

To: Caroline Tranter - Case Officer
The Planning Inspectorate,
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**Monks Orchard Residents' Association
Planning**

26th February 2024

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| | |
|-------------------|---|
| Appeal Reference: | APP/L5240/W/23/3327704 |
| LPA Reference: | 23/01623/FUL |
| Start Date: | 25 th January 2024 |
| Comments due | 29th February 2024 |
| Address: | 13 Gladeside, Croydon, CR0 7RL |
| Proposal: | Demolition of the existing detached dwelling and erection of 3 no. dwellinghouses with parking, cycle stores and private amenity, and associated works. |

Dear Caroline Tranter – Case Officer

Please accept the following written representation from the **Monks Orchard Residents' Association** requesting **Dismissal** of this Appeal against the LPA refusal of Planning Application Ref: **23/01623/FUL** on **27/07/2023**.

Only information pertinent to this “**Review**” of the proposal has been extracted from the Applicant’s submissions and if necessary, reproduced in this document for the purposes of “*Fair Dealing*” for analysis and assessment.¹

1 The Proposal:



Street Elevation fronting Gladeside

¹ https://assets.publishing.service.gov.uk/media/5a80f292ed915d74e6231597/Exceptions_to_copyright_-_Guidance_for_consumers.pdf

We have structured this representation by listing the LPA Reasons for Refusal and commenting on the Appellant's Grounds of Appeal for detailed explanation.

Our comments are completely related to current agreed published and adopted policies and are not subjective interpretations and thus valid and unequivocally factual to assist the Inspectorate in the determination of this Appeal.

| Address: 13 Gladeside | | | | | | | LPA Ref: 23/01623/FUL | | | | | | | | |
|-----------------------|----------------|--------|---------------------|-----------------|----------------------|-----------------|-----------------------|---------------------|----------------------------|-----------------------------|----------------------------------|--------------------------|-----------------------------|-------------------|-----------------------|
| Site Area | 625 | sq.m. | Supplied Drawings | | | | | Floor Area Ratio | | | 0.61 | Post Code | | | CR0 7RL |
| App Form | 0.0625 | ha | Bedrooms Density | 192.00 | b/ha | Plot Area Ratio | | | 0.28 | | | Area | 1.40 | ha | |
| Footprint | 174 | sq.m. | Residential Density | 288.00 | bs/ha | PTAL 1a | | | 2011 | 0.66 | | | Persons | 60 | (persons) |
| Units | 3 | | Residential Density | 240.00 | hr/ha | PTAL 1a | | | 2021 | 0.66 | | | Dwellings | 24 | (Units) |
| GIA | 384 | sq.m. | Housing Density | 48.00 | U/ha | PTAL 1a | | | 2031 | 0.66 | | | Housing Density (U/ha) | 17.09 | |
| GEA | 174 | sq.m. | Average Occupancy | 6.00 | | bs/unit | | | | | | | Residential Density (bs/ha) | 42.72 | |
| Unit | Type | Floor | Bedrooms (b) | Bed Spaces (bs) | Habitable Rooms (hr) | GIA (Offered) | GIA (Required) | GIA (Best Practice) | In-Built Storage (Offered) | In-Built Storage (Required) | In-Built Storage (Best Practice) | Amenity Space (Required) | Probable Adults | Probable Children | Play Space (Required) |
| Unit 1 | Terraced M4(2) | Ground | 0 | 0 | 1 | 128.00 | 112.00 | 124.00 | 3.0 | 3.00 | 3.50 | 9.00 | 2 | 4 | 40 |
| | | First | 3 | 4 | 3 | | | | 2.0 | | | | | | |
| | | Second | 1 | 2 | 1 | | | | 3.6 | | | | | | |
| Sub Totals | | | 4 | 6 | 5 | 128.00 | 112.00 | 124.00 | 8.6 | 3.0 | 3.50 | 9.00 | 2 | 4 | 40 |
| Unit 2 | Terraced M4(2) | Ground | 0 | 0 | 1 | 128.00 | 112.00 | 124.00 | 3.0 | 3.00 | 3.50 | 9.00 | 2 | 4 | 40 |
| | | First | 3 | 4 | 3 | | | | 2.0 | | | | | | |
| | | Second | 1 | 2 | 1 | | | | 3.6 | | | | | | |
| Sub Totals | | | 4 | 6 | 5 | 128.00 | 112.00 | 124.00 | 8.6 | 3.0 | 3.50 | 9.00 | 2 | 4 | 40 |
| Unit 3 | Terraced M4(2) | Ground | 0 | 0 | 1 | 128.00 | 112.00 | 124.00 | 3.0 | 3.00 | 3.50 | 9.00 | 2 | 4 | 40 |
| | | First | 3 | 4 | 3 | | | | 2.0 | | | | | | |
| | | Second | 1 | 2 | 1 | | | | 3.6 | | | | | | |
| Sub Totals | | | 4 | 6 | 5 | 128.0 | 112.00 | 124.00 | 8.6 | 3.0 | 3.50 | 9.00 | 2 | 4 | 40 |
| Grand Total | | | 12 | 18 | 15 | 384 | 336 | 372 | 25.8 | 9 | 10.5 | 27 | 6 | 12 | 120 |

Note: This is a revised assessment from that presented in our submission to the LPA.

2 LPA Reasons for Refusal

- 2.1 The proposed development, by reason of the design of the houses, the layout of the site (front forecourt area), and the uncharacteristic plot sizes would result in a cramped form of development, which would fail to integrate successfully and respond effectively in townscape terms to the wider setting of the local character and immediate surroundings contrary to Policies D3 and D4 of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018).
- 2.2 The proposed development by reason of its massing (depth) and proximity close to the neighbouring property at No. 11 Gladeside would result in an intrusive and imposing form of development which would result in a sense of enclosure due to the overbearing impact, contrary to Policies D3 and D6 of the London Plan (2021) and policy DM10 of the Croydon Local Plan (2018),
- 2.3 Sufficient detail has not been provided to demonstrate that the proposal would not have an adverse impact on the highway transport network due to inadequate car parking provision for this site due to insufficient tracking to demonstrate all of the car parking spaces can be accessed in curtilage, inappropriate pedestrian sightlines, poor vehicle and pedestrian access, and poor refuse storage facilities, and would therefore be contrary to Policies T4 and T6 of the London Plan (2021) and Policies DM13, DM29, and DM30 of the Croydon Local Plan (2018).

3 Appellant's Grounds of Appeal

3.1 Appellant's Grounds of Appeal Reason 1

3.1.1 Reason 1: The proposed development, by reason of the design of the houses, the layout of the site (front forecourt area), and the uncharacteristic plot sizes would result in a cramped form of development, which would fail to integrate successfully and respond effectively in townscape terms to the wider setting of the local character and immediate surroundings contrary to Policies D3 and D4 of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018).

3.1.2 Case Officer's Report Para 6.20.

- Para 6.20 It's considered that the proposal would result in a cramped environment; as existing, there is 1no. house onsite, and increasing this to provide 3no. houses would exceed the capacity of the site. It would also result in small plot sizes, which is not characteristic of this area. The area consists of semi-detached and detached properties in spacious plots; introducing a terrace with small plots would be outside of the pattern of development. This would not be in keeping with the character of Gladeside and would therefore not be acceptable.'

