



James Udall – Case Officer
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**Monks Orchard Residents'
Association Planning**

4th January 2024

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Reference: 23/04385/FUL
Application Received: Thu 23 Nov 2023
Application Validated: Tue 12 Dec 2023
Address: 116 Orchard Way Croydon CR0 7NN
Proposal: Removal of external staircase and Conversion of public house on ground floor of building to facilitate 1 x 2-bedroom flat and 1 x 3-bedroom flat with integral cycle and waste storage.
Status: Awaiting decision
Consultation Expiry: Sat 20 Jan 2024
Determination: Tue 06 Feb 2024
Case Officer: James Udall

Dear James Udall – Case Officer,

Please accept this letter as a formal 'comment' to **Application Ref: 23/04385/FUL** for Change of use of the public house on ground floor to create **2 flats**, with associated site alterations and integral cycle and waste storage.

1 Planning History:

1.1 Application Ref: 20/05960/FUL – Permission Granted.

- Retention of the Public House on the ground floor and creation of an additional storey with rear extensions and associated alterations to provide 4 flats on the upper floors.
- Application Received Tue 17 Nov 2020
- Application Validated Tue 17 Nov 2020
- Decision Permission Granted
- Decision Issued Date Wed 12 May 2021

1.2 Application Ref: 23/00569/FUL – Permission Refused & Dismissed on Appeal 5/10/23.

- Change of use of the public house on ground floor to create 2 flats, with associated site alterations and integral cycle and waste storage.
- Application Received Fri 10 Feb 2023;
- Application Validated Fri 10 Feb 2023;
- Decision Permission Refused;

- Decision Issued Date Wed 05 Apr 2023;
- Appealed 20/03/2023;
- Appeal Dismissed 5/10/23.

2 Proposal in consideration of App Ref: 20/05960/FUL

- 2.1 The Application Ref: 23/04385/FUL shares the Site with the approved Application Ref: 20/05960/FUL. However, as of the time of preparing this submission the approved Application Ref: 20/05960/FUL has yet to be implemented. Presumably the approved proposal is planned to be implemented when, and if, this new application Ref: 23/04385/FUL is approved.



Site Photo taken on 22nd December 2023 illustrates that the proposal Ref: 20/05960/FUL has not yet been implemented.

- 2.2 It is suggested that this proposal Ref: 23/04385/FUL cannot be assessed in **isolation of the approved proposal Ref: 20/05960/FUL** as they share the overall **Site Area**, and the **Planning Policies** are **pertinent to the whole Site**. There are therefore two separate assessments pertaining to this new proposal.
- 2.2.1 **Option 1: The new proposal Ref: 23/04385/FUL with the Approved App Ref: 20/05960/FUL implemented.**
- 2.2.2 **Option 2: Ref: 23/04385/FUL and the original accommodation prior to 2020.** This assumes the **First Floor** retains the single **4b/6p** Flat accommodation.
- 2.2.3 In order to assess both **Options**, we need to assess each set of **Design Code** parameters including the **original**. The Approved **Ref: 20/05960/FUL** on the original and the subsequent proposal **Ref: 32/04285/FUL**; against the Original and the proposal **Ref: 23/04285/FUL** (in the event that the Approved proposal **Ref: 20/05960/FUL** is not implemented) and the new proposal.
- 2.2.4 The various **Options** and **Application Design Code Data** are tabulated as follows:

116 Orchard Way			App. Ref:	23/04285/FUL			Option 1	Option 2							
Site Area	285	sq.m.	Site Area as stated on the Application Form.			Original	Approved	New	Approved & New	Original & New	Units/ha	PTAL			
Site Area	0.0285	hectares	Units			1	4	2	6	3	#	2011	1a	0.66	
GEA	291.88	sq.m.	Area Type			Outer Suburban	Central	Urban	Central	Urban	-	2021	1a	0.66	
The GEA has been measured from the provided Ground Floor Plans at magnification 112% (1cm = 1m) which results in GEA > Site Area?															
Residential Density						210.53	350.88	280.70	631.58	491.23	bs/ha	2031	1a	0.66	
Housing Density						35.09	140.35	70.18	210.53	105.26	Units/ha				
Floor Area Ratio						0.41	0.78	0.59	0.78	1.00	#				
Existing and New	Floor	Bedrooms	Bed Spaces available	GIA Offered	GIA Required	GIA (Best Practice Table A1.1)	Built-In Storage Offered	Built-In Storage Required	Built-In Storage (Best Practice Table A1.1)	Private Open Space Offered (sq.m.)	Private Open Space Required (sq.m.)	Car Parking	Estimated Number of Adults	Estimated Number of Children	Play Space Required
NEW Application Ref: 23/04285/FUL (Ground Floor)															
Flat 116A	Ground	3	5	102.3	86	97	4.5	2.5	3.0	11	8	1	2	3	30
Flat 116B	Ground	2	3	66.3	61	67	1	2	3.0	7	6	0	2	1	10
Totals		5	8	168.6	147	164	5.5	4.5	6	18	14	1	4	4	40
Approved Application Ref: 20/05960/FUL (First & Second Floors)															
Flat 1	First	2	4	71.1	70	N/A	2	2	N/A	6	7		2	2	20
Flat 2	First	1	2	51.2	50	N/A	1	1.5	N/A	5	5	1	2	0	0
Flat 3	Second	1	2	50.6	50	N/A	?	1.5	N/A	6	5		2	0	0
Flat 4	Second	1	2	50.0	50	N/A	1	1.5	N/A	5	5		2	0	0
Totals		5	10	222.9	220	N/A	4	7	N/A	22	22	1	8	2	20
Original Pub and First Floor Accommodation															
Flat 1	First	4	6	116.75	99	N/A	?	3	N/A	35	9	0	2	4	40
Option 1: Approved Application Ref: 20/05960/FUL Plus Proposal Ref 23/04285															
Total		10	18	391.5	367	#VALUE!	9.5	11.5	#VALUE!	40	36	1	12	6	60
Option 2: Original Pub First Floor Plus New Proposed Ground Floor Proposal Ref: 23/04285															
Total		9	14	285.35	246	#VALUE!	#VALUE!	7.5	#VALUE!	53	23	1	6	8	80
Only 1 Car Parking Space available for the Site.															

The proposal parameters and options at the time of preparation of this submission.

2.2.5 The **Site Area** as stated on **The Application Form** is **285sq.m.** but the **Gross External Area (GEA)** as measured on the offered **Ground Floor Plan Drawing 21 Version D** dated **October 2022** shows the **GEA** to be **~291.88 sq.m.** i.e. **Greater** than the **Site Area!** **Thus, the stated site area is probably wrong or an approximation.**

3 Area Type Design Code Assessment

3.1 In order to assess the Area Type in the locality to analyse whether the proposal is appropriate, it is necessary to investigate and define the **local Area Type** as defined by the **National Model Design Code & Guidance (NMDC&G) (2021)** published by the **DLUHC** and referenced from the **NPPF (Para 129)**.

3.1.1 **Part 1 of the NMDC&G at Section 2.B page 14 defines Area Types as:**

Outer Suburban Area Type :-	20 Units/ha to 40 Units/ha
Suburban Area Type :-	40 Units/ha to 60 Units/ha
Urban Area Type :-	60 Units/ha to 120 Units/ha
Central/Town Area Type :-	≥120 Units/ha and above

3.1.2 The **Local Area** assessment to define the **Local Design Code** requires an analysis of the **locality Design Code** parameters to define the **Local Design Code detail**. The simplest analogy is to assess the **Post Code Area** for such an assessment as we know of no other **area** designation for which appropriate parameter data are defined or available.

3.1.3 **The Local Post Code of the Application is CR0 7NN** which includes **106 to 116 Orchard Way** (Minus 114 see later), the **Flats above the parade of shops at 128 Orchard Way** (Flats B-M = **12 Flats**) (including the **Pub** now closed) and **Flats 1 to 12 of Chaseley Green Court 114** (which required the demolition of 114 Orchard Way) a total number of **30 Dwellings** with **54 Occupants**.

3.1.4 The **Area Type** of the **Post Code** has been calculated individually by use of Google Earth. The total **Area** is **≈0.6106ha** giving a **Housing Density** of **30/0.6106 = 49.132units/ha** which indicates a **NMDC&G Area Type** to be **Suburban**.

