plot Area Ratio (PAR)** (GEA/Site Area) is more relevant with **suburban** and **<Outer Suburban** dwellings as it assists in the definition of the appropriate garden area for the **Area Type**.
- 3.9.4 A further new requirement of the **London Plan** is the **Urban Greening Factor (UGF)** to evaluate the quantity and quality of urban greening provided by a



development proposal. The **London Plan Policy G5 Urban Greening** recommends a factor (UGF) of **0.4** for **residential developments** which we understand to be 0.4 of the Site area minus the footprint Area which should be vegetation or porous and not covered for parking, footpaths or bases for Refuse & Recycling. As such we have made an appropriate assessment based on reasoned judgement.

- 3.9.5 The **Type A** Building has a footprint **GEA** of  $(2 \times 110.8665) = 221.733\text{sq.m.}$  and the **Type B** unit **50.60sq.m.** totalling **272.333 sq.m.** The higher the Ratio, the less proportionate garden Area is available. The **Plot Area Ratio** for this proposal is  $(272.333)/950 = 0.2867 \approx 0.29$ . This is greater than the **PAR of 0.25** recommended for **Outer Suburban Area Type** and therefore exceeds our assumed guidance for **Plot Area Ratio (PAR)** for an **Outer Suburban Area Type** setting.
- 3.9.6 There is no guidance in the **National Model Design Code & Guidance** for **Plot Ratio** (GEA/Site Area) thus we have made an informed assessment as detailed in **Addendum 2.7.2**. The assumption is based upon the **Area Type** and percentage appropriate of the **Site Area** for the garden as a relationship with the **Local Area Type** Setting and using the philosophy adopted by the **National Model Design Code & Guidance**. These ratios provide benchmark value guidance for All **Area Types**.
- 3.9.7 The **GIA** offered is **608.4sq.m.** The recommended **GIA** for the proposal (Best Practice) should be **646 sq.m.** for the proposed **occupancy** and **accommodation**.
- 3.9.8 The proposal as offered exceeds the **Recommended Floor Area Ratio (FAR)** for **Suburban Area Types** at **GIA/Site Area** (sq.m.) =  $608.4/950 = 0.6404$  when the recommendation **FAR** is to be (less than) **<0.5**. this is an increase of **20.8%**. on the recommended value. However, the proposal is in an **Outer Suburban Area Type (Post Code CR0 7QR)** which is **one Area Type band** lower than a **Suburban Area Type**.
- 3.9.9 We have extrapolated values of **FAR** for **Outer Suburban** which **emphasises** the failure to meet the benchmark **Design Code Guidance** appropriate **FAR at  $\leq 0.375$**  for the **Outer Suburban Area Type** for this proposal. This would indicate a **61.07%** increase in **Floor Area Ratio (FAR)** than that appropriate for an **Outer Suburban Area Type** setting.
- 3.9.10 The proposed Development therefore exceeds the recommended **National Model Design Code & Guidance Plot Area Ratio (PAR)** and the **Floor Area Ratio (FAR)** for an **Outer Suburban Area Type**. The analysis and assessment illustrates the proposed **Gross External Area** and **Gross internal Area** exceed the proportion of **Site Area Capacity** commensurate with the locality (**Area Type**) which endorses the **LPA's Reason for Refusal 2** and provides further evidence for the **Dismissal of this Appeal**.
- 3.10 **Appellant's Statement 5:**



- 3.10.1 *“We do not recognise this criticism. The properties facing The Glade are two storey semi-detached of a type common in the area. The roof ridges reflect the ridges of the adjacent existing properties, the eaves are slightly lower, and the overall scale and massing is actually less impactful than, for example, the terrace at **153-157 The Glade**.*
- 3.10.2 *As previously stated, this neighbourhood has a wide range of housing with many similar infill sites. As examples we refer the inspector to the properties at 86-76 The Glade, and Watlings Close which comprises closely separated semi-detached and detached properties.*
- 3.10.3 *Analysis of the neighbourhood clearly demonstrates the proposal is in keeping with the surroundings. Fenestration styles vary throughout the area and there is not a clearly defined style.*
- 3.10.4 *Design is subjective however, we have carefully considered the proposed design to ensure a good standard of natural light and to reflect the properties are an understated contemporary yet sympathetic and vernacular addition to the established character of the neighbourhood. Similarly, the ‘barn style’ roof is criticised however, the submitted Design and Access Statement included numerous examples of similar roof configurations including 149-151 and 102-104 The Glade.*
- 3.10.5 *We contend the building form, height and massing is comparative to existing development in the locality.”*

### 3.11 **MORA Comment on Appellant’s Statement 5:**





- 3.11.1 The Design & Access illustration shows clear excessive Bulk and Massing of the proposals in relation to the adjacent and surrounding dwellings. The above pictorial illustrations supplied by the Appellant do not have fenestrations which complement the local surrounding buildings. The proposed buildings appear bland, dominant and oppressive within the street scene and in our view would not contribute to or respect the character of the area.
- 3.11.2 The redevelopment of Site of **153-157 The Glade** now contributes to the **Post Code** evaluation of the **Area Type** for this proposal and thus contributes to the **CR0 7QR Design Codes**. These dwellings now contribute to providing the local character of the **Post Code CR0 7QR**.
- 3.11.3 However, the **153-157 The Glade** development was approved against earlier policies which have now been revised and updated, thus cannot be used as a precedent.
- 3.11.4 The Dwellings of **86-76 The Glade**, and **Watlings Close** which comprises closely separated semi-detached and detached properties, and **149-151** and **102-104 The Glade** are **NOT** in the **Post Code** of **CR0 7QR** and therefore do not contribute to the evaluation of the **Design Code** proposal's parameter assessment for the proposal's locality of **Post Code CR0 7QR**.
- 3.11.5 The foregoing assessment of the locality has been based upon the most recent **Policy Guidance** vis: **The National Model Design Code & Guidance** for an Area defined by the **Local Post Code** and available at the time of validation of the proposal and therefore cannot be discounted.
- 3.11.6 **We have comprehensively shown that the proposal significantly exceeds the appropriate Form and Massing for the Area Type of the location as defined by the Post Code of the proposal, which supports the LPA's refusal and also supports a dismissal of this Appeal.**

## 3.12 **Appellant's Statement 6:**

- 3.12.1 *"The varied character of the neighbourhood and Brookside Way create an eclectic mixture of house types and styles. There is not a defined rhythm or street plan with many examples of irregular juxtapositions.*
- 3.12.2 *It is recognised the proposed property steps forward from the existing adjacent dwelling at 34 Brookside Way but, similarly, the semi-detached property at 32 & 34 Brookside Way sits forward of the terrace 26-30 Brookside Way. The pattern repeats to both sides of the road following the gentle curve. To suggest the step forward is uncharacteristic and abnormal is unreasonable and inconsistent.*
- 3.12.3 *It is recognised the proposed detached house does not mirror the adjacent semi-detached property but as stated, there is a large variety of differing properties all juxtaposed with each other, for example, terraces, bungalows, semi-detached and detached all intermixed. It is that variety that contributes to the essence of the irregular, suburban character.*
- 3.12.4 *The ridge height matches the existing heights and the suggested 'openness' is currently obstructed and blocked by hedges and fences. In reality the proposal provides a generous*



*2m deep landscaped strip along Brookside Way introducing vegetation and ecology to the corner.*

3.12.5 *We contend the proposal is in keeping and attractively designed with no detrimental impact to the street scene."*

### 3.13 **MORA Comment on Appellant's Statement 6:**

3.13.1 The Appellant's statements above are a continuation of the points raised in **Statement 5** above and can therefore be answered by referral to our previous responses.

3.13.2 The **Area Type Design Codes** of the proposal should reflect and respect the **Area Type Design Codes** of the locality which by definition are the **Design Codes** of the **Post Code (CR0 7QR)** as the only documented area designation to assess a proposals character. If the Inspector disagrees with our assessment based upon an **Area Type Design Code** comparison with the **Post Code Area**, we would appreciate an assessment based upon the Inspector's local Area assessment. The only available reasonable definitive local Area to the proposal is its **Post Code Area** which is why we have selected this Area as appropriate.

### 3.14 **Appellant's Statement 7:**

3.14.1 *"The Glade and surrounding roads has a random, and inconsistent street scene with properties of varying styles and sizes juxtaposed. The proposed houses are of similar height and massing to those immediately adjacent delivering a consistent street scene. It is recognised the proposed properties are a storey taller than the existing bungalows, but The London Plan and Croydon Local Plan recommend new developments should be at least one storey higher than existing. The London Plan Policies H1 and H2 which apply to this site promote increased density.*

3.14.2 *The roof forms reflect the steep pitched and hipped roofs prevalent throughout the area with many examples included within the Design and Access Statement.*

3.14.3 *We believe the proposals complement the dominant street scene and explicitly do not 'compete and dominate those immediately adjoining' as suggested by the planning officer."*

### 3.15 **MORA Comment on Appellant's Statement 7:**

3.15.1 Again, the Appellant's statements are a continuation of the points raised in **Statement 5** and **6** above and can be answered by referral to our previous responses.

3.15.2 All Roof Forms in the locality are either Hipped or Gabled and therefore the proposed roof form does not reflect the **Roof Forms** of the **Locality** within the **Post Code CR0 7QR**. The **Truncate Hip** (Dutch Barn) **Roof form** of the proposal is designed to allow greater loft volume and as the proposal offers accommodation in the roof space, the **Truncated Hip** roof form provides greater accommodation space of >2.5m Ceiling height to enhance spatial quality than a full '**Hipped**' roof.

3.15.3 The **Area Type Design Codes** of the proposal should reflect the **Area Type Design Codes** of the locality which by definition are the **Design Codes** of the **Post Code CR0 7QR**.



3.15.4 The illustration above from the Appellant's Design and Access Statement confirms our opinion of an overly dominant street scene effect with inappropriate façades and inappropriate window and dominant entrance doors and architraves.

