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**Monks Orchard  
Residents 'Association  
Planning**

2<sup>nd</sup> September 2024

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<b>Reference:</b>	<b>24/02781/FUL</b>
<b>Application Received</b>	<b>Tue 13 Aug 2024</b>
<b>Application Validated</b>	<b>Tue 13 Aug 2024</b>
<b>Address:</b>	<b>27 Orchard Rise Croydon CR0 7QZ</b>
<b>Proposal:</b>	<b>Demolition of existing dwellings and the construction of 4 semi-detached dwellings with associated parking, refuse &amp; cycle storage.</b>
<b>Status:</b>	<b>Awaiting decision</b>
<b>Case Officer:</b>	<b>Christopher Grace</b>
<b>Consultation Date:</b>	<b>8<sup>th</sup> September 2024</b>
<b>Decision Deadline:</b>	<b>Tue 08 Oct 2024</b>

Dear Mr Grace – Case Officer

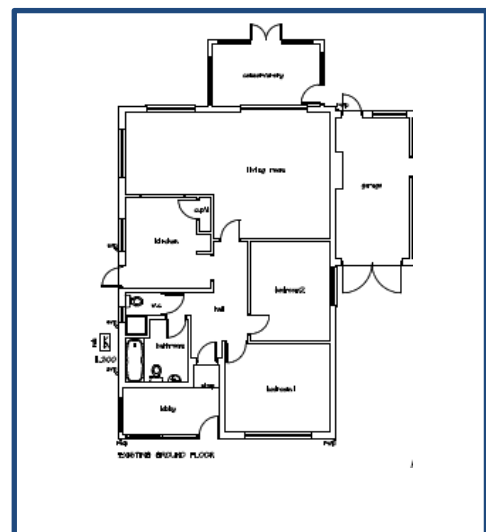
Please accept this letter as a formal objection to Application **Ref: 24/02781/FUL** for **Demolition of existing dwellings and the construction of 4no. semi-detached dwellings with associated parking, refuse and cycle storage, at 27 Orchard Rise, Croydon CR0 7QZ.**

**Existing family home at 27 Orchard Rise:**

27 Orchard Rise (Existing)				
Site Area	927 sq.m.			
	0.0927 hectares			
		Bedrooms	Bedspaces	Car Parking
Ground Floor	4	2	4	2
Residential Density	43.15	hr/ha		
Residential Density	43.15	bs/ha		
Housing Density	10.79	Units/ha		



**Proposed Front Elevation**



**27 Orchard Rise – existing Dwelling**

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

27 Orchard Rise		Ref: 24/02781/FUL		Footprint		329.60	sq.m.	Area Type	PTAL		FAR	0.32		
Units	4	Site Area	927 sq.m.	Residential Density	172.60	bs/ha		Central	2011 1a	0.66	PAR	0.36		
Site Area	0.0927 hectares	Housing Density		43.15	Units/ha		Suburban	2031 1a	0.66	Footprint				
New	Floor	Bedrooms	Bed Spaces available	GIA Offered	GIA Required LP Table 3.1	GIA Best Practice (LPG 1A.1)	Buil-In Storage Required (Table 3.1)	Buil-In Storage Required (Table 1A.1)	Private Open Space & Play Space Offered (sq.m.)	Car Parking	Disabled Bay (Electric Charging Point)	Cycle Store	Estimated Number of Adults	Estimated Number of Children
Unit 1	Ground	0	0	74.2	84	94	2.5	3	102 Rear Garden	1	EC	2	2	2
	First	3	4											
Unit 2	Ground	0	0	74.2	84	94	2.5	3	102 Rear Garden	1	EC	2	2	2
	First	3	4											
Unit 3	Ground	0	0	74.2	84	94	2.5	3	102 Rear Garden	1	EC	2	2	2
	First	3	4											
Unit 4	Ground	0	0	74.2	84	94	2.5	3	102 Rear Garden	2	EC + 1 DB	2	2	2
	First	3	4											
<b>Totals</b>		<b>12</b>	<b>16</b>	<b>296.8</b>	<b>336</b>	<b>376</b>	<b>10</b>	<b>12</b>	<b>408</b>	<b>5</b>	<b>0</b>	<b>8</b>	<b>8</b>	<b>8</b>