3.1.3 Appellant's Statement – Local Character

- The proposal has been designed to enhance the character of the area. Planners suggested that choosing a specific housing style across the juxtaposition of 1960s v berg houses on previous application ' Ref: 21/03518/FUL', as well as in commentary across several pre-apps meetings and this feedback has been taken into consideration. The houses were designed to mirror the scale of the neighbouring properties at 9-11 Gladeside, both in height, width, character, roof form and material palette. Whilst acknowledged that the plot sizes would be smaller, this is to be expected after redevelopment and intensification of any site.

3.1.4 Assessment of Area Character and Area Type.

3.1.4.1 The **Croydon Local Plan** Local Character Assessment Policy is not conclusive and is very subjective and therefore cannot provide definitive analysis or assessment of the local **Area Types**. The proposed Design does **NOT** mirror the adjacent properties in terms of **scale, width, or fenestrations**. The width of **11 Gladeside** presents **twice** the width of a single **proposed Unit**.

3.1.4.2 The **London Plan Chapter 3 Design** does not include any definitive guidance on **Area Type** assessment as the **Density Matrix**, which provided a relationship between **Area Types, Housing Density, Residential Density and PTAL**, was omitted from the new iteration of the **London Plan (2021)**.

3.1.4.3 The **NPPF (2021)** and **(2023)** gives reference at **para 129 (2021)** and **para 134 (2023)** to the **National Model Design Code and Guidance** which gives specific Guidance on definition of **Area Types** and **Design Codes** to be used **in the absence of locally produced guidance**, which states: "... **all guides and codes should be based on**

effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes."

- 3.1.4.4 **NPPF para 139 States:** *Development that is not well designed should be refused, especially where it fails to reflect **local design policies** and **government guidance on design**⁵⁵, taking into account any **local design guidance** and **supplementary planning documents such as design guides and codes**. Conversely, significant weight should be given to:*
- i. development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
 - ii. outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*
- 3.1.4.5 The **London Plan Planning Guidance: Small Site Design Code LPG** was initially published in **February 2022** with a final copy published in **June 2023** which gives additional **Area Type Guidance**.
- 3.1.4.6 Assessment by these Policy definitions indicate the locality is **inappropriate** for **intensification, incremental or otherwise** as defined by the **London and Policy H2 para 4.2.4** and thus, the appellant's statement that it is '**expected**' "**that the plot sizes would be smaller, this is to be expected after redevelopment and intensification of any site**" is **completely inappropriate**. **Para 4.2.4** clearly states that **Incremental Intensification** is appropriate in areas of **PTAL** equal to or greater than **3** and are within **800metres** of a **Tram/Station or District Centre**; whereas **13 Gladeside** is in an area of **PTAL 1a** (numerically $\equiv 0.66$) and greater than **800metres** from either any **Tram/Train Station or District Centre**.
- 3.1.4.7 The most recent **NPPF (2023)** and **National Model Design Code and Guidance (2021)** requires any densification to be within the existing **Area Type** setting parameters in order to meet **London Plan Policy: D2 Infrastructure requirements for sustainable densities**.
- 3.1.4.8 The simplest methodology to define the **Local Design Code** acceptability is to assess the local **Post Code Area** and compare the **Post Code Design Codes** with the '**proposals**' **Design Code** parameters and assess the acceptability or otherwise of any actual uplift in **Design Code** parameters, from Post Code to Application Design Code, **as we know of no other area designations or methodology for which the appropriate 'Area Type' data are defined or are available for assessment**.
- 3.1.4.9 As the **National Model Design Code & Guidance** and the **London Plan Policy Chapter 3 – Design**, all require assessment by **Design Code**, the following assessment complies with these defined Policies in the absence of **Local Design**

Codes being available in the Croydon Local Plan and the omission of the Density Matrix from the revised version of the London Plan (2021).

- 3.1.4.10 The locality can be assessed against the parameters of the Local Post Code Design Codes (CR0 7RL) which define the Local Area Design Codes for the proposal at 13 Gladeside.

| Parameters of Post Code 'CR0 7RL' Design Code | | | |
|--|------------------|-----------------|-----------------|
| (These parameters auto calc Design Code) | Input Parameters | | |
| | Existing | Proposal | |
| Post Code | CR0 7RL | CR0 7RL | |
| Area of Post Code (ha) | 1.4046 | 1.4046 | hectares |
| Area of Post Code (Sq.m) | 14046.45 | 14046.45 | sq.m. |
| Number of Dwellings (Units) (*) | 24 | 26 | Units |
| Number of Occupants (Persons) | 60 | 76 | Persons |
| Occupancy | 2.50 | 2.92 | Person/dwelling |
| Post Code Housing Density | 17.09 | 18.51 | Units/ha |
| Post Code Residential Density | 42.72 | 54.11 | Bedspaces/ha |
| Area Type (National Model Design Code) | <Outer Suburban | <Outer Suburban | Setting |
| (*) Last updated on 24 January 2024 | | | |
| Design Code Parameters | | | |
| Area Type Setting (NMDC) | <Outer Suburban | <Outer Suburban | Units/ha Range |
| Equivalent ¹ Residential Density (Persons/ha) | <Outer Suburban | Outer Suburban | Persons/ha |
| ¹ Based on National Occupancy (2021) persons/Unit | | | |
| | | <Outer Suburban | <Outer Suburban |
| | | U/ha | bs/ha |
| PTAL (now) Zero | 0.66 | 31.00 | 73.16 |
| PTAL (forecast 2031) Zero | 0.66 | 31.00 | 73.16 |
| PTAL Required for Post Code | -0.11 | | 42.72 |
| | 0.18 | | 54.11 |

Assessment of Post Code (CR0 7RL) Design Code Details

- 3.1.4.11 The Local Post Code (CR0 7RL) is assessed at **24 Units²** in an Area of **1.4046ha** (see Google Earth Image) which equates to a Housing Density of **17.09Units/ha**, which is an Area Type (less than) '**<Outer Suburban**'. As a result of the proposal, this would increase to **26 Units** at a Housing Density of **18.51Units/ha** but remain within an Area Type **<Outer Suburban**.
- 3.1.4.12 The Number of occupants of the Post Code (CR0 7RL) are found from an internet search³ at 60 persons giving a Residential Density of 60/1.4046 **≈42.72persons/ha**. As a result of the proposal, this would increase to **76** with a Residential Density of **76/1.4046 = 54.11bedspaces/ha**.
- 3.1.4.13 The existing Area Type of **<Outer Suburban** has infrastructure to support an **<Outer Suburban** Area Type but would not be adequate to support a Higher Density Area Type of **Outer Suburban** or **Suburban** without actual or planned improvement in supporting infrastructure, as defined in the **London Plan (2021) Policy D2 Infrastructure requirements for sustainable densities**.

² <https://www.tax.service.gov.uk/check-council-tax-band/search?postcode=s8Di-sZLUiIEKxXG9gUQ1w&page=1>

³ <https://www.postcodearea.co.uk/postaltowns/croydon/cr07rl/>

3.1.4.14 There is no planned improvement of local infrastructure in the Shirley North Ward over the life of the Plan as identified on the latest Croydon Infrastructure Delivery Plan.

3.1.5 **Appellant's Statement – Local Character (continued)**

- The immediate area contains an eclectic mix of housing styles and is not characterised by any one architectural style. 1960's detached and semi-detached housing exist which are typically wider in build, juxtaposed with berg style housing which generally are up to 1.4m taller than the ridge heights on the neighbouring properties, juxtaposed with bungalows, and both modern and transitional house types. Whilst predominantly detached and semi-detached exist in the area, a number of terrace blocks also exist. Examples include a block of 3 at 83-87 Woodmere Avenue and a terrace block of 4 between 71-77 Gladeside, though there are numerous other terrace blocks in the Monks Orchard vicinity including up blocks of up-to 7 houses along the Glade and surrounding roads. Further, several new developments in close proximity have also been built as terrace blocks of houses.