CR0 7NN Statistics					
Address	Dwellings	Council Tax band	Local Authority	Area	
				ha	sq.m.
106 ORCHARD WAY, Croydon, CR0 7NN	1	F	Croydon	0.1089	1088.57
116 ORCHARD WAY, Croydon, CR0 7NN	1	D	Croydon	0.0593	592.66
128B to128M ORCHARD WAY, Croydon,	12	C	Croydon	0.1388	1388.12
138 ORCHARD WAY, Croydon, CR0 7NN	1	E	Croydon	0.0138	138.05
164 ORCHARD WAY, Croydon, CR0 7NN	1	F	Croydon	0.1724	1723.98
166 ORCHARD WAY, Croydon, CR0 7NN	1	E	Croydon		
168 ORCHARD WAY, Croydon, CR0 7NN	1	E	Croydon	0.1175	1174.66
1 to 12 CHASELEY GREEN COURT 114, ORCHARD WAY, Croydon, CR0 7NN	12	D	Croydon		
Total	30			0.6106	6106.04

Assessment of Post Code Area by Google Earth

3.1.5 Incremental assessment of CR0 7NN Design Code parameters.

Cumulative Design Code Parameters of Post Code 'CR0 7NN'					
	Original	Approved 20/05960/FUL	Option 1 20/05960/FUL and 23/04285/FUL	Option 2 Original and 32/04285/FUL	
Post Code	CR0 7NN	CR0 7NN	CR0 7NN	CR0 7NN	Post Code
Area of Post Code (ha)	0.6106	0.6106	0.6106	0.6106	hectares
Area of Post Code (Sq.m)	6106.04	6106.04	6106.04	6106.04	sq.m.
Number of Dwellings (Units)	30	33	35	32	Units
Number of Occupants (Persons)	54	58	66	62	Persons
Occupancy	1.80	1.76	1.89	1.94	Persons/dwelling
Post Code Housing Density	49.13	54.05	57.32	52.41	Units/ha
Post Code Residential Density	88.44	94.99	108.09	101.54	Bedspaces/ha
Area Type (National Model Design Code)	Suburban	Suburban	Suburban	Suburban	Units/ha Area Type
Area Type (National Model Design Code)	Outer Suburban	Suburban	Suburban	Suburban	bs/ha AreaType
PTAL For Residential Density	-0.15	0.02	0.35	0.18	PTAL

(These parameters auto calculate the National Model Design Code Area Type setting)

Incremental cumulative assessment of Post Code (CR0 7NN) Design Code parameters

3.2 The Cumulative Assessment of Proposal and options for Analysis

Application Design Code Details					
Application Ref:	23/04385/FUL				
Address:	116 Orchard Way				
PostCode:	CR0 7NN				
Application Parameters					
	Original	Approved 20/05960/FUL	Option 1 20/05960/FUL and 23/04285/FUL	Option 2 Original and 32/04285/FUL	
Site Area (ha)	0.0285	0.0285	0.0285	0.0285	ha
Site Area (sq.m.)	285.00	285.00	285.00	285.00	sq.m.
Units (Dwellings)	1	4	6	3	Units
Bedrooms	4	5	10	9	Bedrooms
Bedspaces	6	10	18	14	Persons
Housing Density	35.09	140.35	210.53	105.26	Units/ha
Residential Density	210.53	350.88	631.58	491.23	bs/ha
Occupancy	6.00	2.50	3.00	4.67	bs/unit
Gross Internal Area (GIA) offered	116.75	222.90	285.35	285.35	sq.m.
Floor Area Ratio	0.41	0.78	1.00	1.00	#
Area Type Setting (Units/ha)	Outer Suburban	Central	Central	Urban	
Area Type Setting (Bedspaces/ha)	Urban	Central	Central	Central	

Application Cumulative Increase in Design Code Assessment with Application Proposals

