

Dear Mr Ritson,

RE: Planning application 19/00783/FUL, 32 Woodmere Avenue

Thank you for your email, received 4 August 2019, concerning the above development. Your complaint has been registered at Stage 2 of the Council's complaints procedure and, as Executive Director of Place, it is my role to oversee this stage of the procedure. *Please accept my apologies for the delay in responding to your complaint.*

Having reviewed your complaint I understand it relates to the weighting given to Supplementary Planning Documents (SPD's) in approving the proposed development, as well as residential density, specifically the cumulative effect of developments on the local community.

Firstly I would like to say sorry that you have had cause to complain and that we were unable to resolve your complaint earlier. During my investigation of your complaint I have reviewed your correspondence with the Council and made enquiries with Development Management Service.

In your complaint you highlight Section 70 of the Town and Country Planning Act 1990, which you feel should carry similar weight to the Development Plan.

Having read the Stage 1 response, I am in agreement with Pete Smith, Head of Development Management, that the SPD's, including the London Mayoral Housing Supplementary Planning Guide and the Council's Suburban Design Guide, do not enjoy the same weight as the various constituents of the Development Plan. The SPD's, whilst deliberated as other material considerations, are not a set of statutory rules but provide guidance.

You have asked why SPD's are produced if they do not have sufficient material weight to influence decisions. I do not agree that this is the case; SPD's regularly influence and inform the decision making process, however, in this particular case, when considered as a whole, it is not sufficient to change our decision.

I have carefully considered your comments in response to Mr Smith, regarding the density matrix. I do not believe Mr Smith has indicated that the density matrix has

been disregarded; it continues to be a consideration, however, given the age of the policy, it does not have sufficient weight, in this case, to counter the need to deliver more homes.

I have also carefully considered your comments regarding the extent to which local character is expected to change/evolve, and how it reflects and relates to the intensification agenda.

The Borough seeks to protect, evolve and change character (depending on circumstances), and the Croydon Local Plan does not directly limit character evolution to maximum residential densities. These can be exceeded while still maintaining or evolving local character. The Local Planning Authority firmly believes that character can evolve through increasing densities. Each application is considered on its individual merits and, as previously highlighted in the Stage 1 response, residential density is the starting point when determining the suitability of a development (in terms of car parking supply and demand, scale and mass of development, amenity space considerations, residential quality and neighbour impact).

In your complaint you highlight the cumulative effect of developments on the local community, specifically inadequate supporting infrastructure, traffic congestion and increased on-street parking stress. I can assure you that the Local Planning Authority does consider cumulative impact of development; whether it be linked to highway safety, on street car parking pressure or other related capacity issues. Planning history is a material planning consideration, and planning permission granted on neighbouring sites is considered and taken into account, especially if those schemes relied on on-street car parking capacity. Officers are also mindful of junction capacity and how that might be affected by increased intensity of development.

With regards to the emerging Draft London Plan, while we are closely following the development of this plan, we are not yet in a position to give it any weight. This is because the plan is currently at draft stage, and it would be unfair to base our decisions on this before it is finalised. I can confirm the current London Plan is still being used in our consideration and decision making. While I appreciate your comments regarding filling any policy void, policy vacuums are inevitable due to the constantly changing guidance. For example, the Croydon Local Plan is now in the process of being further amended, to bring it into line with the emerging London Plan, but I do not agree that this results in uncontrolled development proposals being approved.

I note your point regarding other outer London boroughs and agree they should be doing more.

I also note your point that planning permission has been granted to back-land flatted schemes without adequate access for emergency service vehicles. While the SPD does seek to provide some guidance around access widths, access arrangements for emergency vehicles is ultimately a matter for Building Regulation compliance – although the Local Planning Authority is broadly familiar with how development can be made to comply with the Building Regulations, and it does liaise with Building Control colleagues.

You have said that you have not seen any visible benefits of the Community Infrastructure Levy in Shirley from any of the recent developments in this ward. The Community Infrastructure Levy is directed towards projects which have been explicitly highlighted by the Council's Infrastructure Delivery Plan. It is totally appropriate for the borough to direct funds generated by projects in Shirley (or any other part of the borough) that contributes the most to delivering infrastructure to support the ambitious growth agenda.

I appreciate that there will always be situations where views on planning merits differ between the Local Planning Authority and local residents, but disagreement with the opinions or actions of the Planning Team and the subsequent decision taken by the Planning Committee is not in itself evidence of any malpractice, and I am satisfied that the Planning Department is working in accordance with the policies and proposals contained within the Croydon Local Plan 2018.

While I understand you may not agree with this development, the Council's complaints process cannot be used to overturn a planning decision unless it can be evidenced that the planning process was defective (i.e. material objections were made but not considered) and I can see no reason that the decision should be overturned.

Your complaint has been considered at Stage 2 of the Council's complaints procedure. I hope I have satisfactorily addressed your concerns. However, if you remain dissatisfied you can ask the Local Government and Social Care Ombudsman to consider your complaint:

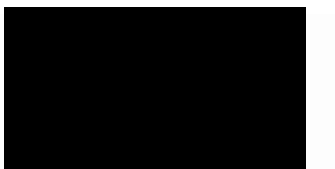
By writing to: The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

By telephoning¹: 0300 061 0614

By texting: Text 'call back' to 07624 804 299

By online form: www.lgo.org.uk

Yours sincerely



On behalf of
Shifa Mustafa,
Executive Director of Place

¹ Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines, and will be included as part of any inclusive call minutes or discount schemes in the same way as geographic calls