3.1.5.1 The comparison with other existing dwellings within the vicinity was to previous **Planning Policies** which have been replaced by more recent Policies. Also, examples quoted are **NOT** all within the **Local Post Code** of the proposal, and therefore do not contribute to the **Local Design Code** of the **Local Area** (CR0 7RL) for assessment.

| Application Details | | | |
|-------------------------------------|------------------------|----------|--------|
| Application Ref: | 23/01623/FUL | | |
| Address: | 13 Gladeside | | |
| PostCode: | CR0 7RL | | |
| Appeal Ref: | APP/L5240/W/23/3327704 | | |
| Application Parameters | | | |
| Site Area (ha) | 0.0625 | ha | |
| Site Area (sq.m.) | 625.00 | sq.m. | |
| Units (Dwellings) | 3.00 | Units | |
| Bedrooms | 12.00 | Bedrooms | |
| Bedspaces | 18.00 | Persons | |
| Gross Internal Area (GIA) | 384.00 | sq.m. | |
| Gross External Area (GEA) Footprint | 174.00 | sq.m. | |
| Housing Density | 48.00 | Units/ha | |
| Residential Density | 288.00 | bs/ha | |
| Occupancy | 6.00 | bs/unit | |
| Floor Area Ratio | 0.61 | # | |
| Plot Area Ratio | 0.28 | # | |
| | | Min | Max |
| Area Type Setting (Units/ha) | Suburban | 40.00 | 60.00 |
| Area Type Setting (Bedspaces/ha) | Central | 283.20 | <283.2 |
| | | U/ha | bs/ha |
| PTAL (Current) 1a | 0.66 | 31.00 | 73.16 |
| PTAL (Forecast) 1a | 0.66 | 31.00 | 73.16 |
| PTAL Required (Urban) | 6.12 | | 288.00 |

Application Design Code Parameter Assessment

- 3.1.5.2 In order to assess the appropriateness of the proposal to the **Area Type** Setting of the locality it is necessary to compare the **Proposal's Design Codes** with those of the Locality as defined by the **Post Code Design Codes**.

| Difference Between Post Code (CR0 7RL) Design Code & Application Proposal | | | |
|---|--------|-----------|-----------------|
| Post Code Housing Density (Units/ha) | 17.09 | Area Type | <Outer Suburban |
| Application Housing Density (Units/ha) | 48.00 | Area Type | Suburban |
| Difference | 30.91 | # | |
| Percentage Difference (%) | 94.99 | % | |
| Percentage Increase (%) | 180.93 | % | |
| Post Code Residential Density (bs/ha) | 42.72 | Area Type | <Outer Suburban |
| Application Residential Density (bs/ha) | 288.00 | Area Type | Central |
| Difference | 245.28 | # | |
| Percentage Difference (%) | 25.83 | % | |
| Percentage Increase (%) | 574.23 | % | |
| PTAL available | 0.00 | Area Type | <Outer Suburban |
| PTAL Required | 6.12 | Area Type | Central |

Comparison of difference in Post Code & Application Design Code parameters

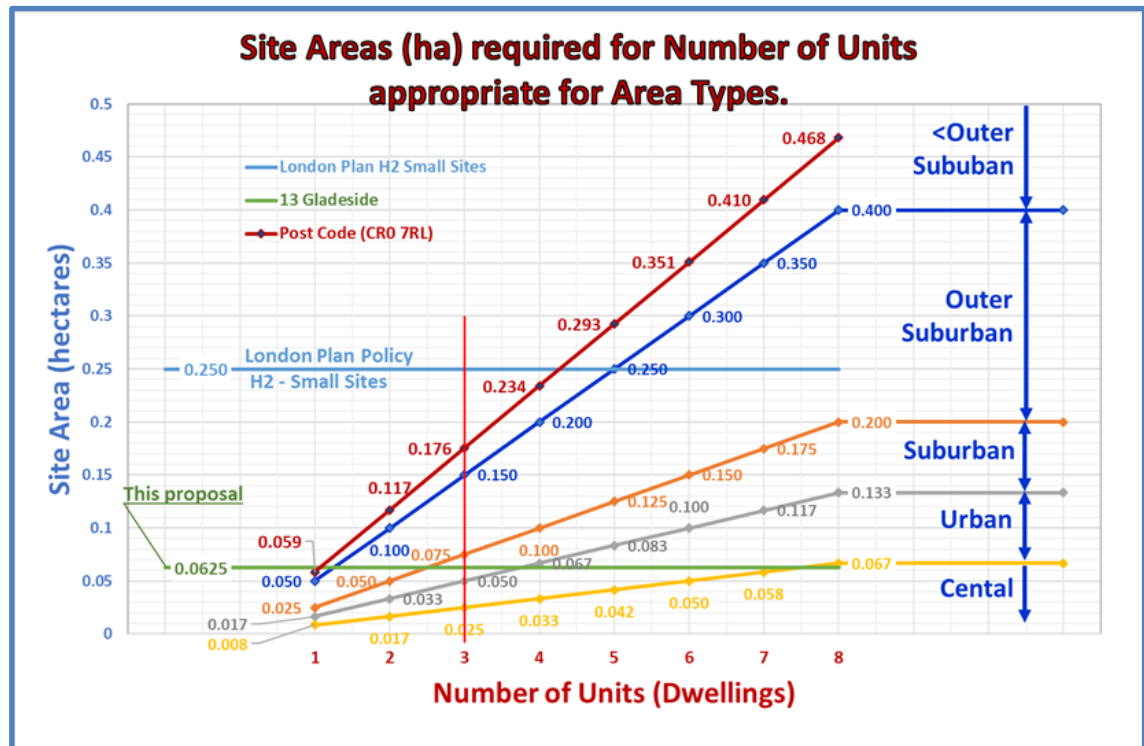
3.1.6 Design Code Assessment

- 3.1.6.1 **Design Code Guidance** as provided by the **National Model Design Code & Guidance (NMDC&G)** published by the **Department for Levelling Up, Housing & Communities (DLUHC)** at **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 |

- 3.1.6.2 The **appropriateness of the proposal** is determined by the **Area Type** assessment of the locality **Area Type Design Code** which is defined by the **Post Code CR0 7RL** against the proposed development **Design Code and Area Type**. **As the Area Type parameter is defined as a ratio of the same parameters, it is directly comparable.**
- 3.1.6.3 The **Comparison Table** above lists the defining parameters and the comparison of **Area Types** which clearly shows the differences in percentage terms of **Area Types**.
- 3.1.6.4 The **Design Code** does not preclude terraced dwellings, or other dwelling types, it only defines the number of dwellings (Units) appropriate on a site of given Area (ha). The **Area Type** for **Post Code CR0 7RL** has a **Housing Density** of **17.09Units/ha** which places the locality in an **<Outer Suburban (less than) Area Type** setting.
- 3.1.6.5 Thus, for **three** dwellings in an **<Outer Suburban Area Type** a **Site Area of at least $3/20 = \geq 0.15ha$** is required when the proposal's available **Site Area** is **0.0625ha** i.e., **deficient by a minimum of 0.0875ha**. Therefore, the **Site Area cannot support 3 Dwellings, and still remain within the parameters of <Outer Suburban Area Type** setting, including relying on the existing supporting infrastructure.