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

3.3 Comparison between Application's and Post Code Assessments.

Difference Between Post Code (CR0 7NN) Design Code & Applications					
Parameter	Original	Approved 20/05960/FUL	Option 1	Option 2	Units
			20/05960/FUL and 23/04285/FUL	Original and 32/04285/FUL	
Post Code Housing Density (Units/ha)	49.13	54.05	57.32	52.41	Units/ha
Application Housing Density (Units/ha)	35.09	140.35	210.53	105.26	Units/ha
Difference	-14.04	86.30	153.21	52.85	Units/ha
Percentage Difference (%)	-33.34	88.79	114.40	67.04	%
Percentage Increase (%)	-28.58	159.67	267.29	100.84	%
Post Code Residential Density (bs/ha)	88.44	94.99	108.09	101.54	bedspaces/ha
Application Residential Density (bs/ha)	210.53	350.88	631.58	491.23	bedspaces/ha
Difference	122.09	255.89	523.49	389.69	bedspaces/ha
Percentage Difference (%)	59.16	42.61	29.23	34.26	%
Percentage Increase (%)	138.05	269.39	484.31	383.78	%
PTAL Currently Available	0.66	0.66	0.66	0.66	PTAL
PTAL Required	-0.15	0.02	0.35	0.18	PTAL

Comparisons between Post Code Area Type and Applications

3.4 Assessment of local Post Code Area Type resultant on Proposals

3.4.1 As indicated earlier, the proposal needs to be assessed on the **current** or against the **approved** proposal as it is not known if the approved proposal **Ref: 20/05960/FUL** will be implemented. The **Area Types, Housing and Residential Densities** are **Ratios** of parameters and therefore can be compared directly.

3.4.2 **Option 1** Assuming the approved proposal **Ref: 20/05960/FUL** is implemented; the proposal would increase the **Post Code Housing Density** from **54.05Units/ha** to **57.32Units/ha** at both **Suburban Area Types** which is a **6.05% increase**.

3.4.3 **Option 2** if the approved proposal were not implemented; then the proposal would be from the **Original** at **Housing Density** of **49.13Units/ha** at a **Suburban Area Type** to **52.41Units/ha** which is an **6.68 % increase** but remaining within a **Suburban Area Type**. These are not significant increases in Housing Density and are NOT sufficient to alter the Area Type setting.

3.4.4 The **Housing Density** and **Area Types** are predicated on the **NMDC&G Assessment** on the 'National' number of **Dwellings/Hectare**. For a commensurate equivalent **Residential Density**, a similar **National** measure of **Persons per hectare** is required. This can be ascertained from the **National** statistic of average number of **UK persons per unit** by the **ONS** or **Statista**.¹

3.4.5 The Average **Unit Occupancy** for the **UK** in **2022** was **2.36**. Therefore, we can convert directly from **Housing Density** to **Residential Density** by the factor **2.36**.

Area Type	Housing Density	=	Residential Density
Outer Suburban:	20u/ha to 40u/ha	=	47.2p/ha to 94.4p/ha
Suburban:	40u/ha to 60u/ha	=	94.4p/ha to 141.6p/ha
Urban:	60u/ha to 120u/ha	=	141.6p/ha to 283.2p/ha
Central:	≥120u/ha	=	≥283.2p/ha

¹ <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>

3.4.6 Assuming **Option 1**; the approved proposal Ref: **20/05960/FUL** is to be implemented, the proposal would increase the **Post Code Area Type Residential Density** from **94.99bs/ha** to **108.09bs/ha** both at **Suburban Area Types** but which is a **13.79% increase**.

3.4.7 For **Option 2**;, if the approved proposal were not implemented, would be from the **Original at Residential Density** of **88.44bs/ha** at an **Outer Suburban Area Type** to **101.54bs/ha** at a **Suburban Area Type** which is an increase in **Area Type** setting and a **14.81% increase** in Residential Density.

3.4.8 These **increases** would **NOT** be supported by the available **supporting infrastructure** as the existing **Area Type** would only support an **Outer Suburban Area Type Setting** and therefore the proposals would **NOT** comply with the **London Plan Policy D2 Infrastructure requirements for sustainable densities**, as there is **NO** planned infrastructure improvement² for the **Shirley North Ward** over the **life of the Plan**.