### 3.16 Appellant's Statement 8:

3.16.1 *"The dwellings have been purposely designed to be restrained and understated. The designs are not bland but are measured and proportionate utilising and applying a limited material palette to create a simple yet confident street scene.*

3.16.2 *Overall, the proposal produces a Green Cover Factor uplift of 258 sqm or 47% improvement on existing.*

3.16.3 *The parking forecourt facing The Glade is screened by generous planting, and three parking bays are grass surfaced. An existing mature tree is retained, and feature planting and landscaping create a verdant green boundary extending along The Glade and around the corner along Brookside Way. The proposed low level metal balustrade allows views into and across the landscaping.*

3.16.4 *The planning officer states the planting softens the building appearance. It creates a sense of openness with vistas across the corner site as opposed to the restrictions imposed by the existing tall hedges and fencing.*

3.16.5 *The area of hardstanding forecourt is actually reduced from that which exists."*

### 3.17 MORA Comment on Appellant's Statement 8:

3.17.1 **We completely disagree with the Appellant's Statement 8 which is a subjective view without any supporting Policy to sustain the subjective statement. We have seen no evidence to support the assessment of 258sq.m. or 47% improvement of Green Cover, when the target UGF is 0.4 for residential and the proposal has a higher GEA (Total footprint) than the existing. We therefore have no further comments on the Appellant's statement 8 above which would contribute to the appeal assessment.**

### 3.18 Appellant's Statement 9:

3.18.1 *"We note Croydon Council Highway Vehicle Crossover Guidelines and accept the document confirms any grass verge more than 1.5m wide will not be allowed a new crossover, to protect ecology, biodiversity, and the street scene. We also note the original pre-application response raised no objection to the proposed crossover. In this case we believe the proposal should be fully considered and assessed. The grass verge is in fact 1.7m wide. For example, along The Glade there are many examples where residents are driving over grass verges to park in front of their properties. This causes damage to the kerb and grass and creates a danger to pedestrians. Properties at 153,157,122,132 and 134 The Glade are example of this.*

3.18.2 *We also note other recent local approved schemes permitted introducing new vehicle crossovers namely at 37 & 32 Woodmere Avenue.*

3.18.3 *In this instance the proposed crossover sits centrally to the site, retains all existing street*

trees and is sufficiently distanced from adjacent property at 157 The Glade to ensure adequate separation.

- 3.18.4 *The proposed landscaping and planting delivers a significant and real benefit to the visual street scene along The Glade and Brookside Way whilst providing a real upgrade to ecology and biodiversity value, compared to retention of the grass verge.*
- 3.18.5 *On the basis the proposed crossover should be reasonably assessed in the overall context and permitted the proposed car parking layout meets all current parking standards and allows entry and egress in forward gear. The submission includes visibility splays.*
- 3.18.6 *The existing vehicle crossover in Brookside Way is utilised to access an off-street private parking space. Brookside Way is a quiet residential road where properties have traditional pull on/pull off driveways. No accidents have been identified as being reported. Sightlines from the existing vehicle crossover would be similar to the situation elsewhere along the road.*
- 3.18.7 *Cycle storage for Unit 5, the three bedroomed detached dwelling on Brookside Way is located in the rear garden. An existing shared access path runs alongside the property and the owner of the site, and the future residents have access rights over the route and codes for the digital lock. A side garden gate provides access from the rear garden to the shared path and out to the roadway allowing passage for pedestrians and cyclists.”*

### **3.19 MORA Comment on Appellant’s Statement 9:**

- 3.19.1 The statements seem to approve of wrongdoing by existing residents mounting grass verges to access driveways, which we do not condone. We have no further comments on the Appellant’s statement 9 above which would contribute to the approval of this proposal.

### **3.20 Appellant’s Statement 10:**

- 3.20.1 *“All required and necessary information has been submitted, and the proposal exceeds minimum parking standards therefore or alternative parking strategy is irrelevant.*
- 3.20.2 *As noted, the applicant confirmed agreement to any necessary CIL, S106 or other relevant charges.”*

### **3.21 MORA Comment on Appellant’s Statement 10:**

- 3.21.1 **We have no further comments on the Appellant’s statement 10 above which would contribute to this submission.**

### **3.22 Appellant’s Statement 11:**

- 3.22.1 The planning officers concluding paragraph contradicts the comments made elsewhere in the report. The scale and size are similar to existing development elsewhere and are of a traditional design to integrate within the street scene. The natural environment is enhanced by improved green cover, tree retention and generous landscaping. This is an existing brownfield site with no public open space with rear gardens obscured by hedging and trees. The planning officer confirms in paragraphs 6.14-6.16 ‘Impact on Neighbouring Residential Amenity’ of his recommendation report that there is no detrimental impact or loss of amenity for neighbours.



3.22.2 Similarly, paragraph 6.20 'Flood Risk' confirms the proposal is acceptable. Highway and transportation concerns are addressed elsewhere.

### 3.23 **MORA Comment on Appellant's Statement 11:**

3.23.1 Our previous analysis and assessment have clearly shown overdevelopment of the Site for the locality We understand that there is very low risk of Surface Water Flooding at **Post Code CR0 7QR**.

### 3.24 **Appellant's Statement 12:**

3.24.1 *"We believe the proposal meets all relevant policy and guidelines and should have been approved. The planning officer has made a number of factual errors, misapplied policy particularly, the compliance with **The London Plan Policies H1 and H2** and has misinterpreted the information submitted within the application.*

3.24.2 *There are basic and fundamental contradictions outlined in the planning officer's conclusion compared to the detailed comments within the body of the report.*

3.24.3 *It is concerning there seems to be a fundamental misunderstanding regarding the scale and massing of the proposal which is of a domestic scale sympathetic to the character of the area.*

3.24.4 *The proposal provides five good quality well designed family homes with private gardens and car parking in an established residential suburb.*

3.24.5 *We politely request the inspector considers our submission and conclude planning approval should have been recommended and therefore uphold our appeal."*

### 3.25 **MORA Comment on Appellant's Statement 12:**

3.25.1 The London Plan **Policy H1 Increasing housing supply** sets **Targets** for **Local Boroughs** and **Policy H2 Small Sites** expect a contribution of these targets to be met by small site development or redevelopments. **See Addendum Section 4.**

3.25.2 In order to meet these Targets, **Croydon LPA** have allocated the contribution for Croydon to be distributed across the Borough to the **16 'Places'** of Croydon. The allocation for the Shirley 'Place' is **278** new dwellings by 2039.

3.25.3 We also **conclusively** show that the **Housing Need Targets** set for Croydon and the contribution by the **Shirley North Ward** has **already been met** and significantly exceeded. **See Addendum Section 4**

3.25.4 The **MORA Area** of **178.20ha** (*which we monitor*) is only **24.92%** of **All Shirley (715.2ha)**, but at a rate of **36dpa** over the **20yr** period **≈720 dwellings**, would exceed the **Target for the Shirley "Place" of 278** by **442 Dwellings**, **i.e., for the 'Whole' of the Shirley "Place" which embraces both Shirley North and Shirley South Wards.** (These figures cannot be disputed as the are based on a FOI Request response; see Addendum Section 4.)

3.25.5 The **Build Rate Delivery** of dwellings over **3 years** for all **Shirley** is averaging at **55 + 102 + 69 = 226 Ave ≈ 75.33/yr. dwellings per year**, so over **20** years the **Net**



Increase will be **≈1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The Target for the Shirley “Place” at **Croydon Plan Table 3.1** of the Revised **Croydon Local Plan** indicates a Target of **278 dwellings over the period 2019 to 2039**. (this information cannot be disputed as it was provided resultant on a FOI request to **London Borough of Croydon Reference 4250621** dated 31st Jan 2022).

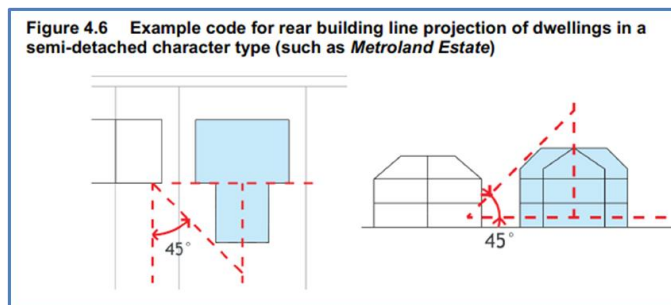
## 4 Further reasons for Dismissal of the Appeal

### 4.1 45-Degree Rule Neighbour Amenity

4.1.1 Although **SPD2** was revoked in 2022, the **London Plan Supplementary Planning Guidance Small Site Design Codes** first published in **February 2021** for consultation and subsequently adopted in 2022 included the **45 °Degree Rule** on neighbour amenity at **Section 4.5 Rear Building Line Projection** (Figure 4.6)

4.1.2 Therefore, although **SPD2** was revoked in **2022** the **London Plan Policy** overlapped and provided the same guidance on neighbour amenity. The proposal Fails this policy for vertical **45° Degree projection**.

4.1.3 The **45-Degree projection** between the **two units of House Type A** intersects just below eves level indicating the two dwellings are too close together and that even if the roof forms were change to Hipped design the proposal would still fail the 45-Degree Rule.



### 45°Degree projection Rule from centre of nearest Ground Floor Window of adjacent dwelling



### Estimated 45-Degree Vertical Rule 157 & Unit1 and between Units 2 & 3.



4.1.4 We therefore are confident that the LPA assessment was correct in that *“The proposal, by reason of its massing and proximity, would result in an intrusive and imposing form of development detrimental to the visual amenity and outlook for neighbours at 157 The Glade contrary to policy DM10.6 of the Croydon Local Plan 2018 and Policy D3 of the London Plan 2021”* and that Building Type A Units 1 to 4 of the proposal **fails the 45°Degree Rule both horizontally & vertically** thus supporting the **Reason 4** for Refusal. **This is further evidence to support the Dismissal of this Appeal.**

## 4.2 Impact of proposal on Daylight and Sunlight to neighbouring dwellings.

4.2.1 **London Plan Policy D6 Housing Quality Standards** states:

**D** *“The design of development should provided sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.”*

4.2.2 **London Pan Housing Design Standards State at A1.8**

**A1.8** *“Particular consideration should be given to the impact of new development on the level of daylight and sunlight received by the existing residents in surrounding homes and oin existing public green space.”* **PolicyD6.**

4.2.3 **Croydon Plan (2018) Policy DM10.6**

**DM10.6 The Council will support proposals for development that ensure:**

- a) *“The amenity of the occupiers of adjoining buildings are protected and that*
- b) *They do not result in direct overlooking ot close range or habitable rooms in main rear or private elevations; and that*
- c) *they do not result in direct overlooking of private outdoor space (with the exception of communal open space) within 10m perpendicular to the rear elevation of a dwelling; and that*
- d) *Provide adequate sunlight and daylight to potential future occupants; and that*
- e) *They do not result in a significant loss of existing sunlight or daylight levels of adjoining occupiers.”*