**Proposed Development parameters as provided by the Applicant.**

## Design & Local Character

The **Croydon Plan (2018) Policy DM10.1** requires proposals “**Respect**” local character but gives no actual guidance or any methodology to assess a proposal’s acceptability or otherwise. As such, the Policy is therefore very **subjective to personal and probably prejudicial interpretation** and is a ‘**flawed**’ Policy definition. The **Revised Croydon Local Plan (2024)** for **Regulation 19 consultation at DM10 Design and Character**, similarly, gives no actual **guidance or any methodology** to assess a proposal’s acceptability or otherwise, and again is therefore very subjective to personal and probably prejudicial interpretation and is thus again, is a ‘**flawed**’ Policy definition.

The **predominant dwellings** on the **North side of Orchard Rise are Bungalows**, other than the new development in **2019 of Brock Villas (Ref: 18/06070/FUL | Application Validated Mon 17 Dec 2018; permission granted Fri 22 Mar 2019)**, whereas the proposal is for **Two Storey dwellings** which do **NOT ‘Respect’ the local character**. The **Application Ref: 18/06070/FUL**, was approved prior to the adoption of **the New London Plan (2021)** and the publication of the **National Model Design Code and Guidance (2021)** and therefore cannot be used as **setting a precedent, as these new Policies supersede the Croydon Plan (2018)**.

**The proposal is for two blocks of Two-Storey Semi-detached dwellings with gabled room forms, which does not ‘respect’ the predominant build type of the locality.**

The **New London Plan Policy D3 - Optimising site capacity through the design-led approach** introduces a concept of a ‘**Design-Led**’ analysis but again, as the new **London Plan** had removed the “**Density Matrix**”, there is no defined relationship between **Area Type settings, Housing and Residential Density or Public Transport Accessibility (PTAL)** and thus, other than assessing Architectural similarity there remained no defined **relationship to compare Local Character**.

Therefore, at the time of **submission and validation** of this proposal, the **Croydon Local Plan (2018)**, the **London Plan (2021)** and the **Revised Croydon Local Plan (2024)** does **NOT** give any ‘**useful**’ guidance on any methodology to actually quantify or assess a proposal’s **Character** as acceptable or otherwise. Any assessment would be entirely subjective to an assessor’s personal and probably *prejudicial* interpretation.

The **National Planning Policy Framework (2021 & 2023) (NPPF)** requires new development proposals meet the **Design Code** parameters of the **Locality** of a **Development** in order to respect the **character** and existing (or planned) **infrastructure provision** of the locality.

The **National Planning Policy Framework (NPPF) (2023)** reference is stated at **para 134** which references the “**National Model Design Code & Guidance**”, and states:

*“.... [These national documents](#)<sup>1</sup> [should be used to guide decisions on applications in the absence of locally produced design guides or design codes.](#)”*

## Local Design Codes and Area Type Appraisal:

The local Area Type settings are defined by the **National Model Design Code & Guidance** as:

Area Type	Housing Density	Residential Density <sup>2</sup>
Rural	<20 Units/ha	<47.2 persons/ha
Outer [London] Suburban	>20 & <40 Units/ha	>47.2 & <94.4 p/ha
Suburban	>40 & <60 Units/ha	>94.4 & <141.6 p/ha
Urban	>60 & <120 Units/ha	>141.6 & <283.2p/ha
Central	>120 Units/ha	>283.2 p/ha

In accordance with the current **NPPF of December 2023 at para 134**, **The National Model Design Code & Guidance (2021)** should be used to “**Guide decisions**” in the **absence** of locally produced “**Design Guides**” or “**Design Codes**”.

We have **not** found any such locally defined “**Design Guides or Design Codes**” in the current **Croydon Local Plan (2018)** or the **Revised Croydon Local Plan (2024)** which is currently the subject of **Regulation 19** consultation; thus, we are assessing the proposal on the **National Guidance as specifically required by the NPPF (2021 para 129 & later versions at para 134**<sup>3</sup>).

## Area Type Design Code – Post Code & Application Assessment

When preparing a design code for the whole local planning authority area, one approach is to divide the existing built-up area to be covered by the code into individual area types. These are areas of character that will be used to set common parameters of the local design code. The assessment of the **Local Area** to define the **Local Design Code** requires an analysis of the **locality** which will provide the appropriate parameters and guidance for defining the specific **Local Area Type and Design Code** details.