3.5 Assessment of Application Proposals:

3.5.1 Assuming **Option 1**; with the approved proposal Ref: **20/05960/FUL** to be implemented, the **LPA** have accepted a **Housing Density** of **140.35Units/ha** which would then be increased to **210.53Units/ha**, of which both would be equivalent to a **'Central' Area Type** within an actual **Suburban Area Type locality** and would be an **increase of 50.00%**. Similarly; the **Residential Density** with the **LPA** accepted Ref: **20/05960/FUL** would be **350.88bs/ha** which with the proposal would be increased to **631.58bs/ha**; again, both would be equivalent to a **'Central' Area Type** and within an actual **Outer Suburban Residential Area Type locality**, an increase of **≈80%**.

3.5.2 **This increase in Density and Area Type in a locality with low Public Transport Accessibility Level (PTAL) of 1a (≅ 0.66) and inappropriate for "Incremental Intensification" LP H2 para 4.2.4., will need to be assessed by Officers as the initial increase for Ref: 20/05960/FUL has been accepted.**

3.5.3 For **Option 2**; if the approved proposal Ref: **20/05960/FUL** was not implemented, the proposal would increase the **Housing Density** from the **original 35.09Units/ha** at an **Outer Suburban Area Type** to **105.26Units/ha** at an **Urban Area Type setting**, leapfrogging a **Suburban Area Type**, which is a **199.97% increase**. For a **Residential Density**, an Increase from **210.53bs/ha** at an **Urban Residential Area Type** to **491.23bs/ha** at a **Central Residential Area Type** which is an increase of **133.33%**

3.5.4 These increases in the proposed **Application Residential Density** are **significant in a Low PTAL of 1a (≅ 0.66) locality** and inappropriate for **"Incremental Intensification (London Plan Policy H2 para 4.2.4)**; but as the **LPA has approved** the proposal for Ref: **20/05960/FUL**, the increase in **intensification** has already been allowed, which frustrates any **rational objection to this proposal**.

² <https://www.croydon.gov.uk/sites/default/files/2023-08/Infrastructure-Delivery-Plan-2022.pdf>



3.5.5 This analysis illustrates that the LPA have accepted an increase in Residential Density by the approval of the previous Application Ref: 20/05960 even though the Area Type is **Suburban**, the proposal increases the Residential Density to **Central (Option 1)** or **Urban (Option 2)** Area Types, when the PTAL level is very Low at **1a**. and the locality is inappropriate for **“Incremental Intensification”** as defined by London Plan Policy H2 para 4.2.4.

3.5.6 In addition, the London Plan Policy D2 para 3.2.4 indicates *“The cumulative demands on infrastructure of minor development should be addressed in boroughs’ infrastructure delivery plans or programmes. Therefore, it will not normally be necessary for minor developments to undertake infrastructure assessments or for boroughs to refuse permission to these schemes on the grounds of infrastructure capacity.”* However, as there are **no foreseeable prospects of infrastructure improvements**,² in the Shirley North Ward, this statement therefore does **NOT** apply for this locality in this case.

4 Communal Open Spec and Play Space for Children

4.1 Communal Open Space.

4.1.1 The **Croydon Local Plan (2018)** has no defined requirement for the allocation of **Communal Open Space for Flats or HMO’s**.

- **Policy DM10.5:** In addition to the provision of private amenity space, proposals for new flatted development and major housing schemes will also need to incorporate high quality communal outdoor amenity space that is designed to be flexible, multifunctional, accessible and inclusive.

4.1.2 The **London Plan Housing SPG** States:

- **Standard 4** - Where communal open space is provided, development proposals should demonstrate that the space:
 - is overlooked by surrounding development;
 - is accessible to disabled people including people who require level access and wheelchair users;
 - is designed to take advantage of direct sunlight;
 - has suitable management arrangements in place.

4.1.3 The **‘emerging’ Revised Croydon Local Plan 2021** (unadopted) states:

- **DM1A.1** All proposals for new residential development will need to provide private amenity space that:
 - d) new developments with **5** or more residential units should provide a minimum of **50 square metres** of communal space with a further **1** square metres per additional unit thereafter.



4.1.4 **Option 1** would have **6 Flats** over three floors which would require **50+1 = 51sq.m.** of **Communal Open Space**. However, this Policy has yet to be adopted so is currently not enforceable.

4.2 Play Space for Children

4.2.1 The consensus of both the **Croydon Local Plan** and the **London Plan** is that the allocation of **10sq.m. per child** is appropriate for the allotted **Play Space** for children.