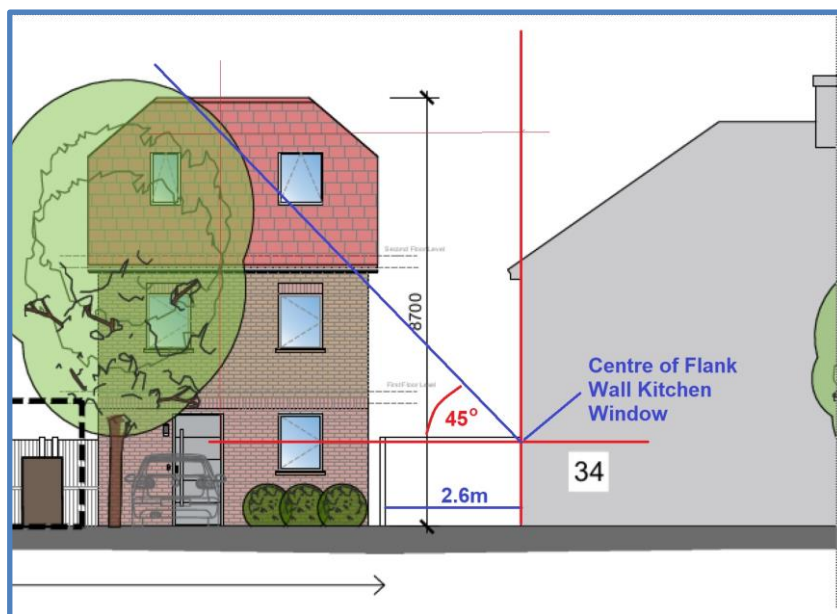
4.2.4 The Applicant has not provided adequate **Block plans** showing the effects the proposal would have on adjoining properties to show the relationship between them and the application site as required of the validation checklist.

4.2.5 The Croydon Planning Application Requirements List includes A Daylight and Sunlight Assessment which *“is required for applications where new buildings are proposed in close proximity to existing developments and*



would cast a shadow. The Council will need to be satisfied that there would be no adverse impact on the current levels of daylight/sunlight enjoyed by adjoining properties or building(s), including associated gardens or amenity space, as well as levels of daylight in the proposed spaces. An assessment will not be required where new buildings are not proposed in close proximity to existing buildings and will not have an impact on existing windows. It is recommended that developers enter into pre-application discussions to determine the requirement for a daylight and sunlight<sup>4</sup> assessment as associated scope.”

- 4.2.6 The applicant has not provided a **Sunlight** and **Daylight** analysis using **BRE guidance** to ensure adequate daylight and sunlight is retained for the occupants of 34 Brookside Way as a result of the proposed development Unit 5 as required by the Validation Checklist.



**Front Elevation showing the visual outlook from the Flank Wall kitchen window of 34 Brookside Way significant loss of daylight and sunlight resultant of the proposed Unit 5.**

- 4.2.7 The proposal will significantly reduce **daylight** and **sunlight** to the occupiers of **34 Brookside Way** due to the proposed Unit 5 development resulting in a significant reduction of **daylight** and **sunlight** to the **four (4) windows** in the **flank wall** of **34 Brookside Way** windows facing Southeast.

### 4.3 Respect for the existing Building Line.

#### 4.3.1 The National Model Design Code & Guidance at Part 1 Built Form

*vii Building line: The building line is created by the primary front face of buildings along a street and is a key element of design*

<sup>4</sup> [https://www.croydon.gov.uk/sites/default/files/Planning/Validation\\_Checklist\\_-\\_Jan\\_18.pdf](https://www.croydon.gov.uk/sites/default/files/Planning/Validation_Checklist_-_Jan_18.pdf)

codes. New development should follow the established building line where it exists. Where there is no building line (for example on the periphery of a town centre or a development site), codes should set one. Coding for building lines can include:

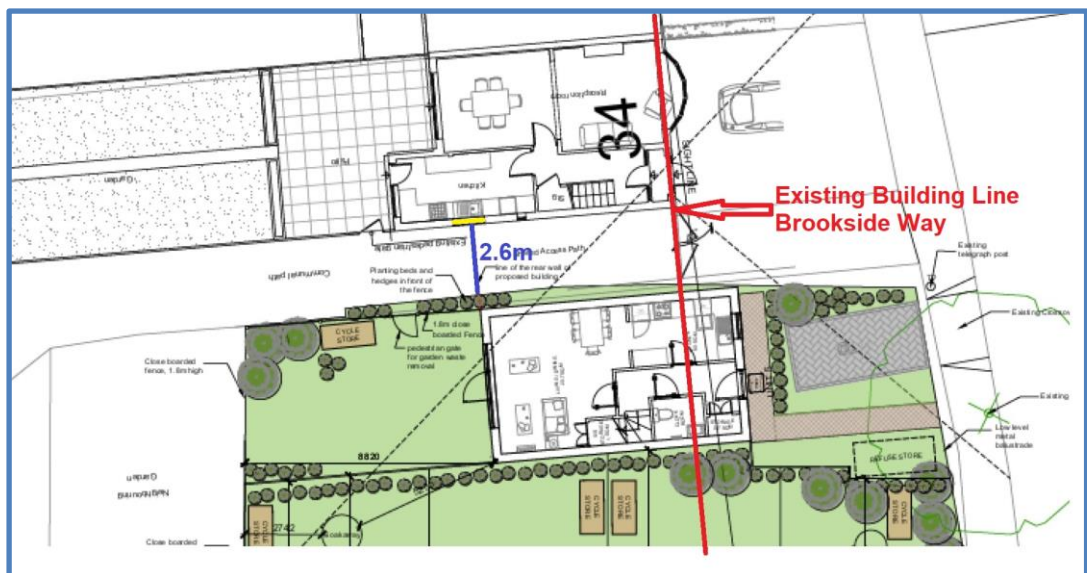
- *Variation: The extent to which buildings can be set forward or back from the line.*
- *Projections: Allowance for elements such as balconies.*
- *Compliance: The percentage of the building line that should be occupied by development.*
- *Set-Back: The distance that buildings are set back from the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

See B.2.ii Building Line

#### 4.3.2 National Model Design Code & Guidance Part 2 - B.2.ii Building Line

*Para 108 Attractive streets and other public spaces are generally defined by the frontage of buildings around their edges.*

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



**Relationship between proposed Unit 5 and the Existing dwelling at 34 Brookside Way**



- 4.3.3 The above plans with the overlay of **34 Brookside Way** shows **Unit 5** does **NOT** respect the existing **Building Line** of **Brookside Way** but protrudes approximately **2 metres** in front of the existing **Building Line**. This disregards the **National Guidance** provided by the **National Model Design Code & Guidance**.
- 4.3.4 We have comprehensively shown that the proposal significantly exceeds the appropriate Form and Massing of the proposal for the Area Type of the location as defined by the Post Code Area Type and therefore Urge the Inspector to **Dismiss this Appeal**.

## **5 Summary and Conclusions**

### **5.1 Summarising.**

- 5.1.1 The proposal would be significantly above the densities considered appropriate for Incremental densification for evolutionary growth as the location has PTAL 1b  $\equiv$  1.33 and is greater walking distance than 800m from any Train/Tram Station or District Centre as specified in the London Plan para 4.2.4. In our view, the location is therefore inappropriate for any incremental increase in intensification and only appropriate for minimal densification for evolutionary growth.
- 5.1.2 We have shown analytical assessment supporting each LPA reason for Refusal of the proposed development and in each case provided supporting evidence based on published Policies at the time of the proposal's validation by the LPA which supports a Dismissal of this Appeal.
- 5.1.3 In addition, we have provided analysis and assessment of adequate evidence for Additional Reasons for Dismissal of this Appeal, including requirements for Sustainability, Growth and Housing Need which have already been met in this Ward.
- 5.1.4 Our comments on this Appeal are all supported by the **National** or **Local Planning Policies** which have defined measurable methodology and assessment. Therefore, our analysis is **definitive**.
- 5.1.5 We have also shown that the proposed development is a significant overdevelopment for the available **Site Area** of **0.095ha** at **PTAL 1b $\equiv$ 1.33** in this "**Outer Suburban**" **Area Type Setting (CR0 7QR)** as defined by the **National Model Design Code Guidance** and that the proposed development would be more appropriate in an "**Suburban**" **Area Type Setting for Housing Density** and "**Central**" **for Residential Density**. This analysis therefore supports the **LPA's Reasons 1 & 2** for refusal on grounds of **Scale, Massing and Bulk**.
- 5.1.6 If the Inspector does NOT agree with the **National Model Design Code Guidance** as listed above, we would respectfully request the Inspector provides an alternative assessment with detailed methodology justification.

## 5.2 Conclusions

- 5.2.1 We have shown that for all the appellants “**Grounds of Appeal**” we have provided a quantifiable response which demolishes the appellant’s vague and subjective statements. We therefore urge the Inspector to **Dismiss** this appeal such that the Appellant can reapply with a more appropriate and compliant proposal.
- 5.2.2 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. A Local Plan which is now over 5 years out-of-date is unlikely to be revised and adopted before end of 2025 – early 2026.
- 5.2.3 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 and are within the Target provisions as set.**
- 5.2.4 ***If this proposal is allowed, it would be absurd to believe that the Planning Policies have any meaningful weight and local residents would be quite correct in their current complete loss of confidence in the Planning Process.***

### Kind Regards



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### **Addendum to Appeal Ref: APP/L5240/W/23/3325637:**

(As referenced from the above for additional details and supporting analysis)

## Addendum to Appeal Ref: APP/L5240/W/23/3325637

This Addendum provides additional detailed Analysis and Assessment to support the submission as referenced from the aforementioned representation.

### 1 Growth Policies

#### 1.1 The Croydon Local Plan (2018) Policy for “Growth”

##### 1.1.1 “Evolution without significant change of area’s character”.

**6.58** There are existing residential areas which have the capacity to accommodate growth without significant impact on their character. In these locations new residential units can be created through the following interventions.

- a. **Conversion** – The conversion or subdivision of large buildings into multiple dwellings without major alterations to the size of the building.
- b. **Addition** – This can include one or more extensions to the side, rear, front or on the roof, and is often combined with conversion of the existing building into flats.
- c. **In-fill including plot subdivision** – Filling in gaps and left over spaces between existing properties. It can also include subdivision of large plots of land into smaller parcels of land with a layout that complements the existing urban pattern.
- d. **Rear garden development** – The construction of new buildings in rear gardens of the existing properties. Houses must be subservient in scale to the main house.
- e. **Regeneration** – The replacement of the existing buildings (including the replacement of detached or semi-detached houses with flats) with a development that increases the density and massing, within the broad parameters of the existing local character reflected in the form of buildings and street scene in particular.