3.1.6.6 This is the fundamental requirement of **Design Code** assessment as defined by the **National Model Design Code & Guidance** to ensure that developments are of the **"Right Type in the Right Place"** as specified in **NPPF Section 2 Achieving sustainable development at Para 8 a); to ensure public confidence in the Planning process.**



Site Capacity for 13 Gladeside with Site Area of 0.0625ha in an <Outer Suburban Area Type setting.

3.1.7 Relationship Housing Density v Residential Density v PTAL

3.1.7.1 Resultant on the omission of the **London Plan Density Matrix from the revised London Plan (2021)** there is now **no** guidance to the relationship between the **Area Type, Housing Density, Residential Density** and **PTAL** and an alternative assessment is necessary. It is assumed that **Public Transport Accessibility Ranges 0 to 6** should be proportionate to the local **Residential Density** over the full range of **Area Types** from **Outer Suburban** to **Central**, therefore, until TfL or the professional planners define a replacement relationship, there is no other policy available.

3.1.7.2 Thus, until TfL or the **Planning professionals** establish guidance on the assessment of **PTAL** by an alternative methodology, we have the following assessment based on the **Residential Density** at **Outer Suburban Area Type** at **Zero (minimum) PTAL** to a **Central Area Type** at **(maximum) PTAL 6** which is considered to be a **linear** proportionate increase progression over the ranges of **PTAL** and **Area Types**.

3.1.7.3 The **National Unit** of occupation is **2.36 persons/Unit**,⁴ therefore, the **Area Type** in **National Housing Density** can be logically converted to an equivalent **National Residential Density** by a factor of **2.36**.

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

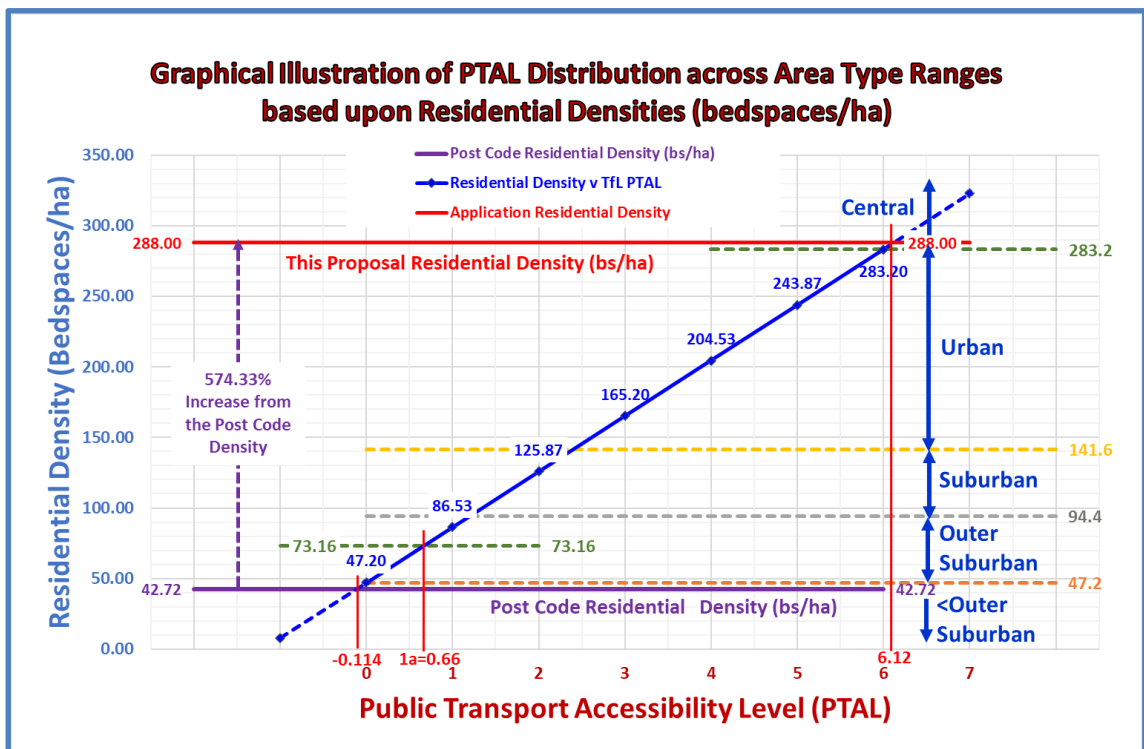
| Area Type | Housing Density | = | Residential Density |
|------------------------|-------------------|---|------------------------|
| Outer Suburban: | 20u/ha to 40u/ha | = | 47.2p/ha to 94.4p/ha |
| Suburban: | 40u/ha to 60u/ha | = | 94.4p/ha to 141.6p/ha |
| Urban: | 60u/ha to 120u/ha | = | 141.6p/ha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

3.1.7.4 Thus, the incremental linear progression is from an **Outer Suburban Area Type** at **20Units/ha Housing Density** = 20 x 2.36 = **Residential Density of 47.2persons/ha** to a **Central Area Type** at **120Units/ha Housing Density** = 120 x 2.36 = **Residential Density of 283.2persons/ha**.

3.1.7.5 This simple analysis is the only logical method of assessment of the relationship between **PTAL** and **Residential Density** until the **Planning fraternity** or **TfL** define a replacement **Policy** for the omitted **Density Matrix**.

3.1.7.6 This methodology allows a simple assessment of **PTAL** by the simple linear function of:

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



Graphical illustration of Residential Density (Persons/ha) v PTAL

Therefore, the Post Code Residential Density of **42.72bedspaces/ha** would require a PTAL of:

$$\text{Residential Density } 42.72 \text{ bs/ha} = \left(\frac{283.2 - 47.2}{6} \right) * x + 47.2$$

$$\therefore x = \frac{42.72 - 47.2}{39.33} = -0.1139 = \text{PTAL} \approx -0.11$$

AS a result of the proposal, the Post Code Residential Density increases to **54.11bedspaces/ha which requires a PTAL of:**

$$\text{Residential Density } 54.11 = \left(\frac{283.2 - 47.2}{6} \right) * x + 47.2$$

$$\therefore \text{PTAL } x = \frac{54.11 - 47.2}{39.33} = 0.1756 = \text{PTAL} \approx 0.18$$

As the local Area has a PTAL of 1a (numerically $\equiv 0.66$), both these results are less than the current provision of PTAL 1a (numerically equivalent to 0.66) which means the proposal would not reduce the PTAL offered to the locality less than provided currently for an **<Outer Suburban Area Type**.

For the Application Residential Density of **288bs/ha** the PTAL would need to be:

$$288 \text{ bs/ha} = \left(\frac{283 - 47.2}{6} \right) * x - 47.2$$

$$\therefore \text{PTAL } x = \frac{288 - 47.2}{39.33} = 6.1226 = \text{PTAL} = 6.12$$

This is equivalent to the PTAL required of a **Central Area Type**.

3.1.8 Appellant's Statement – Local Character (continued)

- Pegasus, Fairhaven Avenue, Croydon, CR0 7RX contains a block of 3 terrace houses with smaller gardens at 4.6m wide, whilst 16-18 Ash Tree Close is a new development of 8 houses, and 2 blocks of 4 terraces at 4.2m wide both with significantly smaller gardens. There are numerous back-land developments and plot subdivisions (12-22 Gladeside) and recently approved 24 Gladeside, therefore, we feel it would be unfair to imply that this development is not suitable due to the smaller plot sizes, despite several other approvals in the vicinity which all have the same effect of reducing both the host dwelling plot size, intensification, or the creation of dwellings which are smaller than neighbouring properties, which has happened in every development in the area and to the aforementioned.