4.2.2 For **Option 1** with probably **6 children** would require **60sq.m.** and for **Option 2** of probably **8 children** would require **80 sq.m.**

4.2.3 The proposal provides inadequate **Play Space** for any children of the occupants of the proposed developments, either for the proposed or the previously allowed development **Ref: 20/05960/FUL**. The **Officer's Report** for approval of **Ref: 20/05960/FUL** at **para 5.14 Stated:**

- *"This proposal is for an extension to an existing building **no communal amenity space or child play space would be provided**. Given that the proposal contains **no family sized (three or more bedroom) flats**, its position **above a pub** and provision of private outdoor space for each flat, on balance this is considered to be acceptable."*

4.2.4 This assessment was and is now incorrect as "its position **above a Pub**" if this proposal is approved would be factually incorrect and would contain family homes.

4.2.5 Flat 1 of **Ref: 20/05960/FUL** would probably accommodate **2 children** and **Ref: 23/04285/FUL** would probably accommodate **4 children** making **6 in total** which would require **60 sq.m.**

4.2.6 The fact that the existing Building was to be a Pub with management accommodation above does not alter the fact that the conversion to fully residential should not conform to the current Residential Planning Policies.

4.2.7 The Marketing Report by 'evernest' indicates the premises was offered for Sale as a Public House in the heart of a residential area. It is not known whether the Ground Floor has been considered for alternative premises e.g., for alterations to other Retail or Business usage. It seems the Agents had little response or interest in any other options.

5 Parking

5.1 The Case Officer's Report for **Ref: 20/05960/FUL** at **para 5.16** states:

- *The site is located in an area with a **Public Transport Accessibility Level of 1a, which is very poor**. The proposal would retain one off street, car parking space with no new spaces.*
- This retained parking space is the same integral parking space on the ground floor plans for Application **Ref: 23/04285/FUL** so cannot be counted twice for **Option 1**.



- 5.2 Given that the area is not very accessible by public transport, it is likely that there would be increased reliance on private vehicles due to its location. However, the off-street parking fronting the ex-Pub for previous Pub Clients would be available on a first come first served basis.

6 Site Capacity

6.1 D3 Optimising site capacity through the design-led approach.

- 6.1.1 **A** The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity;
- 6.1.2 **B** Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling;
- 6.1.3 **C** Incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way.
- 6.1.4 The proposed development is 'restricted' by the available **Site 'Context'** i.e., is limited by the former design which supported a **Public House** and **NOT** for **residential accommodation**. This configuration therefore limits the **capacity for both residential use and 'Growth'**. There is **NO** planned increase in supporting infrastructure in the locality. Also, the location has very **low opportunity** for **jobs** and **services**, or **amenities**. **Local Incremental densification** is limited by **Low PTAL** at **PTAL 1a** and the site is greater than **800m** from any **Tram, Train Station** or **District Centre** as defined by **London Plan Policy H2 Small Sites para 4.2.4**.
- 6.1.5 The **Area Type** of the locality, as measured by the Local **Post Code** (CR0 7NN) as defined by the **NMDC&G** is **'Suburban'** and the proposal would not **significantly** alter the Locality **Post Code Design Code** as The Post Code would remain within the **'Suburban'** **Area Type** within **all** options of the previous and current proposal.
- 6.1.6 We do, however, have a problem with the **Application Form** stated **'Site Area'** of **285sq.m.** as the **GEA** as measured from the supplied Plans indicate a **GEA** of **291.88sq.m.** (a difference of **6.88sq.m.**). However, to meet the **Site Capacity**, the **Design** should accommodate all the policy requirements for the proposal within the Site boundaries.
- 6.1.7 The London Plan Guidance (LPG) Optimising Site Capacity: the Design Led Approach (June 2023) includes a Site Capacity Toolkit for residential developments. The Toolkit is mainly designed for major developments of multiple Housing Types and tenures but para 5.1.2 of the SPG does indicate that alternative assessments can be made based upon the concepts of the design guide toolkit.
- 6.1.8 We have developed a simple spreadsheet which assesses the **Site Capacity** based upon the defined policies and requirements of proposals. However, the most significant parameter that differs across the **Area Types** is the **Average Amenity Space** (Garden Space) for the Area Type Setting which differentiates the **Area Type** Settings. As the proposal has no **Amenity Garden Space** the **Site Capacity**

always returns a **Central Area Type** setting and the required **Site Area** returns a negative value when the actual local **Area Type** Setting is **Suburban**.