**Table 6.4** Accommodating growth and improving Croydon

Method of accommodating growth and improving Croydon	How it works	Applicable policies
<b>Evolution without significant change of area’s character</b>	Each character type has a capacity for growth. Natural evolution is an ongoing process where development occurs in a way that positively responds to the local context and seeks to reinforce and enhance the existing predominant local character. Most development throughout the borough will be of this nature.	DM10.1 – DM10.10
<b>Guided intensification associated with enhancement of area’s local character</b>	Areas where the local character cannot be determined as a result of no one character being dominant, further growth can be accommodated through place specific enhancement policies.	DM34 – DM49
<b>Focussed intensification associated with change of area’s local character</b>	Further growth can be accommodated through more efficient use of infrastructure. Due to the high availability of community and commercial services, intensification will be supported in and around District, Local and potential Neighbourhood Centres which have sufficient capacity for growth.	DM10.11
<b>Redevelopment</b>	In larger areas where growth would result in a change to the local character it must be supported by masterplans or design codes.	DM36.2 DM38.1 DM49.1

### Croydon Local Plan (2018) Policy for Growth

1.1.2 The local area of **159-161 The Glade** has no *intensification or densification designations* identified on the **Croydon Local Plan (2018) Policies Map** and



therefore should only be appropriate for **“Redevelopment”** or **“evolution without meaningful change of the area’s character”**.

1.1.3 However, **none** of these Policy definitions are specific or enforceable as they do not describe or define any mechanistic or percentage increase in density which would be appropriate to **ensure** the **existing infrastructure** would support the proposal. The Policies are therefore basically ill-defined meaningless objectives.

1.1.4 As the proposal is for redevelopment in a locality which we believe is defined as inappropriate for **‘incremental intensification’** (see London Plan Policy H2 para 4.2.4), densification should be minimal and remain within the existing supporting infrastructure parameters for **‘Sustainable’** development.

1.1.5 As the proposal as defined, would bridge an **Area Type** definition, **it cannot therefore be assumed the existing infrastructure which supports an Outer Suburban (29.27U/ha) Area Type setting would adequately support a Suburban Area Type Setting Housing Density (52.63u/ha) or a Central Area Type Residential Density Setting (347.37bs/ha). This supports the LPA’s Refusal 1 and is further evidence to support a Dismissal of this Appeal.**

## 1.2 Incremental Intensification

### 1.2.1 London Plan Policy H2 Small Sites para 4.2.4

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

1.2.2 Therefore, locations with **PTAL <3** and **>800m** from a **Train/Tram Station** or **District Centre** are inappropriate for **“Incremental Intensification”** to meet the **Housing Targets** for **London Boroughs** as defined in **Table 4.2**. The proportion of **Housing Targets** given at **Table 4.2** for the **London Borough of Croydon** is apportioned across the London Boroughs’ **“Places”**.

1.2.3 The allocation for the Shirley **“Place”** which includes both Shirley North and Shirley South Wards is **728** new dwellings over **20 years**. The recent outbuild in just the **Shirley North Ward** has already exceeded this allocation for the **whole** of the Shirley **“Place”**.

1.2.4 The proposal Site is also **<PTAL 3** at **PTAL 1b**  $\equiv$  numerically **1.33**. The policy does not define how this distance should be measured in terms of **‘line-of-sight’** or the actual shortest **physical** travelling distance (*walking*). The proposal has a **“Line of Sight”** distance of **686m** and a **“physically walking distance”**  $\approx$ **900m** (i.e., **>800m**) from the **Arena Tram Stop** and **>800m** from a **District Centre** (Shirley is considered a Local Centre in the **Croydon Local Plan**. **It is NOT a District Centre**). (See Google Images below).

1.2.5 Therefore, if the Inspector assumes the distance to the **Arena Tram Station** is within the qualifying distance and thus **“Incremental Intensification”** is considered appropriate, we respectfully request the Inspector defines the actual



appropriate **'incremental'** value or percentage appropriate for increased intensification limits within which the **Housing and Residential Densities** that can be increased, to remain acceptable within the current **Area Type Setting** and within the current available **supporting infrastructure, as there is no guidance defined in the policy.**



**Line of Sight distance from The Proposed Site to the Arena Tram Stop.**



**Physical Walking Distance from the proposed Site to the Arena Tram Stop**

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

1.2.6 We suggest that the Inspector assesses whether the Policy infers **“Line of Sight”** or the shortest possible **“physical route”** from the **Arena Tram Stop** as the defining policy and assesses whether the proposal **is or is not** appropriate for **“Incremental Intensification”** accordingly.

1.2.7 If considered appropriate for **“Incremental Intensification”**, we request that the Inspector defines the allowable **“magnitude”** or **“percentage”** of **“Incremental”** increase in **intensification** allowable in **Housing** and/or **Residential Density**. It would then be necessary to establish whether the allowable **Incremental Intensification** is within or exceeds the actual increase as a result of the proposal.

## 2 Local Character Appraisal – Area Type Assessment.

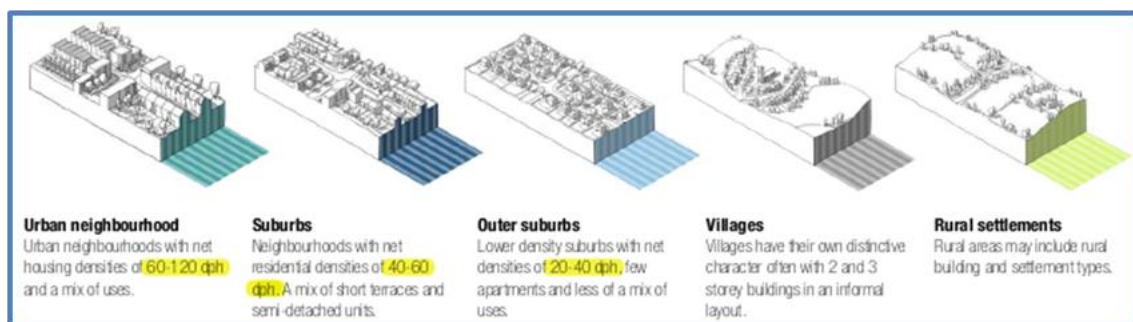
2.1 The **London Plan (2021) Chapter 3 Design Policy** and at **Policy D1** gives guidance on London’s form, character and capacity for ‘growth’. However, there is no clear definition to determine Character assessment for local areas. The **LPG Characterisation and Growth Strategy (Draft Feb 2022)** and published version (June 2023) does not adequately define a methodology for defining and assessing Local character in mechanistic detail.

2.2 The only true guidance for character assessment is referenced from the **NPPF** at **para 129** which is the **National Model Design Code & Guidance (2021)** which defines **Area Types** and **Design Codes** to be used to **guide developments** in the absence of appropriate guidance in the **Local Plan**. The **Croydon Local Plan** and **London Plan** had **no guidance** prior to **June 2023**.

### 2.3 Area Type Definition

2.3.1 The **National Model Design Code & Guidance** provides parameters to define the **Area Type** of localities.

2.3.1.1 The **Area Type** ‘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. (Illustrated below).



**The National Model Design Code parameters Definitions for Local Settings**



2.3.1.2 **The DLUHC National Model Design Code & Guidance<sup>5</sup> Parts 1 & 2.**

2.3.1.3 **The Area Type Setting Ranges are defined as follows:**

- a. **Outer Suburban:** ≥20 to ≤40 Units/hectare;
- b. **Suburban:** >40 to ≤60 Units/hectare
- c. **Urban:** >60 to ≤120Units/hectare
- d. **Central:** >120 Units/ha

Location	Area (ha)	Population (Nat Avc)	Dwellings (Units) (Nat Avc)	Residential Density (bs/ha)	Housing Density (Units/ha)	"Setting" for Design Code Residential Density (bs/ha)	"Setting" for Design Code Housing Density (U/ha)
Croydon	8,652.00	390,719	165,559	45.16	19.14	<Outer Suburban	<Outer Suburban
Shirley North Ward	328.00	15,406	6,528	46.97	19.90	<Outer Suburban	<Outer Suburban
Shirley South Ward	384.40	10,619	4,500	27.62	11.71	<Outer Suburban	<Outer Suburban
All Shirley	712.40	26,025	11,028	36.53	15.48	<Outer Suburban	<Outer Suburban
MORA Area	178.26	9,166	3,884	51.42	21.79	Outer Suburban	Outer Suburban
Post Code CR0 7PL	1.73	47	19	27.17	10.98	<Outer Suburban	<Outer Suburban
Post Code CR0 7QD	1.51	68	28	45.03	18.54	<Outer Suburban	<Outer Suburban
Post Code CR0 7QY	1.63	85	40	52.02	24.48	Outer Suburban	Outer Suburban
Post Code CR0 7PB	1.24	40	25	32.26	20.16	<Outer Suburban	Outer Suburban
Post Code CR0 8UB	1.70	71	30	41.89	17.70	<Outer Suburban	<Outer Suburban
Post Code CR0 7NA	1.97	36	18	18.27	9.14	<Outer Suburban	<Outer Suburban
Post Code CR0 7NE	0.83	26	11	31.33	13.25	<Outer Suburban	<Outer Suburban
Post Code CR0 7NN	0.75	54	28	71.94	37.30	Outer Suburban	Outer Suburban
Post Code CR0 7RL	1.40	60	24	42.72	17.09	<Outer Suburban	<Outer Suburban
Average	733.42	32,316	13,694	40.74	18.33	<Outer Suburban	<Outer Suburban

**Table of Shirley & recent proposals of Area Type assessments**

2.3.1.4 To ensure that our assessment is comparable across the **Shirley North Ward** and our **MORA** coverage, we have been assessing recent proposals' **Area Types** and collated the results for comparison with **Croydon** and **Shirley Ward Area Types**. There would probably be areas of **High-Density Area Types** in some **Central** or **Suburban Wards** which contain multiple **Flats** or **High-Rise** apartment blocks within a **local Post Code Area**.