3.1.8.1 The reference to Pegasus in Fairhaven Avenue Application Ref: 19/01761/FUL was validated Fri 12 Apr 2019 and Approved Wed 03 Jul 2019 for 'Demolition of existing dwelling and erection of a 3-storey block, containing 3 x 3-bedroom houses and 6 x 2-bedroom apartments with associated access', is in different Post Code namely CR0 7RX and therefore has a different Design Codes unrelated to this proposal.

3.1.8.2 The approval of Application Ref: 19/01761/FUL was against the Croydon Local Plan (2018) and the London Plan (2016). Since this approval, the London Plan (2021) has been adopted and the NPPF 2021 with updates issued along with the National Model Design Code & Guidance (2021), published by the Department for Levelling Up Communities & Housing. These documents supersede the Croydon Local Plan (2018) & the London Plan (2016).

3.1.8.3 Thus, the precedent set by the Policies in 2019 resulting in the approval of Application Ref: 19/01761/FUL and others quoted, have been superseded by these new Policies.

3.1.8.4 It is therefore **inappropriate** to quote these examples as valid reasons set by precedent, as if precedents are upheld against revised evolutionary policies, it would be impossible to accommodate changes to policy resultant on evolutionary progress thus stifling any change in the revision of planning policy.

3.1.9 **Case Officer's Report para 6.21.**

- **Para 6.21 The height of the proposal is close in height with the neighbouring properties at Nos. 9 and 11 Gladeside, as the proposed houses would be two-storey in height (with the top floor located within the roof area). The neighbouring houses at 8.3m in height, and the proposed houses would be 8.7m. While similar in scale to the neighbouring semi-detached properties, they would be noticeably narrower than the neighbouring houses, with a different fenestration pattern and smaller openings.'**

3.1.10 **Appellant's Statement – Local Character**

- **Whilst the individual units would be narrower than the neighbouring units, this is not something that would be noticeable externally and seems unreasonable to consider given the house meets or exceeds all national space and size standards. The block was designed to resemble the characteristics of the neighbouring properties mass and width with no 9-11 at 17.1m. No 13 proposal is 14.2m and closely resembles the scale, characteristics, and mass to look like a continuation of the same housing styles, which the officer partially agrees with 'The height of the proposal is close in height with the neighbouring properties at Nos. 9 and 11 Gladeside, as the proposed houses would be two-storey in height (with the top floor located within the roof area). The neighbouring houses at 8.3m in height, and the proposed houses would be 8.7m. While similar in scale to the neighbouring semi-detached properties,'.**
- **No 5 (Gladeside) measures 13.1m in width, number 7 - 9.8m, 15-17 Gladeside are 13.4m wide, whilst 19-21 are 17.4m whilst the terrace block of 4 at 71-77 Gladeside are 23.8m. As such, there isn't a consistent pattern in the immediate vicinity or the wider area. The dwelling would look like the neighbouring properties at 7-11 and would not immediately look like a terrace block due to careful design and massing consideration.**



Gladeside Street View to evaluated Unit Widths

3.1.10.1 View We do not agree that the reduced and narrow widths would **not** be noticeable. The reduction in width is extremely obvious from the street view observation and the supplied Plans as provided at the **Street view (Drawing 0400 #001, dated Feb 2023)**. **The width of a single Unit is just 4.8m which is less than half the 8.5m width of 11 Gladeside at 4.25m. and would be detrimental to the street scene.**

3.1.10.2 We are not convinced that the narrowness of the proposed dwellings would be considered acceptable and are of the view that the **separation** between **Number 11** and **Unit 1** is inadequate as it would **fail** the **45° Rule** (vertical) and the proposed development would be **overbearing** to the occupants of Number 11 **Gladeside**.

3.1.11 **Case Officer's Report Para 6.22.**

- **Para 6.22 In terms of the elevational design, the Design and Access Statement includes a local character analysis, which details the vertical and horizontal elements of the built environment, however, it does not provide adequate contextual detail on how or why this has been incorporated into the design of the proposed houses. It's noted that the design has taken cues from the built environment in terms of the soldier courses, however, the vertical lines of fenestration would not be considered a particular feature of this area, nor would the horizontal brick band under the first-floor windows. The design of the proposed would not be in keeping with the style of the properties in the local vicinity.**

3.1.12 **Appellant's Response – Local Character**

- **The local area contains an eclectic mix of housing styles and types. Policy D3 of the London plans requires design to 'enhance local context... with due regard to emerging and existing... forms'.**
- **We designed a block that is architecturally interesting whilst respecting the core and notable characteristics of houses in the immediate vicinity. Roof pitches, materials, height, brick colour and styles all closely resemble the neighbouring and existing dwellings. To quote commentary on another application decision of a planning application in close proximity (23/00594/FUL) – the planning officer suggested the design 'appears bland and uninspiring'. To suggest that this design whilst maintaining significant notable characteristics of the area is not appropriate due to the vertical lines of fenestration and brick banding seems subjective in nature.**
- **Planners have suggested that we did not provide a contextual analysis of the wider area which we have provided as additional material. In this, we have highlighted examples of the horizontal brick band across windows, and vertical fenestration in the wider area. We have also pointed out that arched vertical brick banding does appear on the entrances of 15, 17, 18, 20 and many more houses in the area in the immediate vicinity.**
- **It is however our opinion that this could have been considered as a minor amendment and have been communicated to ourselves if it were a material consideration for refusal.**

3.1.12.1 The London Plan Policy Chapter 3 Design includes Policy D3 - Optimising site capacity through the design-led approach which states:

- “... *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**. ...”*
- “... **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, ...”
- “... **Form and layout** 1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. ...”

3.1.12.2 The location of the proposed development’s **Site Area** and **Area Type Setting** provide the guidance for the **Sites Context** and **Capacity for Growth** within the existing **Area Type** of the locality as defined by the **Local Post Code** and within the context of local densification as defined by the **Croydon Plan designation** on the **Policies Map** and regeneration policies and **London Plan Policy H2 Small Sites incremental Intensification definitions**, Para 4.2.4.

3.1.12.3 These definitions indicate the locality is **inappropriate for incremental intensification or densification** as **PTAL at proposed locality is 1a** (numerically equivalent \equiv **0.66**) i.e., **<PTAL 3 and is >800m from Train/Tram Stop or District Centre**.

3.1.12.4 The location of the proposed development is NOT “Well connected to Jobs, Services or infrastructure. The **Public Transport Accessibility Level (PTAL)** is considered LOW at **PTAL 1a** as defined by TfL.

3.1.12.5 The proposed development building and the spaces between the proposal and the existing is not considered acceptable or respecting the existing street scene.

3.1.12.6 **Policy D3 Optimising site capacity through the design-led approach.**

A All development must make the best use of land by following a design-led approach that optimises the **capacity of sites**, including site allocations.

Site Capacity #1

- As previously indicated, for **three** dwellings in an **<Outer Suburban Area Type** requires a **Site Area of at least $3/20 = \geq 0.15ha$** when the proposal’s available **Site Area is $0.0625ha$** i.e., **deficient by a minimum of $0.0875ha$** . Therefore, the **Site Area cannot support 3 Dwellings and still remain within the parameters of an <Outer Suburban Area Type** setting, including the appropriate level of supporting infrastructure. This is clear proof that the proposal does NOT respect the character of the local **Design Code** as defined by the **National Model Design Code & Guidance** and determined by analysis of the local **Post Code CR0 7RL**.