- 6.1.9 An alternative method of defining the appropriate **Site Capacity** is based upon the **Area Type** Assessment as defined by the **NMDC&G**. The locality of **CR0 7NN** is a '**Suburban**' **Area Type** in the range **40 to 60 Units/ha**. Thus, clearly illustrating that **Option 1 of 6 Units** would require a **Site Area** of between **0.15ha** and **0.1ha** and **Option 2 of 3 Units** would require a **Site Area** of between **0.075ha** to **0.05ha** when the actual available **Site Area** is stated at **0.0285ha**. i.e., significantly less than that required for a **Suburban** **Area Type** setting in both cases.

7 Housing Need in Shirley North Ward

- 7.1 The allocation of housing “need” assessed for the “**Shirley Place**” [770ha] over the period **2019 to 2039** is **278** (See Croydon Revised Local Plan ³ 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:
- 7.2 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”** is the sum of the completion figures together for each **Shirley Ward**.”
- (The statement of equivalence of the Sum of the Wards equals the Area of the “Place” is ‘NOT True.’)**
- 7.3 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**.
- 7.4 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”.*
- 7.5 Analysis of the recorded data shows that over the ‘three’ full years **2018** to end of **2020**, the **Net Increase in Dwellings for Shirley = Shirley North Ward + Shirley**

³ <https://www.croydon.gov.uk/sites/default/files/2022-01/croydon-local-plan-2018-revised-2021-part-1-start-to-section-11.pdf>



South Ward = 55 + 102 + 69 = **226** ≈ **75 per yr.** However, this is **NOT The Shirley "Place"** at ≈**770ha** but the net increase for the Shirley North [**327.90ha**] + Shirley South Wards [**387.30ha**] total of **715.20ha**, a difference of **54.8ha**.

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

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

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

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

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

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

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

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

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



- 7.12 We are confident that **this analysis completely refutes** any suggestion that **“Housing Need”** is a reason for approval in this locality as the assessed **‘Housing Need’ for this area has already been satisfied.**
- 7.13 It is therefore plainly obvious that the inability to contain or mitigate the **excessive outturns** above the stated **Targets** is a **significant failure** to meet the **legally required objectives of Sustainability** as defined in the **NPPF Chapter 2. Achieving sustainable development⁴** as Shirley has no prospect of infrastructure improvement over the life of the Plan. The **Sustainability of Developments** is a **legal requirement⁵** of development approvals.
- 7.14 We challenge the use of **“Place”** Target if those **Targets** for each **“Place”** are **NOT monitored** or if deviating from the requirement, there is no mitigating action to manage those Targets to meet **“Sustainable Developments”**. It is our understanding that **Managing Developments** is the prime responsibility and the Job Description of the LPA **“Development Management”**. **All Development proposals should be judged on compliance to adopted Planning Policies and NOT on the basis of meeting Targets to support a Housing “need” especially so if that “need” has already been met, and there are NO infrastructure improvements to support the surpassing of that “Need.”**

8 Summary and Conclusions

- 8.1 Since the publication of the **National Model Design Code & Guidance in 2021** and the **London Plan (2021) Chapter 3 Design**, the emphasis on **Planning** has been to implement the concept of **‘Design Codes’**. It is therefore the function of **Development Management** to implement **National Policy** locally in the **absence** of an up-to-date **Local Plan** which embodies those new policies, not as it seems to totally ignore the evolution of **National Planning Policies**.
- 8.2 The existing building was not designed for residential accommodation, and it is therefore difficult to convert the building to **Residential** accommodation and comply with all the Policies for **Residential** requirements especially so in a **Suburban Area Type** setting.
- 8.3 The previous approved application **Ref: 20/05960/FUL** for providing an additional floor and **4 Flats** was **‘conditional’** upon an assumption that the **Ground Floor** would be retained as a **Pub**. This can be confirmed by reference to **para 5.3** of the **Case Officer’s Report** which stated:
- **“5.3 The development would retain the existing Pub in accordance with *Croydon Local Plan Policy DM21* and provide 3x one bedroom and 1x two-bedroom flats split between the first and second floors. The existing first floor flat to be replaced has 4 bedrooms which is not protected by Local Plan Policy DM1. Whilst the existing dwelling has a floor area of 116 square**

⁴

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

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

metres, its loss and provision of additional smaller homes is acceptable in this instance considering the above pub position which is less suitable for families.”