2.3.2 **The Proposed Application Parameters for 159 -161 The Glade**

159 - 161 The Glade		App Ref: 23/00594/FUL		Supplied Drawings		Floor Area Ratio		0.64		Post Code						
Site Area	950 sq.m.			Bedrooms Density	200.00 b/ha	Plot Area Ratio		0.29		Area	0.410033 ha					
App Form	0.095/ha			Residential Density	347.37 bs/ha	GEA	Type A (*2)	221.73	sq.m.	Persons	17 (persons)					
Footprint	1000 sq.m.			Residential Density	305.26 hr/ha	GEA	Type B	50.6	sq.m.	Dwellings	12 (Units)					
Units	5			Housing Density	52.63 U/ha	Total GEA Footprint		272.33		Housing Density (U/ha)	25.27					
Existing	2			Average Occupancy	6.60 bs/unit	PTAL	2031	1b	1.33	Residential Density (bs/ha)	41.46					
Unit	Type	Floor	Bedrooms (b)	Bed Spaces (bs)	Habitable Rooms (hr)	GIA (Offered)	GIA (Required)	GIA (Table A1.1) (Best Practice)	In-Built Storage (Offered)	In-Built Storage (Required) (Table 3.1)	In-Built Storage (Table A1.1) (Best Practice)	Amenity Space (Offered) (Note 2)	Amenity Space (Required)	Probable Adults	Probable Children	Play Space (Required)
Unit 1	"A" M4(2)	Ground	0	0	1	124.3	121.00	134.00	2.0	3.00	3.50	52.38	7	2	5	50
		First	3	5	3				0.0							
		Second	1	2	2				Note 1							
Sub Totals			4	7	6	124.3	121.00	134.00	2.0	3.0	3.5	52.38	7	2	5	50
Unit 2	"A" M4(2)	Ground	0	0	1	124.3	121.00	134.00	2.0	3.00	3.50	53.55	7	2	5	50
		First	3	5	3				0.0							
		Second	1	2	2				Note 1							
Sub Totals			4	7	6	124.3	121.00	134.00	2.0	3.0	3.5	53.55	7	2	5	50
Unit 3	"A" M4(2)	Ground	0	0	1	124.3	121.00	134.00	2.0	3.00	3.50	54.00	7	2	5	50
		First	3	5	3				0.0							
		Second	1	2	2				Note 1							
Sub Totals			4	7	6	124.3	121.00	134.00	2.0	3.0	3.5	54.00	7	2	5	50
Unit 4	"A" M4(2)	Ground	0	0	1	124.3	121.00	134.00	2.0	3.00	3.50	53.30	7	2	5	50
		First	3	5	3				0.0							
		Second	1	2	2				Note 1							
Sub Totals			4	7	6	124.3	121.00	134.00	2.0	3.0	3.5	53.30	7	2	5	50
Units	"B" M4(2)	Ground	0	0	1	111.2	99.00	110.00	1.7	2.50	3.00	74.97	5	2	3	30
		First	2	3	2				Note 1							
		Second	1	2	2				2.4							
Sub Total			3	5	5	111.2	99.00	110.00	4.1	2.5	3.00	74.97	5	2	3	30
<b>Grand Total</b>			<b>19</b>	<b>33</b>	<b>29</b>	<b>608.4</b>	<b>583</b>	<b>646</b>	<b>12.1</b>	<b>14.5</b>	<b>17</b>	<b>288.2</b>	<b>33</b>	<b>10</b>	<b>23</b>	<b>230</b>
Note 1: It is not clear whether the second floor Utility Area contributes to In-Built Storage requirement.											EVCP		1			
Note 2: As roughly scaled off the Ground Floor Plans magnified @ 110% (As not mentioned on Plans or Design & Access Statement)																

<sup>5</sup> <https://www.gov.uk/government/publications/national-model-design-code>

## 2.4 Local Design Code Assessment



**Area of Post Code CR0 7QR as measured from Google Earth Image**

- 2.4.1 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. The local **Post Code** for this proposal is **CR0 7QR** shown above.
- 2.4.2 **Post Code and Application Design Code Parameters**
- 2.4.2.1 The Local Area Assessment for this proposal at **159-161 The Glade** is the Local **Post Code (CR0 7QR)** which includes dwellings from **145 to 161 The Glade**.<sup>6</sup> The Occupancy is found from the **Post Code details** <sup>7</sup> and the Area **4,100.33sq.m.** found by use of the polygon tool on **Google Earth**.
- 2.4.2.2 This analysis provides the fundamental parameters to assess the **Local Design Codes** of the local **Area Type** for comparison with the proposed application **Design Codes** to determine the proposal's acceptability or otherwise. It is noted that the **Post Code CR0 7QR Occupancy** of **1.42 persons/Unit** is low compared to the **National Average of 2.36 person/Unit**.
- 2.4.2.3 As we are comparing **Ratios** between both Post Code and Application evaluations, it is reasonable to compare the difference between the **Post Code Design Code** and the **Application proposal Design Code parameters** to give **guidance whether the proposal is, within acceptable tolerances of the local area.**

<sup>6</sup> <https://www.gov.uk/government/organisations/valuation-office-agency>

<sup>7</sup> <https://www.postcodearea.co.uk/>



Parameters of Post Code 'CR0 7QR' Design Code				
Area Design Code Parameter	Input Parameters			Constrains
(These parameters auto calc Design Code)				
<b>Post Code</b>	<b>CR0 7QR</b>			Ward Shirley North
Area of Post Code (ha)	0.4100	hectares		Flood Risks 30yr Surface
Area of Post Code (Sq.m)	4100.33	sq.m.		Gas Low Pressure
Number of Dwellings (Units) (*)	12	Units		Water N/A
Number of Occupants (Persons) 2021 Census	17	Persons		Sewage N/A
Occupancy	1.42	Person/dwelling		HASL (m) Average 42m
Post Code Housing Density	29.27	Units/ha		Building Line Set-Back Various
Post Code Residential Density	41.46	Bedspace/ha		Set-back Guidance 3 to 6m rec.
Area Type (National Model Design Code)	Outer Suburban	Setting		
(*) Last updated on 27 August 2023				
<b>Design Code Parameters</b>		Min	Max	Measure
Area Type Setting (NMDC)	Outer Suburban	20	40	Units/ha Range
Equivalent <sup>1</sup> Residential Density (Persons/ha)	<Outer Suburban	0.00	47.20	Persons/ha Range
<sup>1</sup> Based on National Occupancy (2022)				
		Outer Suburban	<Outer Suburban	
		U/ha	bs/ha	
PTAL (now) 1b	1.33	42.17	99.51	Limits for PTAL
PTAL (forecast 2031) 1b	1.33	42.17	99.51	Limits for PTAL
PTAL for Post Code Residential Density	-0.15		41.46	

**Table 1: Evaluation of Post Code Design Codes and Area Type of the Locality**

Application Design Code Details		
Application Ref:	23/00594/FUL	
Address:	159-161 The Glade	
PostCode:	CR0 7QR	
LPA Consultation Close	45004.00	
Application Site Parameters		
	Proposal	Units
Site Area (ha)	0.0950	ha
Site Area (sq.m.)	950.00	sq.m.
Units (Dwellings)	5.00	Units
Bedrooms	19.00	Bedrooms
Bedspace	33.00	Persons
Housing Density	52.63	Units/ha
Residential Density	347.37	bs/ha
Occupancy	6.60	bs/unit
Gross Internal Area (GIA) offered	608.40	sq.m.
Gross External Area (GEA) Footprint	272.33	sq.m.
Floor Area Ratio	0.64	#
Plot Area Ratio	0.29	#
Area Type Setting (Units/ha)	Suburban	Setting
Area Type Setting (Bedspace/ha)	Central	Setting

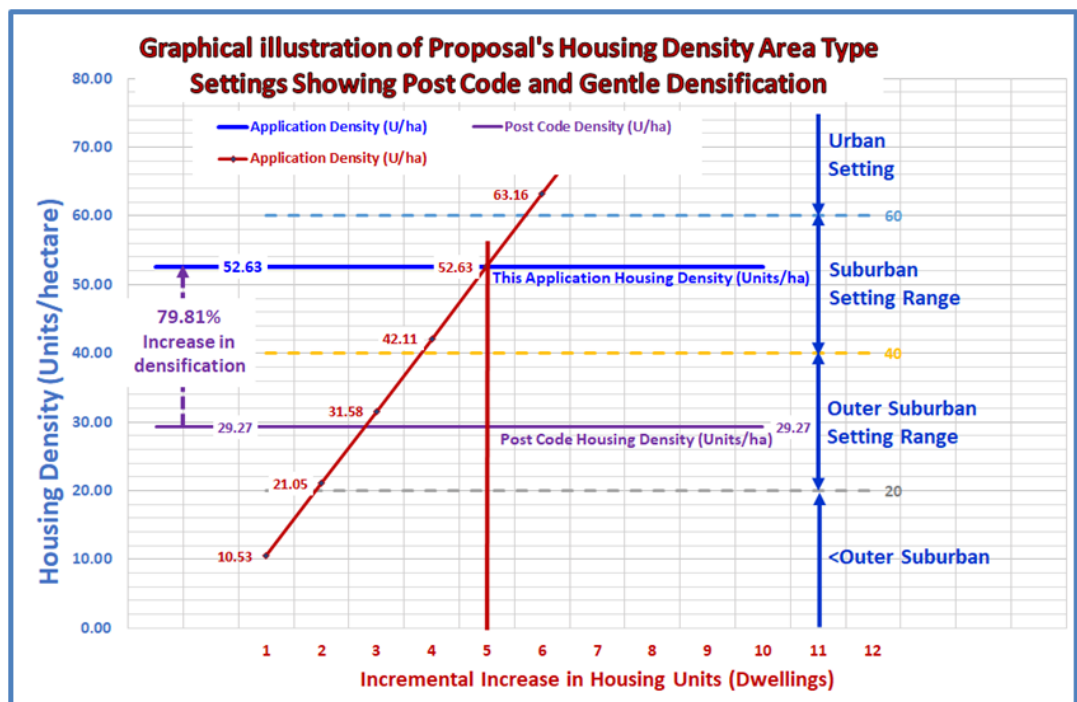
**Table 2: Application Design Code Assessment Details**

Difference Between Post Code (CR0 7QR) Design Code & Application Proposal			
Post Code Housing Density (Units/ha)	29.27	Area Type	Outer Suburban
Application Housing Density (Units/ha)	52.63	Area Type	Suburban
Difference	23.36	#	
Percentage Difference (%)	57.05	%	
Percentage Increase (%)	79.81	%	
Post Code Residential Density (bs/ha)	41.46	Area Type	<Outer Suburban
Application Residential Density (bs/ha)	347.37	Area Type	Central
Difference	305.91	#	
Percentage Difference (%)	157.35	%	
Percentage Increase (%)	737.84	%	
PTAL Currently Available 1b = 1.33	1.33	<Outer Suburban	(bs/ha)
PTAL Required	7.63	Central	(bs/ha)