<sup>1</sup> <https://www.gov.uk/government/publications/national-model-design-code>

<sup>2</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/> (2.36 persons/Unit in 2023)

<sup>3</sup> <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

The simplest methodology to define a **Local Design Code** is to assess the **Design Code parameters** of the local **Post Code, in this case CR0 7QZ**, for such an **area assessment**, **as we know of no other area designations or methodology for which the appropriate 'Area Type' or 'Design Code' parameter data are defined or are available for assessment.**

The **Post Code Design Codes** assessed would then define the **Local 'Area Type' and local 'Design Codes'** appropriate for comparison with any development within that **Post Code Area** in order to **'respect'** the **Locality's** character and the available infrastructure for supporting **'sustainable'** developments.

The **Google Earth** image (below) shows the estimated **Post Code (CR0 7QZ) Area** to be **≈12,493.34sq.m.** which equates to **≈1.2493ha**. The local **Post Code CR0 7QZ** currently has **34** dwellings from **5 to 45 Orchard Rise** <sup>4</sup> (Last updated on 14 August 2024) and an estimated 'current' population of **83** <sup>5</sup> in an Area of **1.2493ha**.



**Google Earth measurement of Post Code CR0 7QZ Area**

The **Housing Density** of the **Post Code** is a ratio in terms of **Units/ha** and as it is a ratio, it can be compared directly with the ratio of **Housing Density Units/ha** of the proposed **Application**.

<sup>4</sup> <https://www.gov.uk/council-tax-bands>

<sup>5</sup> <https://www.postcodearea.co.uk/> (Link <sup>4</sup> did not include the Brock Villa changes when last checked. We have taken the changes for demolition of 9a and erection of Brock Villas into account).

Parameters of Post Code 'CR0 7QZ' Design Code			
Area Design Code Parameter		Input Parameters	
(These parameters auto calc Design Code)			
<b>Post Code</b>	<b>CR0 7QZ</b>		
Area of Post Code (ha)	1.2493	hectares	
Area of Post Code (Sq.m)	12493	sq.m.	
Number of Dwellings (Units) (*)	34	Units	
Number of Occupants (Persons)	83	Persons	
Occupancy	2.44	Person/dwelling	
Post Code Housing Density	27.22	Units/ha	
Post Code Residential Density	66.44	Bedspaces/ha	
Area Type (National Model Design Code)	Outer Suburban	Setting	
(*) Last updated on 14 August 2024			
Design Code Parameters		Min	Max
Area Type Setting (NMDC)	Outer Suburban	20	40
Equivalent <sup>1</sup> Residential Density (Persons/ha)	Outer Suburban	47.20	94.00

Application Design Code Details			
Application Ref:	24/02781/FUL		
Address:	27 Orchard Rise		
PostCode:	CR0 7QZ		
<b>Application Parameters</b>			
Site Area (ha)	0.0927	ha	
Site Area (sq.m.)	927.00	sq.m.	
Units (Dwellings)	4.00	Units	
Bedrooms	12.00	Bedrooms	
Bedspaces	16.00	Persons	
Housing Density	43.15	Units/ha	
Residential Density	172.60	bs/ha	
Occupancy	4.00	bs/unit	
Gross Internal Area (GIA) offered	296.80	sq.m.	
Floor Area Ratio	0.32	#	
		Min	Max
Area Type Setting (Units/ha)	Suburban	40.00	60.00
Area Type Setting (Bedspaces/ha)	Urban	141.60	283.20
		U/ha	bs/ha
PTAL (Current)	0.66	31.00	73.16
PTAL (Forecast)	0.66	31.00	73.16
PTAL Required	3.19		172.60