Site Capacity #2

- A further measure of **Site Capacity** is assessed by analysis of the capacity of the site to **accommodate** the summation of **all requirements** of the proposal as defined by the **Policies** within the **Site boundary**.
- The **London Plan Guidance (LPG)** Optimising Site Capacity: the Design Led Approach (June 2023), includes a **Site Capacity Toolkit** for **Residential Developments**.
- The **LPG Toolkit** is mainly designed for major developments of multiple Housing Types and tenures but **para 5.1.2** of the **LPG** does indicate that alternative assessments can be made based upon the concepts of the **Design Guide Toolkit**. We have therefore prepared the following **interactive spreadsheet** to calculate the appropriate **Site Capacity** required for this proposal in the **Area Type** setting as defined by the local **Post Code CR0 7RL**.

| 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.) |
| 0.0625 | 625.00 | 174.00 | 10 | 12.5 | 12 | 14 | 18.000 | 0.855 | 1.235 | 0.528 | 0.528 | 0.429 | 0.351 | 0.259 |
| Proposal: 13 Gladeside LPA Ref: 23/01623/FUL | | | | | | | | | | | | | | |
| Unit (Type) | Site Area (sq.m.) | Footprint or GEA (sq.m.) | 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 | 625.00 | 58.00 | 4 | 6 | 124 | 3.50 | 9.00 | 2 | 4 | 40 | 2.15 | 2.57 | 21.00 | |
| Unit 2 | | 58.00 | 4 | 6 | 124 | 3.50 | 9.00 | 2 | 4 | 40 | 2.15 | 2.57 | 21.00 | |
| Unit 3 | | 58.00 | 4 | 6 | 124 | 3.50 | 9.00 | 2 | 4 | 40 | 2.15 | 2.57 | 21.00 | |
| Totals | 625.00 | 174 | 12 | 18 | 372 | 10.5 | 27.00 | 6 | 12 | 120 | 6.44 | 7.70 | 63.00 | |
| Assessment | | | | | | | | | | | | | | |
| Proposal | Footprint or GEA (sq.m.) | 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] | UGF Targets for Residential (LP Table 8.2) | |
| Total | 174.00 | 120.00 | 27.00 | 0.00 | 63.00 | 7.70 | 6.438 | 398.13 | 625.00 | 0.28 | 0.60 | 0.52 | 0.40 | |
| Assessment | Floor Area Ratio = (GEA/Site Area) | Plot Area Ratio = (GEA/Site Area) | Site Area available (sq.m.) | Garden Area (UGF) (sq.m.) (Note 1) | Required Area (sq.m.) including GEA | ± Indicative Site Area (sq.m.) | % Site Capacity | | | | | | | |
| <Outer Suburban | 0.25 | 0.125 | 625.00 | 478.00 | 398.133 | -251.13 | -40.18% | | | | | | | |
| Outer Suburban | 0.375 | 0.25 | 625.00 | 321.75 | 398.133 | -94.88 | -15.18% | | | | | | | |
| Suburban | 0.5 | 0.375 | 625.00 | 165.50 | 398.133 | 61.37 | 9.82% | | | | | | | |
| Urban | 1 | 0.5 | 625.00 | 9.25 | 398.133 | 217.62 | 34.82% | | | | | | | |
| Central | 2 | 1 | 625.00 | -147.00 | 398.133 | 373.87 | 59.82% | | | | | | | |

Note 1: Private Amenity Space and Play Space required is included in the overall requirement but deducted from the Garden Area target 0.4 (Residential 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.

Site Capacity Interactive Spreadsheet evaluates the required Site Area.

- 3.1.12.7 The simple interactive spreadsheet (above) assesses the **Site Capacity** based upon the defined policies and requirements of the proposal.
- 3.1.12.8 The most significant parameter that differs across the **Area Types** is the Average Amenity Space (Garden Space) for the **Area Type** Setting which has a significant bearing on the **Area Type** Settings. Therefore, using the above spreadsheet assessment, the proposal does **NOT** meet **London Plan Policy D3 Site Capacity** as

the **Site Area Capacity** is inadequate to accommodate the requirements of the proposal, and remain within the existing **<Outer Suburban Area Type** setting.

- 3.1.12.9 For the proposal to remain within the **Area Type** of the **Post Code CR0 7RL** at **<Outer Suburban**, the **Site Area** is **deficient** by **≈251.13sq.m.** which decreases to **≈94.88sq.m.** for an **Outer Suburban Area type** and only goes **positive (acceptable)** for a **Suburban Area Type** setting.

3.1.13 **Case Officer's Report Para 6.23.**

- **Para 6.23** The front forecourt would consist of mostly parking, with a line of hedging to screen the bin and bike storage, and general accessway for pedestrians to the front of the houses. There would be a significant quantum of hardstanding, with an uncharacteristic band of hedging, as the other properties in Gladeside have a more open front garden/driveway area. There is also concern regarding the location of the bike stores outside of the front windows at ground floor; it appears that the presence of the bike store would impede on these windows being opened.

3.1.14 **Appellant's Response – Local Character (Landscaping)**

- We have considered previous commentary on previous applications on this site and tried to include as much soft landscaping as possible. Understandably, to meet parking at a ratio of 1:1.5 does require a greater degree of hardstanding. However, full paved driveways are very common in the area, and we would go as far to suggest that this was characteristic of the area. Virtually every house in the immediate vicinity has fully paved driveways. Examples include 5, 7, 9, 11, 18, 21, 22, 24 Gladeside which are fully paved. No 5 Gladeside which is fully paved with a narrow boundary hedge. Even in the wider vicinity, 61, 63, 65, 67, 73, 76, 78, 80, 82 Woodmere Avenue are all fully paved with the overwhelming majority of houses following this pattern, albeit with no SUDs methods in place.

- 3.1.14.1 The proportion of greenspace (garden) to Site Area should be proportionate to those of the surrounding properties and as modified by the 'Urban Greening Factor' as defined in the **London Plan Policy G5 – Urban Greening**, and further clarified at **Table 8.2**. We have made an assessment for an appropriate 50% of **Site Area** appropriate for **Outer London Borough Area Types** for the local **Area Type "Urban Greening"** within the proportion of **Garden Area** in our **Site Capacity assessment** above.

3.1.15 **Appellant's Response – Local Character (Forecourt Landscaping)**

- Hedging was introduced to act as a privacy screen. The topography of the site has a gradual gradient with the buildings sited approximately 1.2m below street level. Hedging provided a natural screen for the bin stores (DM13.1 Croydon Local Plan) and to the ground floor windows of the properties whilst also providing a softer outlook when viewed from inside the units. To remove hedging lower green cover, increase flood risk, and create a harsher aesthetic which officers have resisted in previous refusals on the site.

- 3.1.15.1 We have no additional constructive comment appropriate for this appellant's comment.

3.3.16 Appellant's Response – Bike Storage

- The bike stores would not impede the window openings, and this is yet another subjective view provided by the planning officer. As mentioned in previous commentary, bike stores (by the planning officers own admission), could be moved to the rear of the site if preferred, or further requirements could be secured by condition.

