

Mr Derek Ritson  
MORA Planning  
planning@mo-ra.co

Contact: Pete Smith  
pete.smith@croydon.gov.uk  
Our Ref: CASE4893951  
Date: 5 March 2019

Dear Mr Ritson

### **Stage 1 Complaint – 20-22 The Glade CR0 7QD**

I refer to your email dated 14<sup>th</sup> February 2019 in respect of the above site and the associated grant of planning permission, which is being treated as a Stage 1 Complaint under the Council's Corporate Complaints Procedure.

#### **Details of Your Complaint**

Your email focusses on our decision to grant planning permission in respect of the development involving the erection of 2x3 bed semi-detached dwellings with associated access and parking for the proposed dwellings as well as 20 and 22 The Glade (LBC Ref 18/05928/FUL). This decision was taken on 1<sup>st</sup> February 2019 which was informed by a delegated report; produced by one of my planning officers (Wayne Spencer).

Your letter broadly focusses on the extent to which (in your view) the scheme did or did not comply with adopted planning policy; namely the London Plan (with alterations since 2016) and the Croydon Local Plan 2018. You highlighted two issues:

- The extent to which the scheme complied with the London Plan Density Matrix, bearing in mind that the site is located in a suburban location characterised by low levels public transport accessibility and access to local services;
- The extent to which the scheme complied with PDM10.4 e) which seeks to manage back garden development and relationships between existing and proposed residential infill.

#### **My Findings**

Before going into the detail, I can advise that I have independently reviewed the planning merits of this scheme and discussed the issues with the planning officers

who were involved. I was not party to the determination process in this particular case; as raised above, the case was managed by Wayne Spencer and was signed off by Nicola Townsend (North Area Team Leader). In short and even after considering your issues, I see absolutely no reason for withholding planning permission. I do accept however that Mr Spencer's report could have been slightly more expansive on residential densities and the extent of compliance with DM 10.4 e) for which I sincerely apologise. I am well aware that you spend time commenting on planning applications and represent your residents in a fair and even-handed manner and it is right that we refer to comments made and address the associated issues within our reports. That said, your comments are always expansive and detailed and I am always requiring officers to be suitably proportionate in terms of report writing to make sure that we maintain a reasonable throughput of planning decisions (week in-week out).

I now proposed to move onto the detailed points.

### Residential Density

We are well aware that the NPPF requires us to determine applications in accordance with the development plan (The London Plan and the Croydon Local Plan) unless other material planning considerations indicate otherwise. The existing density matrix forms part of the adopted London Plan and therefore represents a primary consideration. However, it is worth noting however that the London Plan advises (para 2.28) as follows:

**It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure, open space and play. These broad ranges also provide the framework within which boroughs can refine local approaches to implementation of this strategic policy through their LDFs. Where appropriate, they can also provide a tool for increasing density in situations where transport proposals will improve public transport accessibility in the future.**

We always interpret the density matrix flexibly – using it as a general guide but then focussing on how a scheme addresses the various issues that inform density of development (scale, mass, relationships, residential quality, car parking and amenity space).

The emerging New London Plan is a material planning consideration; as you know, it is currently under-going "Examination in Public" and the London Mayor carried out some amendments to the emerging plan back in August 2018 (responding to public consultation that was undertaken in late 2017/early 2018). As advised by the NPPF, the weight to be afforded to emerging policy increases as one progresses through a plan making process and from my reading of the documents, it seems pretty clear that the New London Plan will remove reference to the Density Matrix. This therefore represents a material planning consideration and from our point of view (especially in view of the need to deliver high levels of new housing units) it substantially reduces the significance of the Density Matrix – which we use as a guide in any case. Moreover, in view of the scale and form of development

proposed and its relationship to neighbouring properties, it is clear to me that it is suitably appropriate for its context.

We have discussed residential density on many previous occasions and as you are probably aware, this issue is discussed at Planning Committee on a regular basis.

#### Policy DM10.4 e)

You are correct that not all of the rear garden (attached to 22 The Glade) will be 10 metres in depth in view of the angled rear boundary and this occupiers previous decision to erect a small conservatory within their rear garden (which arguably supplements garden amenity during inclement weather). However, I stand by the view adopted that the amenities retained for the enjoyment of 22 The Glade were satisfactory. One should also not discount the availability of other garden areas at the disposal of 22 The Glade (namely the front garden) although I appreciate that the scheme involve the relocation of car parking area to the front of this host property. It is also worth noting that the rear gardens of both host properties have become largely disjointed by car parking area and garages to the rear and accessed off the access drive to 25 Glade Gardens. Policy DM10.4 e) also refers to garden areas (not just rear garden areas) which could be inferred to include front and rear gardens; I merely highlight this to infer that policy can be open to interpretation.

#### Concluding Remarks

I accept that Mr Spencer's report could have been slightly more expansive; arguably his report should have commented along similar lines as outlined in this letter. I hope you can accept my apologies. However and as highlighted above, I am encouraging officers to be suitably proportionate when preparing delegated reports – whilst recognising of course that they consider the various planning issues in order to reach a robust recommendation and eventual decision (irrespective of whether the recommendation is for approval or refusal). Having read Mr Spencer's report, I am satisfied that he covered the various planning issues considerations; although I appreciate not in the level of detail demanded by yourselves. The crucial point for me is that the level of detail included in no way dilutes the robustness of the decision to grant planning permission for these two houses.

When seeking to refuse planning permission, I need to be satisfied that such a decision is sound and has a reasonable chance of success on appeal. Like us, Planning Inspectors have scope to interpret policies and reach judgements (after balancing a range of planning considerations). A refusal of planning permission siting the issues raised in your initial objection, would not have stood scrutiny on appeal. I am sorry that I am unable to provide more help but can assure you that we seek to manage planning applications utilising the highest professional standards.

If you feel that your complaint has not been investigated properly or you wish to provide any significant new information that has previously not been considered, then you may complain to the next stage of the Complaint Procedure. For a Stage 2 Complaint to be considered, you will need to contact the Complaint Resolution Team, explaining clearly why you feel your complaint has not been investigated properly, or provide details of any new significant information or evidence that may alter the

decision made:

Complaint Resolution Team  
7<sup>th</sup> Floor, Zone C  
Bernard Weatherhill House  
8 Mint Walk  
Croydon  
CR0 1EA  
Tel/typetalk: 020 8726 6000  
Email [Complaints@croydon.gov.uk](mailto:Complaints@croydon.gov.uk)

If you have any queries, please contact me on 020 8726 6000 extension 88726 or email [pete.smith@croydon.gov.uk](mailto:pete.smith@croydon.gov.uk).

Yours sincerely

**Pete Smith**

Head of Development Management  
Planning and Strategic Transport  
Croydon Council