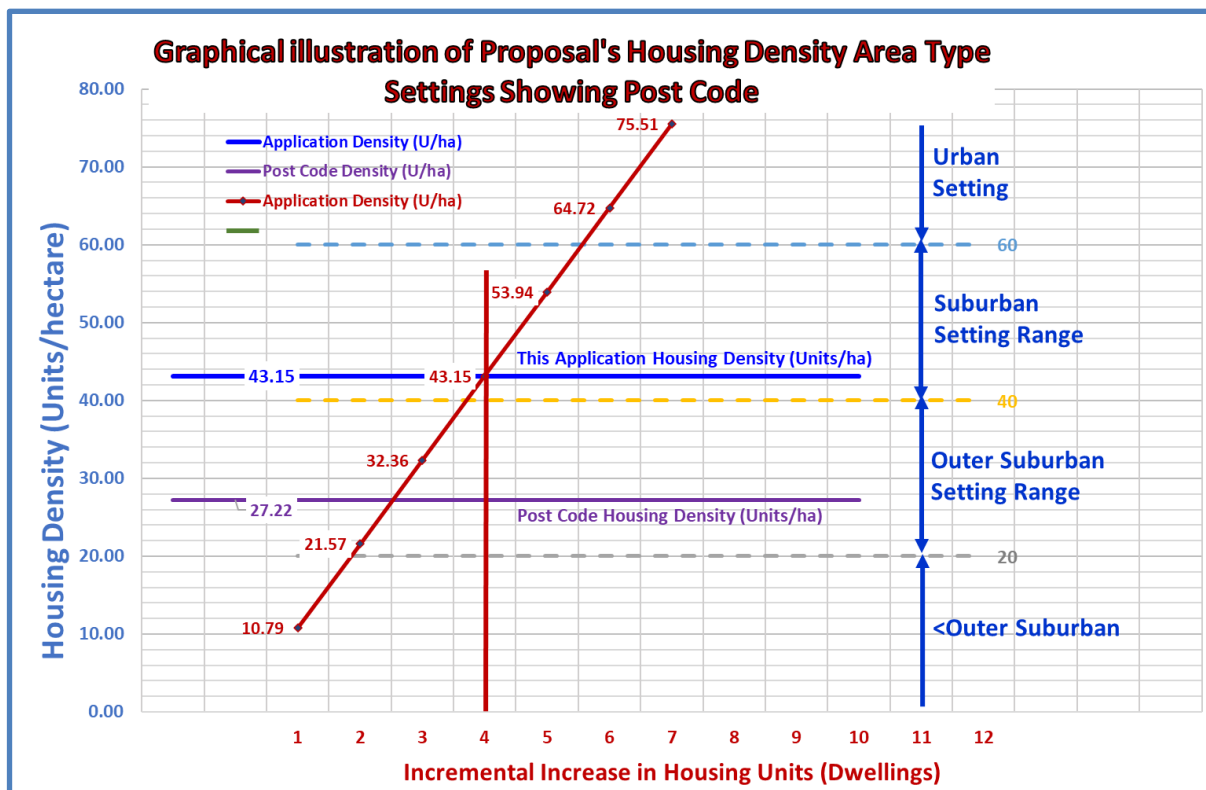
The Post Code (CR0 7QZ) has a 'Housing Density' of **≈27.22Unit/ha** and a 'Residential Density' of **≈66.44 Persons/ha**. These assessments place the Current Post Code 'Design Code' Housing Density for the locality of the proposed development at **27.22Units/hectare** which is within an "**Outer [London] Suburban**" Area Type; and Residential Density at **172.60 bedspaces/ha** which is bridging a 'Suburban Area Type to an 'Urban' Area Type setting, as defined by the National Model Design Code & Guidance (NMDC&G).

The Application 'Design Code' need comparing with the Post Code Design Code for acceptability. It is appropriate to compare the Application with those of the locality defined Post Code 'Design Codes' as provided in the National Model Design Code referenced from the NPPF (2023) at para 134.