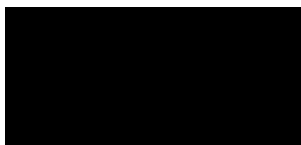
- 8.4 The new application changes the grounds on which **Application Ref: 20/05960/FUL** was approved if now the **Ground Floor** is to be converted to **Residential**.
- 8.5 Additionally, the **Decision Note** for **Application Ref: 20/05960/FUL** was dated **12th May 2021** and **Condition 1** stipulated that the ‘**Grant of Permission**’ was conditional that the Development should be begun within **three years** of the Date of the **Decision Note**. If the delay to decision for the **Application Ref: 23/04285/FUL** exceeds **12th May 2024** then it is unlikely that work on **Ref: 20/05960/FUL** would have started on or before **12th May 2024**.
- 8.6 In such a scenario, we would appreciate clarification on whether the **Application Ref: 20/05960/FUL** would be considered **expired** and whether a re-application would be required to include all the three floors including the revised **Ground Floor** as **Residential Accommodation**?
- 8.7 **The Parking allocation is extremely limited in a very low PTAL area of PTAL 1a and the single retained parking space is the same integral parking space on the ground floor plans for Application Ref: 20/05960/FUL so cannot be included in both proposals.**
- 8.8 This has been a complicated proposal to assess as the existing Building does not lend itself for simple transfer from Retail and Pub to Residential accommodation, but some change of use may be considered necessary. The proposal, however, does not meet the local **Area Type** as defined by the **National Model Design Code & Guidance** and our assessment based upon the most recent National Guidance indicates an over development for the locality which is a **Suburban Area Type** setting.
- 8.9 The proposal would result in the loss of a Public House in a residential environment where there are few local amenities. However, the applicant has made appropriate efforts to retain the Pub, but it has shown it to be unviable in the current economic climate. It is therefore presumed that a change of use could resolve the viability and create accommodation to help meet housing needs.
- 8.10 Nevertheless, any conversion to residential use requires the proposed changes to meet all necessary **National** and **Local Planning Policies** for acceptable accommodation for future residents which we have shown to be questionable.
- 8.11 The **Local Area Type**, from the parameters of the **Post Code CR0 7NN** is clearly **Suburban** as defined by the **National Model Design Code & Guidance**.
- 8.12 There is inadequate off-street parking provision and inadequate Amenity or Play Space for Children of the proposed accommodation.

9 The Planning Process

- 9.1 The forgoing submission is compiled on the grounds of **National and Local Planning Policies** and all comments have been based upon rational observations and evaluation. Therefore, we respectfully request that all our foregoing analysis and evidence is a sound assessment and therefore extremely relevant to the final determination by Officers.
- 9.2 The December 2022 consultation on reforms to the NPPF, includes further clarification on how housing targets are derived, delivered, and monitored. It seeks to give greater flexibility to responding to local circumstances and the promotion of character over density. This is highlighted in the recent PAS Report.
- 9.3 **Local 'Planning Authority Service' Transformation:**
- *“Over recent years there has been clear feedback from residents and customers that Croydon’s planning service needs to be transformed to become more responsive to resident’s and applicant’s concerns. Executive Mayor Perry made a clear manifesto pledge in the 2022 pre-election period to revoke the Croydon suburban design guide supplementary planning document (SPD2).*
- 9.4 We have **not** made a recommendation to **object or support** this proposal as there are possible insurmountable issues that we cannot propose resolutions to which Officers need to consider, therefore please Register our comments as **Monks Orchard Residents’ Association (Neutral)** on the Public Access Register.

Kind regards

Derek



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Shirley North Ward
Shirley North Ward
Shirley North Ward

Bcc:

MORA Executive Committee, Local Affected Residents', Interested Parties