**Table 3: Difference - Post Code Design Codes & Application Design Codes**



- 2.4.2.4 The assessment above clearly shows that the proposal exceeds the **Area Type Setting Housing Density** of **Outer Suburban Area Type** for the **Post Code Area** of the locality from **29.27Units/ha** to **52.63Units/ha**, an increase of **79.81%** which lifts the **Area Type** from **Outer Suburban** to a **Suburban Area Type** Setting.
- 2.4.3 **Evaluation of the Difference between the Post Code Design Code and Application proposal Design Code parameters.**
- 2.4.3.1 The increase in occupancy as measured in **Residential Density** terms of bedspaces per hectare increases from **41.46persons/ha** to **347.37persons/ha**, a **737%** increase, which would be more appropriate for a **Central** Area Type Setting.
- 2.4.3.2 This illustrates the **79.81% increase** in **densification** and the increase from **Mid Outer Suburban** to **Mid Suburban Area Type** Setting Ranges.
- 2.4.3.3 It should be noted that such an increase would be **completely unacceptable** for an **Outer Suburban Area Type** Setting and require a commensurate improvement in **supporting infrastructure**, which according to the infrastructure delivery plan<sup>8</sup> would not be forthcoming over the life of the revised **Local Plan**.
- 2.4.3.4 This evaluation clearly establishes the proposal exceeds the **Area Type Design Code** and therefore does **NOT** represent the character of locality into which it is proposed thus supporting the LPA's assessment for Refusal and fully answers the Appellants Grounds of Appeal 1 & 2.



**Graphical Illustration of Proposal's Housing Density v Number of Dwellings for Site Area of 0.095ha compared to the Locality POST CODE (CR0 7QR)**

<sup>8</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/infrastructure-delivery-plan-2021.pdf>



## 2.5 Residential Density (bedspaces/hectare)

2.5.1 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**.

2.5.2 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**.

2.5.3 It is people that require **Public Transport Accessibility** therefore we need to convert the **National Housing Density (U/ha)** to a **National Residential Density (persons/ha)**. The **National** average Occupancy of Dwellings as a statistic is available from the **ONS or Statista**<sup>9</sup> and is listed as **2.36 persons per dwelling** in 2022.

2.5.4 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**. etc.

## 2.6 Residential Density and Public Transport Accessibility

2.6.1 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**.

2.6.2 The **Public Transport Accessibility (PTAL)** at the **Post Code CR0 7QR** is rated by TfL to be **1b** ≡ numerically at **1.33** and if the **PTAL** is considered to range from **Zero** at **Outer Suburban** to **6** at **Central Area Type** over a linear increase the value of **PTAL** required at the **Post Code** would follow the linear' function:

$$y = mx + c. \text{ Over the PTAL range } 0 \text{ to } 6.$$

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

2.6.3 At **PTAL 1b ≡ 1.33** 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 (2022

<sup>9</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



figure) is **2.36** and the Local Post Code (CR0 7QR) Unit Occupancy is  $17/12 = 1.42$ . As the assessment is Based on the **National Average Residential Occupancy**, the required **PTAL** for the **Area Type CR0 7QR** using this function is;

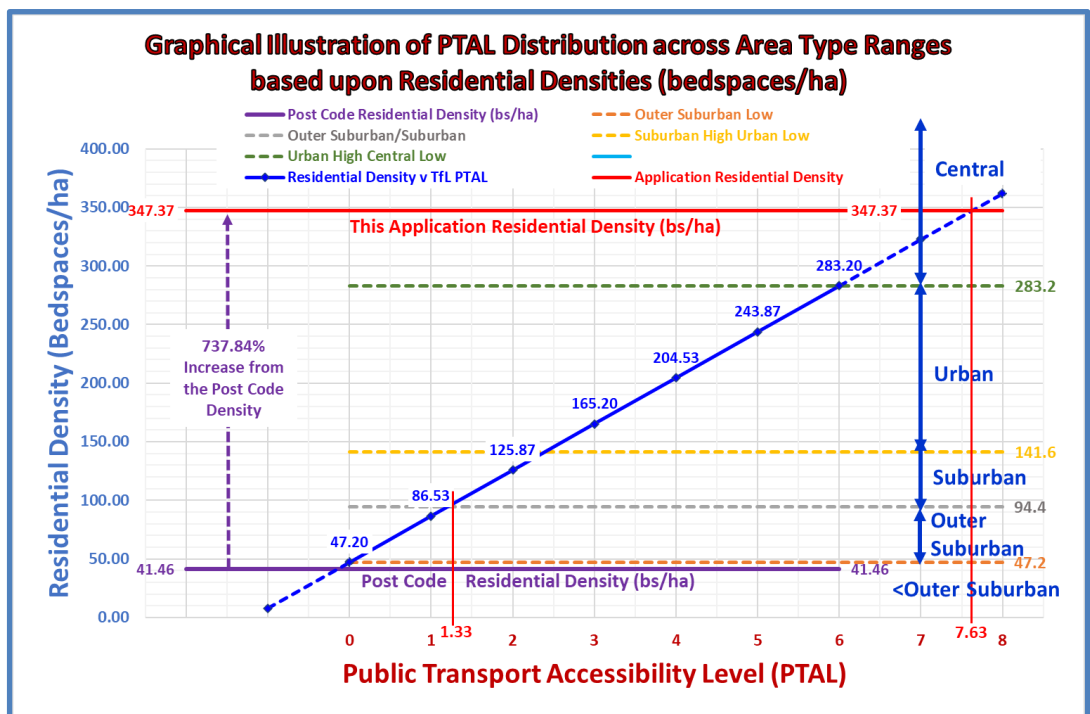
$$\therefore y = 41.46 = \left( \frac{120 * 2.36 - 20 * 2.36}{6} \right) * x + 20 * 2.36$$

$$\therefore x = \frac{41.46 - 20 * 2.36}{39.33} = -0.1459 = \mathbf{-0.15 PTAL}$$

2.6.4 The actual available **PTAL** is **1b  $\equiv$  1.33** therefore a required **PTAL** of **-0.15** is below the available **PTAL** of **1.33** which means the available **PTAL** for **Post Code CR0 7PL** at **1b** is adequate for the **Design Code Residential Density** of **41.46 Persons/ha** at an average Occupancy based on the **National Average** of **2.36 persons per Unit** in an **Outer Suburban Area Type Setting**.

2.6.5 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.

2.6.6 **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.



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





- 2.6.7 The **National Model Design Code (NMDC) Area Design Codes** has “**Outer Suburban,**” “**Suburban,**” “**Urban**” & **Central Area Type** designations, but TfL has **Suburban, Urban & Central** designations in habitable rooms/hectare, **Habitable rooms do not require Public Transport Accessibility!**
- 2.6.8 Therefore, the **PTAL** over the range **0 to 6** should be proportionate to the increase in **Residential 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)<sup>10</sup>. Areas at **<Outer Suburban** would also require **Zero PTAL**. (There are no **PTAL** designations <Zero).
- 2.6.9 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**’.
- 2.6.10 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**.
- 2.6.11 The **Required PTAL** to support a Residential Density of **347.37 bedspaces/ha** is found from the function:  $y = mx + c$   
*where  $y = \text{Density}$ ;  $m = \frac{\delta y}{\delta x}$ ; &  $x = \text{PTAL}$  and  $c = y$  when  $x = \text{Zero}$*   
 $\therefore 347.37 = \left(\frac{283.2-47.2}{6}\right) * x + 47.2 = 39.33 * x - 47.2$   
 $\therefore x = (347.37 - 47.2)/39.33 = 7.632 \text{ PTAL} \approx 7.63 = \text{PTAL}$   
 For **PTAL** at **1b ≡ 1.33** the **Residential Density** should be:  
 $\text{Residential Density} = \left(\frac{283.2 - 47.2}{6}\right) * 1.33 + 47.2$   
 $= 99.51 \text{ bedspaces/ha}$
- 2.6.12 This gives an indication of the appropriate level of **Residential Density** for the locality defined by **Post Code CR0 7QR PTAL at 1b ≡ 1.33** is **≈100bs/ha**.
- 2.6.13 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**<sup>11</sup> 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)**.

<sup>10</sup> <https://content.tfl.gov.uk/connectivity-assessment-guide.pdf>

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

2.6.14 For **sustainable** development, the **Residential Density** at **PTAL 1b** should be nominally **≈99.51 bedspaces per hectare** whereas the proposed **Residential Density** is **347.37bedspaces/ha**. This is a **737.84% increase** from the **Post Code Residential Density** of **41.46persons/ha** or **249.08% increase** from the nominal **99.51bedspaces/ha**.

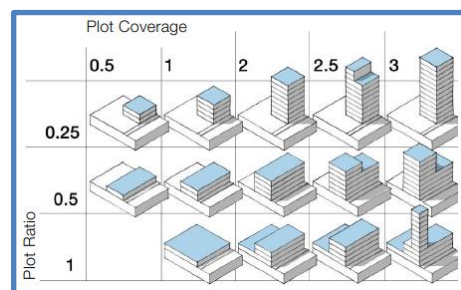
2.6.15 As the **Shirley Wards** have **no prospect of infrastructure improvement**<sup>12</sup> and **TfL** have no prospect of improvements to **Public Transport Accessibility** at the Application Site until after 2031, the assessment as detailed above clearly shows that the proposal is **unacceptably excessive** for the current **Area Type Setting** as the **supporting infrastructure** would not meet the proposal's **Design Code requirements**. This assessment and analysis clearly supports the **LPA's Reason 1** for a Refusal and provides adequate reason for Dismissal of this Appeal.

## 2.7 Plot Area Ratio (PAR) (GEA/Site Area) & Floor Area Ratio (FAR) (GIA/Site Area)

2.7.1 **Floor Area Ratio (FAR)** is given as Gross Internal Area divided by the Site Area in sq.m.

2.7.1.1 This ratio is recommended for:

- Town Centres: Plot Ratio >2
- Urban Neighbourhoods: Plot Ratio >1
- Suburbs: Plot Ratio <0.5.



2.7.1.2 However, the **Suburbs** can be **Suburban, Outer Suburban** and **<Outer Suburban**. We have extrapolated these values to be:

- **Suburban: <0.5**
- **Outer Suburban: <0.325**
- **<Outer Suburban: <0.25**

2.7.2 **Plot Area Ratio (PAR)** and **Plot Coverage** is given as **Gross External Area** (Footprint) divided by the **Site Area** in sq.m.