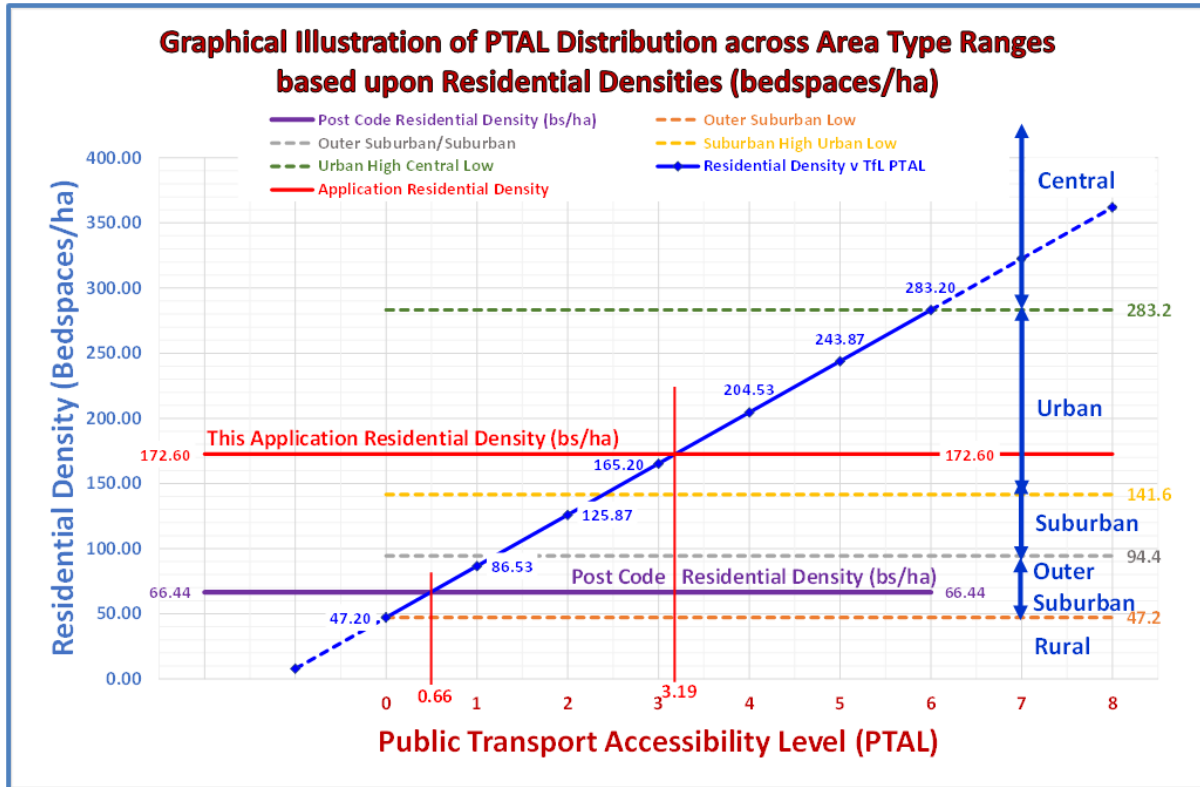
Difference Between Post Code (CR0 7QZ) Design Code & Application Proposal				
Post Code Housing Density (Units/ha)	27.22	Area Type Setting		Outer Suburban
Application Housing Density (Units/ha)	43.15	Area Type Setting		Suburban
Difference	15.93	#		
Percentage Difference (%)	45.27	%		
Percentage Increase (%)	58.52	%		
Post Code Residential Density (bs/ha)	66.44	Area Type Setting		Outer Suburban
Application Residential Density (bs/ha)	172.60	Area Type Setting		Urban
Difference	106.16	#		
Percentage Difference (%)	55.59	%		
Percentage Increase (%)	159.78	%		
PTAL Currently Available	0.66	Outer Suburban		
PTAL Required	3.19	Urban		

The assessment **clearly indicates** that the proposal exceeds the local **Post Code Area Type** by **58.52%** which would require **bridging** the established **Area Type** from **'Outer [London] Suburban'** to **'Suburban'** with **no planned increase in supporting infrastructure**.

The equivalent assessment of **Residential Density** based upon the **National Average Occupancy** <sup>6</sup> of **2.36 Persons/Dwelling** (2023), would be an increase of **159%** from an **'Outer [London] Suburban'** Area Type, which is **bridging** the **"Suburban"** Area Type and into an **'Urban'** Area Type again without any **proposed increase in local Infrastructure**, especially considering the **Residential Accessibility to Public Transport** which is currently **PTAL 1a** (≡ 0.66). This is conclusive proof of **over development for the locality**.



<sup>6</sup> <https://www.statista.com/statistics/295551/average-household-size-in-the-uk/>



In addition, the required increase in **PTAL** (if assumed **linear** over the **PTAL range 0 – 6** and linear over the **Area Types (Outer [London] Suburban to Central)**) would require a **PTAL of 3.19 (equivalent numerically)** to support the proposal whereas the available **PTAL is 1a (≡ 0.66)**. (The removal of the Density Matrix from the Revised London Plan has removed any relationship between *Housing & Residential Density, Area Type settings and PTAL*).