3.1.16.1 We have no additional constructive comment appropriate for this appellant's comment.

3.2 Appellant's Grounds of Appeal Reason 2

3.2.1 Refusal Reason 2. The proposed development by reason of its massing (depth) and proximity close to the neighbouring property at No. 11 Gladeside would result in an intrusive and imposing form of development which would result in a sense of enclosure due to the overbearing impact, contrary to Policies D3 and D6 of the London Plan (2021) and policy DM10 of the Croydon Local Plan (2018),

3.2.2 Case Officer's Report Para 6.26.

- 6.26 The rear building line of the proposed dwelling closest to No. 11 Gladeside would project 7.25m beyond that of the neighbouring property. The 45-degree BRE line has been applied on plan form, and it demonstrates that the proposal would not comply with this guideline. While it's noted that this is not complied with in its current form, the 45-degree line is breached in relation to the conservatory that exists to the rear of No. 13. The Design and Access Statement sets out that the nearest window at first floor of No. 11 is not a habitable room, however, this does not take into account the ground floor window, which would also be impacted. It is considered that the massing of the proposal, specifically, the depth of the projection would have an adverse impact on No. 11 Gladeside, in terms of having an overbearing presence which would result in a sense of enclosure.

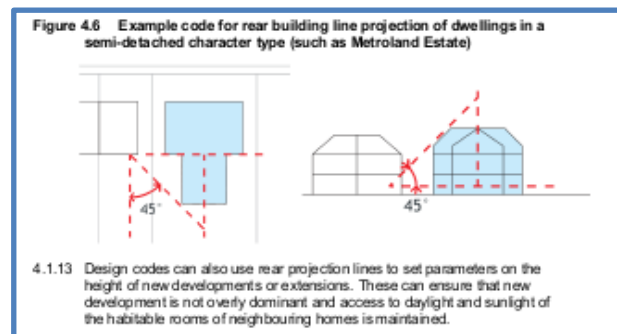
3.2.3 Appellants Response Reason 2

- It is worth noting that 7-13 Gladeside are staggered. 13 Gladeside sits 3.3m beyond the rear elevation of no. 11, as does no 9 from 7. The design follows the existing staggered build pattern. This pattern also continues and is even more pronounced between 15-21 Gladeside, with the rear elevation being set back 8.3m from the neighbouring dwellings; more than the 7.25m we have proposed.
- The 45-degree BRE assessment the planning officer has made is inaccurate. The 45-degree BRE line is to be taken from the nearest habitable room window. The closest window on the first floor is a bathroom whilst the closest window on the ground floor is a kitchen, neither of which are considered habitable rooms. As such, the design meets policy and does not intersect with the 45-degree line. If the planning officer had attended a site visit, this would have become apparent.

- The existing dwelling projects 7.55m beyond the rear of no.9 to the rear of the conservatory whilst the new scheme reduces this projection by 0.3m from the existing dwelling. Given the Northern orientation of the site, no overshadowing would occur so impact on daylight would be negligible. The proposed block has also been moved away from the boundary to allow a 1.2m access route at it's narrowest point, which further moves the block an additional 35cm minimum away from the boundary and neighbouring site, increasing the separation distance to 2.05m from the existing 1.7m. This would aid in reducing any sense of enclosure which might already be felt given the closer placement of the existing dwelling.

3.2.3.1

London Plan SPG Small Site Design Codes (Feb 2022 & June 2023) at **Figure 4.6** provides guidance for rear building line projection policy which provides requirement for clear **45° Degree** projection both horizontally and vertically from the nearest **ground floor** window. The Applicant



references that the closest window on the first floor is a bathroom whilst the closest window on the ground floor is a kitchen, neither of which are considered habitable rooms.

3.2.3.2

However, the existing rear building line of 13 Gladeside does extend **≈3.3m** beyond the rear building line of **11 Gladeside**, whereas the proposed building would be **≈7.25m beyond the rear building line** for the **full height of the building** which would probably present an **overbearing relationship to the occupants of 11 Gladeside**.

3.2.3.3

We acknowledge that the appellant has belatedly explained that the nearest ground floor window of **11 Gladeside** is serving a kitchen which is theoretically not a habitable room, but it is a room which the occupants use pretty much regularly, and the Kitchen Sink is normally situated fronting the window and is a regularly position for occupants to be standing with an outlook overlooking their garden. **Therefore, the adjacent proposed protruding building would still be detrimental to occupants amenity, at 11 Gladeside.**

3.3

Appellant's Grounds of Appeal Reason 3

3.3.1

Refusal Reason 3. Sufficient detail has not been provided to demonstrate that the proposal would not have an adverse impact on the highway transport network due to inadequate car parking provision for this site due to insufficient tracking to demonstrate all of the car parking spaces can be accessed in the existing site curtilage, inappropriate pedestrian sightlines, poor vehicle and pedestrian access, and poor refuse storage facilities, and would therefore be contrary to Policies T4 and T6 of the London Plan (2021) and Policies DM13, DM29, and DM30 of the Croydon Local Plan (2018).

3.3.2

Case Officer's Report Para 6.32.

- **6.32** In regard to the proposed car parking spaces, vehicle tracking of the parking layout has been provided, however these are not accepted as the proposal does not demonstrate the tracking for all of the spaces, nor does it make provision for large vehicles. Additionally, parking spaces beside boundaries should be 3m in width, to allow space for alighting. The parking area is very cramped and given the lack of information regarding appropriate tracking within the site, its considered that this is a symptom of overdevelopment, wherein in curtilage vehicular parking cannot be adequately accommodated. This aspect would not be acceptable.

3.3.3

Appellants Response Reason 2

- If this were a material reason for refusal, the planning officer could have engaged with us and requested swept path analysis. Several other applications in the area have been permitted to submit multiple iterations of planning drawings and ancillary materials. (eg: 46 The Glade – app: 22/05049/FUL) in which a Transport assessment and swept path diagrams were included on request from the planning officer.
- We have taken the liberty to include vehicle tracking swept path diagrams for all 4 spaces in the attachment, which demonstrates that cars parked in each of the 4 spaces can egress in forward gear. However, it is noteworthy that all cars along the glade reverse onto Gladeside currently, which we have also shown in our swept path analysis. We draw your attention to the recently approved scheme at 176 – 178 Orchard Way – Ref: 22/05186/FUL which allowed for the reversal of 12 individual parking spaces onto the road (which is common within the area), setting a precedent that cars do not need to be able to egress in forward gear, although our swept path analysis indicates this is achievable.
- We are unaware of any requirement to make a provision for large goods vehicles on minor developments. As this is not a controlled parking zone, the expectation would be that vehicles could park on the street which has ample space as demonstrated through the parking stress survey at 17%. We note that the recent approval of 176 – 178 Orchard Way – Ref: 22/05186/FUL also made no provision for large goods vehicles.

3.3.3.1

The accessibility and sight lines for ingress and egress to Parking Spaces are an obvious necessity for development proposals. We have promoted the provision of swept path analysis using proprietary software. However, the swept path analysis provided rarely use professional software and are normally unrealistic in their proposed analysis and do not show the swept paths from each bay with all other bays occupied.

3.3.3.2

The vehicle tracking Drawing 'Parking Court Tracking' Drawing Number 0080-#001 does NOT show tracking swept path from all bays. It is also noted that the forecourt has no ownership boundaries and therefore it is not clear who would be responsible for the upkeep and maintenance of the front forecourt and parking bays if the properties are for sale to private owners the owners when the ownership would need to be divided



between the owners of the dwellings, but there are no defined boundaries for this to be specified.