2.7.2.1 The **Plot Area Ratio (PAR)** (GEA/Site Area) is more relevant with **suburban** and **<Outer Suburban** dwellings as it defines the appropriate garden area for the **Area Type**.

National Design Code Site Ratios & Presumptions			
Area Type	Floor Area Ratio = GIA/Site Area	Plot Area Ratio = GEA/Site Area	Percentage Site Area for Garden
<Outer Suburban	0.25	0.125	87.5%
Outer Suburban	0.375	0.25	75.0%
Suburban	0.5	0.5	50.0%
Urban	1	0.75	25.0%
Central	2	0.875	12.5%

2.7.2.2 The proposal exceeds the Recommended **Floor Area Ratio (FAR)** for **Suburban Area Types** at  $GIA/Site\ Area\ (sq.m.) = 608.4/950 = 0.6404$  when the recommendation is to be (less than) **<0.5**. this is an increase of **20.8%**. on the recommended value. However, the proposal is in an **Outer Suburban Area Type (Post Code CR0 7QR)** which is **one Area Type band** lower than a **Suburban Area Type**.

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



- 2.7.2.3 We have extrapolated values for **Outer Suburban** which emphasises the failure to meet the benchmark **Design Code Guidance** appropriate **FAR at  $\leq 0.375$**  for the **Outer Suburban Area Type** for this proposal. This would indicate a **61.07%** increase in **Floor Area Ratio (FAR)**.
- 2.7.2.4 There is no guidance in the **National Model Design Code & Guidance** for **Plot Ratio** (GEA/Site Area) thus we have made an informed assessment as detailed in the Table (right). The assumption is based upon the **Area Type** and percentage appropriate of the **Site Area** for the garden as a relationship with the **Local Area Type** Setting and using the philosophy adopted by the **National Model Design Code & Guidance**. These ratios provide benchmark value guidance for All **Area Types**.
- 2.7.2.5 The **Type A** Building has a footprint **GEA** of  $(2 \times 110.8665) = 221.733\text{sq.m.}$  and the **Type B** unit **50.60sq.m.** totalling **272.333 sq.m.** The higher the Ratio, the less proportionate garden Area is available. The remaining unbuilt area =  $950 - 272.33 = 677.67\text{sq.m.}$  The **Plot Area Ratio** for this proposal is  $(272.333)/950 = 0.2867 \approx 0.29$ .
- 2.7.2.6 The **Plot Area Ratio** for the **Post Code Area** is difficult to assess but an attempt has been made to sum the footprints of all dwellings within the **Post Code Area CR0 7QR** using **Google Earth** as listed in the table. The sum of the **Post Code GEA** (Footprints)  $\approx 955.93\text{sq.m.}$  therefore the existing **Plot Area Ratio (PAR)** =  $955.93/4100.33 \approx 0.233$ . This proves the **Proposal** would reduce the proportion of **Amenity Area** compared to the existing by:  $(0.29 - 0.233)/0.29 \approx 19.655\%$ .
- | Post Code CR0 7QR             | GEA sq.m.     |
|-------------------------------|---------------|
| 161 & 159                     | 204.32        |
| 157 & 155                     | 195.61        |
| New Development (153)         | 200.28        |
| 149 - 151                     | 214.9         |
| 145 - 147                     | 140.82        |
| <b>Total GEA (Footprints)</b> | <b>955.93</b> |
- 2.7.2.7 A further new requirement of the **London Plan** is the **Urban Greening Factor (UGF)** to evaluate the quantity and quality of urban greening provided by a development proposal. The **London Plan Policy G5 Urban Greening** recommends a factor (**UGF**) of **0.4** for **residential developments** which we understand to be 0.4 of the Site area minus the footprint Area which should be vegetation or porous and not covered for parking, footpaths or bases for Refuse & Recycling. As such we have made an appropriate assessment based on reasoned judgement.
- 2.7.2.8 The proposed Development therefore exceeds the recommended **National Model Design Code & Guidance Floor Area Ratio (FAR)** for an **Outer Suburban Area Type**. In addition, the proposal has **19.66%** reduction in Amenity or Garden Area than the surrounding dwellings. The analysis and assessment illustrates the Footprint and Gross internal Areas exceed the proportion of **Site Capacity** for an appropriate **Amenity Space** commensurate with the **locality** which endorses the **LPA's Reason for Refusal 2** and provides further evidence for the **Dismissal of this Appeal**.

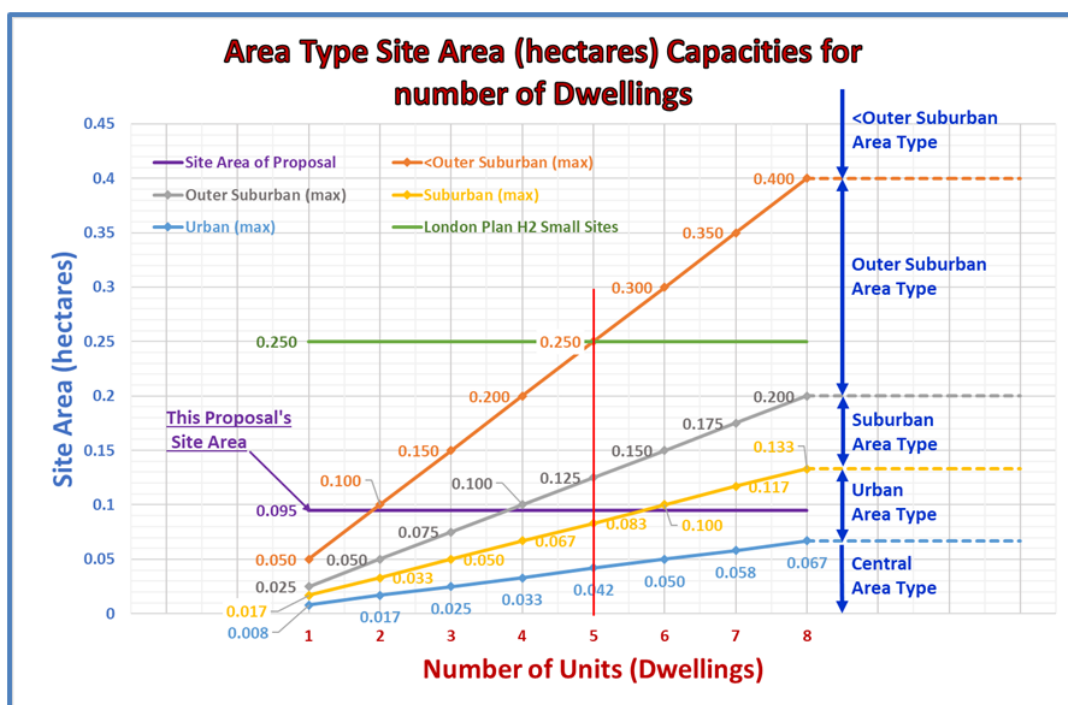
### 3 Optimising Site Capacity

#### 3.1 Optimising Site Capacity Assessment 1

##### 3.1.1 London Plan Policy D3 – Optimising Site Capacity through the Design-Led Approach

- 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.

3.1.2 The attributes of a development site are the **Area Type Setting** of the locality and the **Site Area** available for the proposed development. These are fundamental to the **Capacity** of the **Site for development**.



**Site Area ranges in hectares per Dwelling for Area Type Settings**

3.1.3 The proposed **Site** has an **Area** of **950 sq.m. = 0.095ha** and the Locality as defined by the local **Post Code CR0 7QR** is **29.27Units/ha = Outer Suburban**. The Capacity for “Growth” is extremely limited as the locality is ‘inappropriate’ for ‘incremental intensification’, (Policy H2 para 4.2.4 as described above).

3.1.4 The graphical illustration above shows that the **Post Code CR0 7QR Outer Suburban Area Type** Setting for **5 dwellings** requires a **Site Area** between **0.25ha** and **0.125ha** when the proposal's **Site Area** is **0.095ha** i.e., deficient by a minimum of **0.03ha** and maximum of **0.155ha**. Therefore, the proposed development of **5 dwellings** on a **Site Area** of **0.095ha** in an **Outer Suburban Area Type** Setting exceeds the available **Site Capacity** and is **Non-Compliant** to the **London Plan Policy D3 - Optimising Site Capacity through the Design-Led Approach**.



### 3.2 Optimising Site Capacity Assessment 2

#### 3.2.1 London Plan Policy D3 – Optimising Site Capacity through the Design-Led Approach

3.2.2 The **Site Capacity** required 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.

3.2.3 However the interactive toolkit supplied is mainly targeted for major development projects with varying tenures and not for Small developments as in this case. However, the LPG states that Local boroughs or stakeholders can use alternative methods based upon the LPG principles.

3.2.4 The **Small Site Area** Calculator assesses the Attributes of the proposal and by summation of all requirements and provisions required by the Policies, establishes whether or not these can be accommodated on the available **Site Area**.