This is **clearly** an **over-development** for this locality **Post Code Area Type** setting as defined by the **NPPF (2023/4)** and **National Model Design Code & Guidance (2021)**.

### Growth & Incremental Intensification.

The **Croydon Local Plan (2018)** “Growth” policies are given at **Policy DM10** and **Table 6.4** for redevelopment, and further clarified in para 6.58 e) as:

“Regeneration – The replacement of the existing buildings (including the replacement of detached or semi-detached houses with flats) with a development that increases the density and massing, within the broad parameters of the existing local character reflected in the form of buildings and street scene in particular.”

Unfortunately, this definition of ‘Growth’ gives no indication of the amount of “Growth” in terms of an appropriate increase in Housing or Residential Density or any other parameter reflecting local character and thus the policy as written is quite meaningless. However, the London Plan is more helpful in providing guidance for “**Incremental Intensification**” as defined at para-4.2.4

“**Para 4.2.4** Incremental intensification of existing residential areas within **PTALs 3-6** or within **800m distance of a station**<sup>47</sup> or town centre boundary<sup>48</sup> is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. ...” (Table 4.2: 10-year targets (2019/20 -2028/29)).

**Therefore, as 27 Orchard Rise is <PTAL 3 at 1a (≡ 0.66) and is >800m from any Tram/Train Station or District Centre, the locality is 'inappropriate' for Incremental Intensification.**

Thus, all the forgoing assessment is in accordance with the **NPPF (2023/4) guidance** and the **National Model Design Code and Guidance (2021)** criterion, indicating the proposal would exceed the **local 'Area Type' design code** as defined by the Local Post Code (CR0 7QZ) at '**Outer [London] Suburban**' which would increase to a '**Suburban**' 'Area Type'. And for equivalent Residential Density (based on National average occupancy) to be increased from '**Outer [London] Suburban**' to an '**Urban**' Area Type; with no equivalent increase in supporting infrastructure, or **Public Transport Accessibility Level (PTAL) improvement**, current or planned.

In addition, the locality is '**inappropriate**' for '**Growth**' as defined by the **Croydon Local Plan (undefined)** or the **London Plan definition for "Incremental Intensification."**

The NPPF (2023/4) at para 134 clearly states: ***"Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. ... These national documents should be used to 'guide' decisions on applications in the absence of locally produced design guides or design codes."***

As this **guidance** is at the **National Level** and supersedes the **Croydon Local Plan (2018)** and the **Revised version (2024) currently the subject of Regulation 19 consultation**, this National guidance is of **"significant 'weight'"**, which indicates the proposal is an overdevelopment for the locality and **should therefore be refused**.

## Parking Provision & Swept Paths

### Parking Provision

The proposal would provide **5 Parking Bays** one of which would be a Disabled Parking Bay. There is confusion about the Number of Electric Charging Points. The Applicant states on the application form that **4 charging points** will be provided, but the **Design and Access Statement** on page 27 shows **5 charging points**.

Furthermore, in the **Design and Access Statement** on page 30 the Applicant states that **4 spaces will have the facility to become a charging point**, whereas at page 35 states that **"electric charging points are proposed for all residents. The exact location and specification ... to be confirmed"**.

The Croydon Local Plan (2018) Residential Parking allocation for the proposal refers to "as per the London Plan table 6.2 with no provision for higher levels of Car Parking in Low Levels of PTAL (***This reference is out-of-date as Table 6.2 in the adopted London Plan 2021 has been revised to list "Strategic Locations"***).

Croydon Local Plan (2024) at Table 10.3 currently the subject of Regulation 19 Consultation, therefore, carries significant '**weight**' states at Policy DM30 & Table 10.3. shows that for all situations at PTALs 0 through 1a & 1b would require 1.5 spaces per Unit.



Therefore, the proposed **4 Units** would require a minimum of **'6' Parking Bays** and 6 charging points.