3.3.3.3 We have no additional constructive comment appropriate for this appellant's comment on delivery vehicles.

3.3.4 Case Officer's Report Para 6.33

- 6.33 In terms of visibility splays, these are demonstrated on the plans, however, they are not correct. Given the change in layout and the increase in parking provision, a 1.5mx1.5m visibility splay is required from either side of the access; it does not appear to be possible to provide this within the red line boundary. In the absence of this information, the proposed arrangement would not be acceptable.

3.3.5 Appellant's Response Visibility Splays

- The existing Crossover is 6.1m which only serves 13 Gladeside; and does not crossover the boundary lines of neighbouring dwellings. The minimum legal width requirement of a Crossover is 2.5m. It is therefore possible to provide a 1.5m visibility splay on each side and still provide a 3m crossover to the site. The width of the front boundary of the site is also 8.3m which allows for dedicated pedestrian access at 1.2m wide and could provide a 4.5m crossover allowing access for 2 cars, whilst maintaining visibility splays within the legal and controllable site boundary. Our swept paths show the vehicle access point at the centre of the crossover further evidencing the ability to provide and meet visibility splay requirements.
- A dedicated pedestrian access path has also been provided at 1.2m meeting required M4 standards of accessibility, therefore, we contend that 'poor access' is not a legitimate reason for refusal as it has clearly been demonstrated that design meets all relevant policy and guidelines.

3.3.5.1 We have no additional constructive comment appropriate for this appellant's comment.

3.3.6 Case Officer's Report Para 6.33

- 6.34 The proposal includes the provision for 2no. cycle spaces per unit, which is acceptable, however, the cycle stores are 1.7m in length which is insufficient, a minimum length of 2m is required for cycle stores and this should be demonstrated. The access width is 1.2m, which is acceptable. While provision should also be made for wider / adapted bikes on site, which has not been provided, each dwelling has a rear garden, which would allow residents to install a store for larger/adaptable bikes; this is acceptable.

3.3.7 Appellant's Response

- Bike stores will be designed to be 2.0m in length. This is a minor amendment, and the planning officer could have communicated this if a material reason for refusal. As the planning officer has mentioned, each dwelling has a rear garden and as such, bikes can also be stored at the rear of the properties in a secure manner in the residents so wish. Bike storage could be conditioned if necessary.

3.3.7.1 These requirements all contribute to the overall requirement of **Site Capacity** as assessed above.

3.3.8 **Case Officer's Report Para 6.35**

- **6.35** The proposed bin stores appear tight in terms of the manoeuvring space within the store, and the placement of the doors would mean that bins at the hinge of the doors would not be able to be removed without removing the central bin first, which is not acceptable. There's also no provision for food waste bins, nor a bulky waste area. Therefore, this aspect is not acceptable.

3.3.9 **Appellant's Response**

- The Bin stores are in line with Croydon's own policy which requires storage of 2x240l bins and 1x180l bin, though we note the use of the phrase 'and possibly' 140l garden waste. The planners commentary is however subjective evidenced by the use of the word 'appear', rather than being factual. Bin Doors could be designed with overlay hinges which would ensure doors opened past the hinges allowing access to individual bins without the need to move others to facilitate this. Bin store requirements could have been conditioned and this is not a reason alone for refusal. If the planners wish, the hedge could be removed allowing for a larger bin store or to accommodate bulk waste storage.

3.3.9.1 We have no additional constructive comment appropriate for this appellant's comment.

- We took a decision to meet parking requirements at 4 spaces as this in a minor development, however, if the planners are comfortable with the parking stress survey and any overspill being met by the available on street demand (still providing 3 on-site parking spaces at a ratio of 1:1), the parking space could be used to house bulky waste storage at 11.5sqm.

3.3.9.2 The **London Plan Parking** guidance for '**Outer London Boroughs** at **PTAL locations Zero through to 1** for 3+ bedroom developments is **1.5 spaces per Unit** which equates to 4.5 \equiv **5 bays** whereas only **4 bays** are provided.

- As an alternative, the hedge and grass landscaping could be used to house bulky waste storage given the planners have previously suggested this was uncharacteristic of the area. Any waste management provision could be secured by a condition.

3.3.9.3 Each dwelling requires dedicated and defined Refuse & Recycling space **within their specific boundary** to avoid any future disagreements or legal challenges over the arrangements. If these are not defined and specified at the planning stage, there could be future disagreements or arguments which should be avoided by ensuring **boundary ownership with space allocated for the individual Unit for refuse & recycling space**. This should be included within the ownership of that Unit.



3.3.10 Case Officer's Report Para 6.36

- 6.36 A legal agreement (S106) would need to secure £1500/unit towards improvements to sustainable transport measures in line with policies SP8.12 and SP8.13 with each household required to have membership of car club for 3 years.

3.3.11 Appellant's Response

- The developer is comfortable with this but is not aware of any legal requirement of Car club membership in low ptal areas where car parking provision is provided for all dwellings, nor for minor developments.

3.3.11.1 We have no additional constructive comment appropriate for this appellant's comment.

4 Appellant's Conclusions

- Pragmatically speaking; Croydon has a requirement to build 20,790 homes by 2028. Whilst every developer and architect understand the need to build high quality housing, a lack of engagement from planning officers who do not respond to emails, do not make site visits and base decisions of their own subjective views results in an overly critical and arduous application of rules.
- Every refusal reason could have been addressed easily through minor amendments which may have resulted in a positive outcome. The lack of willingness for Croydon planners to proactively engage with developers results in further downstream pressure through the need to appeal, the council to contest, and Planning Inspectorate to determine... all services which are already strained.
- Whilst we acknowledge we did not seek a pre-application of this scheme, we have had 3 previous pre-apps on this site, along with several others in the area. Unfortunately, planners have seldom provided written feedback.
- We strive to provide family housing which is in keeping with the areas we build, and generally speaking, residents tend to not object. To challenge every scheme, due to local political changes, or just to resist change has material impacts at a macro and micro economic level, but also to individuals who are locked out of the housing market for what partly, is by the design of a broken planning system.

4.1 The Targets for new dwellings allocated for Croydon have been allocated across the "Places" of Croydon. Although the "Places" have no defined boundaries we have had advice from the LPA that the **Shirley Place** can be assumed to embrace both the **Shirley North & Shirley South Wards** which has a target of **278 dwellings** over the period up to 2039.

4.2 However, the **New London Plan 2021** provided more detail and the **Revised (Draft) Croydon Plan** indicated Place Targets and the allocation for Shirley Place was **278 dwellings over the period 2019 to 2039**.

4.3 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. 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.

4.4 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"**.

4.5 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 more than satisfied.**

4.6 We only comment on proposals if those proposal fail to comply with the latest published or adopted Planning Policies. We understand the need for new homes but those homes must meet the policies to ensure acceptable accommodation standards for future occupants and those dwellings meet the planning policies to regain the confidence of local residents in the planning process.

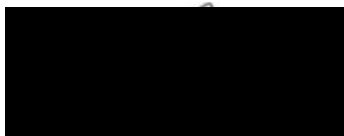
4.7 **Appellant's conclusions continued.**

- We believe the proposed application meets all guidance providing well designed houses with a net increase of 2 homes, all of which, are oversized family homes with ample private amenity, in an area that has capacity to accommodate an increase in housing and is not overly populated.
- We respectfully ask the planning inspector to review and consider our comments within this document and uphold our appeal.

6.7.1 The evidence and assessment herewith contradicts the Appellant's views and assessment, and we therefore urge the Planning Inspector to **Dismiss** this Appeal and recommend the Appellant re-apply with a proposal which fully meets the Planning Policies.

Kind Regards

Derek



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