Indicative London Plan Policy D3 - Optimising Site Capacity & H2 - Small Site Capacity Calculator:														
Input Parameters														
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.)	Landfill Refuse Dry Recycling (1280L) (per Bin) (sq.m.)	Landfill Refuse Dry Recycling (360L) (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.)	Refuse Eurobin (140L) Storage (per Bin) (sq.m.)
0.1020	1,020.00	322.24	10	12.5	12	14	18.000	0.855	1.235	0.528	0.528	0.429	0.351	0.259
Proposal														
Unit (Type)	Site Area (sq. m.)	Footprint or GEA	Bedrooms (b)	Bedspaces (bs)	GIA Required (Best Practice) (sq.m.)	In-built Storage (Best Practice) (sq.m.)	Private Amenity Space (Required) (sq.m.)	Probable Adults	Probable Children	Play Space Required (sq.m.)	Refuse Bin Storage (Note 2)	Cycle Storage	Car Parking (London Plan)	
Unit 1		80.56	3	5	110	3.00	8.000	2	3	30	1.72	3.42	21.00	
Unit 2	1,020.00	80.56	3	5	110	3.00	8.000	2	3	30	1.72	1.71	21.00	
Unit 3		80.56	3	5	110	3.00	8.000	2	3	30	1.72	1.71	21.00	
Unit 4		80.56	3	5	110	3.00	8.000	2	3	30	1.72	3.42	21.00	
<b>Totals</b>	<b>1020.00</b>	<b>322.24</b>	<b>12</b>	<b>20</b>	<b>440</b>	<b>12</b>	<b>32.000</b>	<b>8</b>	<b>12</b>	<b>120</b>	<b>6.88</b>	<b>10.26</b>	<b>84.00</b>	
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)	Urban Greening Factor (Factor x Area/Site Area)		
<b>Total</b>	<b>322.24</b>	<b>120.00</b>	<b>32.00</b>	<b>0.00</b>	<b>84.00</b>	<b>10.26</b>	<b>6.880</b>	<b>575.38</b>	<b>1020.00</b>	<b>0.32</b>	<b>0.43</b>	<b>0.49</b>		
Assessment	Floor Area Ratio = (GEA/Site Area)	Plot Area Ratio = (GEA/Site Area)	% Site Garden Area	Site Area available (sq.m.)	Garden Area (UGF) (sq.m.) (Note 1)	Required Area (sq.m.) including GEA	± Indicative Site Area	% Site Capacity	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.					
<Outer Suburban	0.25	0.125	100.0%	1020.00	868.00	575.380	-423.38	-41.51%						
Outer Suburban	0.375	0.25	75.0%	1020.00	613.00	575.380	-168.38	-16.51%						
Suburban	0.5	0.375	50.0%	1020.00	358.00	575.380	86.62	8.49%						
Urban	1	0.5	25.0%	1020.00	103.00	575.380	341.62	33.49%						
Central	2	1	0.0%	1020.00	-152.00	575.380	596.62	58.49%						

#### Small Site Area Calculator – actual Site Area Required for Area Types.

3.2.5 We have endeavoured to, as accurately as feasible, include all areas required of the proposal to meet the Policies of the **Area Type**. The summation of these required **Areas** are based upon the Character of the locality as defined by the **Post Code Design Code** parameters. This assessment shows the proposal's **Site Area** would be **deficient** by **178sq.m.** or **18.82%** for an **Outer Suburban Area Type Setting** as defined by the **Small Site Calculator** based upon the required capacities to meet the Policies.

3.2.6 This detailed and comprehensive assessment as tabulated below clearly indicates the **Site Capacity** of **0.095** (950sq.m.) is exceeded by the proposal for an **Outer Suburban Area Type** and would be more appropriate in a **Suburban Area Type** setting. This analysis supports the **LPA's Refusal** and provides further valid logical evidence to support a **Dismissal of the Appeal**.

3.2.7 We have conclusively shown that the proposal exceeds the appropriate **Scale** and **Massing** for the local character and **exceeds** the available **Site Capacity** at the **Outer Suburban Area Type** as Defined by the **National Model Design Code & Guidance**. In addition, recognising the **Public Transport Accessibility Level (PTAL)** of **1b** equivalent numerically to **1.33** to at the **Post Code CR0 7QR** which translates to an unsustainable development. We conclude this **Appeal should be dismissed**.

## 4 Housing Need

4.1 The allocation of housing **"need"** assessed for the **"Shirley Place"** [770ha] over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan <sup>13</sup> 2021 **Table 3.1**). This equates to **≈14 dwellings per year over 20 yrs**.

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

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

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

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

**(The statement of equivalence of the Sum of the Wards equals the Area of the "Place" is 'NOT CORRECT.'**)

<sup>13</sup> <https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf>



- 4.3 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**. (although assumed as such in the following response).
- 4.4 The **FOI Response** indicates:
- *The Council does not hold the information we requested in a reportable format.*
  - *The Council does not know the **exact Area** in hectares of any **“Place”***
  - *The Council does not hold the **Number of Dwellings per “Place.”***
  - *The Council does not hold the **Number of Persons per “Place”***
- 4.5 The **Croydon Local Plan** (2018) has a target of an additional **1600 homes** between **2016 and 2036** with at least **1600 completed by 2026** throughout the Borough. This Target was not subdivided over “Places” of Croydon or the Wards. However, the **New London Plan 2021** provided more detail and the Revised (Draft) Croydon Plan (not yet adopted) indicated **Place Targets** and the allocation for the **Shirley Place** was **278 dwellings over the period 2019 to 2039**.
- 4.6 The Target Analysis of the recorded data shows that over the ‘three’ full years **2018 to end of 2020**, the **Net Increase in Dwellings for Shirley = Shirley North Ward + Shirley South Ward = 55 + 102 + 69 = 226 ≈ 75 per yr.**
- 4.7 However, this is **NOT The Shirley “Place”** at **≈770ha** but the net increase for the **Shirley North Ward [327.90ha] + Shirley South Ward [387.30ha]** total of **715.20ha**, a difference of **54.8ha**.
- 4.8 The **MORA Area of 178.20ha** (*which we monitor*) is only **24.92%** of **All Shirley (715.2ha)**, at a rate of **36dpa** over the **20yr** period **≈720 dwellings**, would exceed the **Target for the Shirley “Place” of 278** by **442 Dwellings** **i.e., for the ‘Whole’ of the Shirley “Place”**.
- 4.9 The **Build Rate Delivery** of dwellings over **3 years** for all **Shirley** is averaging at **55 + 102 + 69 = 226 Ave ≈ 75.33/yr. dwellings per year**, so over **20** years the **Net Increase** will be **≈1507 dwellings**. (Exceeding the **278 Target** by **≈1,229**). The Target for the Shirley **“Place”** at **Croydon Plan Table 3.1** of the Revised (unadopted) **Croydon Local Plan** indicates a Target of **278 dwellings over the period 2019 to 2039**.
- 4.10 Over the Full Four Years the estimated outturn over the **20 years** is **1257 dwellings** (see completions analysis tables below).
- 4.11 At this Build-out rate **75.33/year** to reach the **Shirley Place Target** would be reached in **3.69years NOT 20**. since the target was reset in the 2021 London Plan.
- 4.12 This is  $|278 - 1257.5|/278 = 979.5/278 = 3.5234 = 352.34%$  Increase for the **Shirley “Place” estimate** when the **MORA Area** is only  $(770-178.2)/178.2 = 23.15%$  of the area of the **estimated Shirley ‘Place’** and  $(178.26-715.2)/715.2 =$



**24.92%** of all Shirley. *This is definitely NOT respecting the character of the locality when the majority of the locality is “Inappropriate for Incremental Intensification” with a PTAL of <3 and there is no probability for increase in supporting infrastructure.*

4.13 This current rate (if retained) would exceed the Target over **20 yrs.** (of **278**) at **1257.5** by: **Percentage of Increase** of  $|128 - 1257.5|/128 = 1129.5/128 = 8.8242 = \mathbf{882.42\%}$ . or a **Percentage Difference** of  $128$  and  $1257.5 = |128 - 1257.5|/((128 + 1257.5)/2) = 1129.5/692.75 = 1.63 = \mathbf{163\%}$ .

TARGET OUTTURNS (Estimates)							
Locality	Area (ha)	Dwellings	Population	Percentage of ALL Shirley	Units over 20 yrs (Estimate)	Per Year (Target Outturn)	Actual (Outturn/yr)
Shirley North Ward	327.90	6555	15666	45.85%	127	6	67
Shirley South Ward	387.30	5919	14147	54.15%	151	8	8
All Shirley	715.20	12474	29814	100.00%	258	13	75
Shirley "Place" (Approximately)	770.00	?	?	107.66%	278	14	?
<b>MORA AREA</b>	<b>178.26</b>	<b>3884</b>	<b>9283</b>	<b>24.92%</b>	<b>69</b>	<b>3</b>	<b>36</b>

**Estimated Target Outturns for Shirley and the MORA Area of 178ha (24.92%) portion of All Shirley Ward Wards of 715.20ha**

Completions (Not including approvals not yet started - see FOI Ref: 4250621 on 31st January 2022 )	2018	2019	2020	2021 (Aug)	Total	20 Yrs (Projected)	Estimated completed 2021
Shirley North Ward	45	87	69	12	213	1095	18
Shirley South Ward	10	15	0	5	30	162.5	7.5
Shirley Place (Estimate <sup>Note 1</sup> ) #1	55	102	69	17	243	1257.5	25.5
Target (278 over 20 yrs) #2	13.9	13.9	13.9	9.27	55.6	278	13.9
% increase [(#1-#2)/#2] %	295.68%	633.81%	396.40%	83.45%	352.34%	352.34%	83.45%

**Note 1 : The FOI indicates the Shirley Place to be 770ha whereas Shirley North plus Shirley South Wards total 715.2ha**

### Completions Analysis

4.14 From the **FOI Request**, the Area of the **Shirley “Place”** is **≈770ha**. The total Area of **Shirley North & South Wards** is **715.2ha** (GLA figures) therefore, there is **≈54.8ha** **excess of land** which is in other adjacent **Wards** which numerically means the **Target for Shirley Wards** of **278** should be reduced by **7.12%** **≈258** (and the difference of **20** added to the **Targets** of the relevant **adjacent Wards**).

4.15 This rate (if retained) would result in the number of developments **significantly exceeding** the available **supporting infrastructure** provision which has been acknowledged as unlikely to be improved over the life of the Plan.

4.16 We are confident therefore, 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.**

4.17 It is therefore plainly obvious that the inability to contain or mitigate the **excessive outturns** above the stated **Targets** is a **significant failure** to meet the **legally required objectives of Sustainability** as defined in the **NPPF Chapter 2.**





**Achieving sustainable development** <sup>14</sup> as Shirley has no prospect of infrastructure improvement over the life of the Plan. The **Sustainability of Developments** is a **legal** <sup>15</sup> **requirement** of development approvals.

- 4.18 We challenge the use of “Place” Target if those **Targets** for each “Place” are **NOT monitored** or if deviating from the requirement, there is no mitigating action to manage those Targets to meet “**Sustainable Developments**”. It is our understanding the **Managing of Developments** is the prime responsibility and the Job Description of the LPA “**Development Management**” Team.
- 4.19 **All Development proposals should be judged on compliance to adopted Planning Policies and NOT on the basis of meeting Targets to support a Housing “need” especially so if that “need” has already been met, and there is NO infrastructure improvements to support the surpassing of that “Need.”**
- 4.21 We have conclusively shown that the Housing Targets defined in the **London Plan Policy H1 - Increasing housing supply**, has been significantly exceeded in the **Shirley North Ward** which indicates **Housing need** in this location has already been **met**. This reduces the pressure on the local area for increased Housing, as without significant improvement in **supporting infrastructure** any **future developments would be unsustainable**.

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<sup>14</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>15</sup> <https://www.legislation.gov.uk/ukpga/2004/5/section/39>