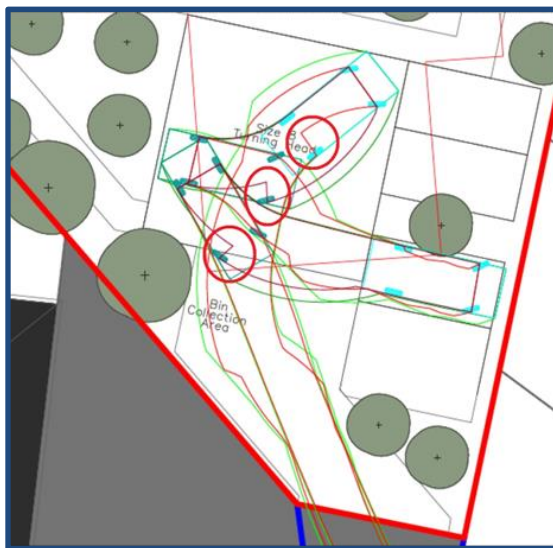
**“DM30.2** Development in PTAL 2+ locations should provide parking on-site to ensure that parking generated by the development does not contribute more than 5% increase in parking stress within a 200-metre parking survey catchment of a residential development site and within a 500-metre parking survey catchment for commercial uses. On-street parking stress in the borough is assessed as being at capacity when 85% of parking stress is reached.”

The proposal would be in a locality of PTAL 1a ( $\equiv$  0.66) and therefore DM30.2 does NOT apply.

The London Plan Residential Parking provision is given at Policy T6.1 Table 10.3 and for “outer London” at PTAL 0 to 1 (which includes PTAL1a) the Parking provision appropriate is **1.5 Spaces per Unit**, which again for **4 Units** would require a minimum of **'6' Parking Bays**.

As the proposal only provides **5 Parking Bays**, our assessment is that the parking provision for the proposal is **inadequate** and should be **6 parking bays**.

### The Swept Path Analysis



It is extremely doubtful whether these Swept Path illustrations contained in the Design & Access Statement were produced by professional ‘swept-path’ software, as indicated by the physically impossible movements (shown Circled). **[need a handy trolley-jack!]**.

The Swept Path diagram for Ingress and Egress only shows paths for Bays 2 & 5. The most serious flaw or deficiency in these illustrations is the obvious fact that the manoeuvres would only be possible if all other Bays were empty – which is highly unlikely in every situation.

A tree seems to have grown (or moved) on the swept path illustrations which do not appear (or agree with tree positions) on the provided Site layout drawing.

The Swept path shown for Bay 2 for ingress in a forward gear to Bay 2 to finally be parked parallel to the other bay would require Bay 1 to be empty.

The manoeuvre would be extremely difficult if reversing into the bay from the edge of the disabled Bay (front offside). The swept paths for Bay 5 show that Bay 2 'must' be empty before reversing into Bay 5.

With all other bays full, it would be extremely difficult for a vehicle in Bay 5 to negotiate egress whether parked originally either in a forward or reverse gear.

Ingress and Egress would be virtually impossible for Bays 1 & 3 close to the edge of the path (fronting the development), without front or rear overhangs to protrude over the pathway, which is a danger to pedestrians.

It is suggested that professional Software be used to show all Ingress & Egress Parking manoeuvres are possible with all other Bays occupied. Without this Professional information it is extremely doubtful whether the Parking configuration would allow the required Parking Accessibility.

Additionally, the Disabled Parking Bay dimensions should be checked for Compliance to regulation requirements BS:8300 vol-1 standards as required by London Plan Policy T6.1 H(5).

None of these issues overcome the fact that there are insufficient Parking Bays for the proposal in this location with PTAL 1a.

The forgoing Parking provision and Swept Path analysis clearly indicates that Parking provision is **'inadequate,'** and that Parking manoeuvres and clearances proposed would probably be impossible and therefore **'unacceptable.'**

## Access Driveway

The Driveway ownership is shared with **25 Orchard Rise by 50%** with the boundary running down the centre of the drive East/West the full length north to south. Although not a Planning Issue, this has implications with regard to any damage or resurfacing due to construction vehicles if the case officer is minded to approve the proposal. The sewer pipes for both properties are under the tarmac and the only shared service running in the grass verge of 27 is the gas supplies for both properties. All the other services (electric and telephone) run down the respective verges for each property. The Driveway is **'Unlit' the full length.**

The Driveway does not have high structural strength and was only constructed to support the occasional family sized vehicle. The Tarmac surface does not cover the full width but has **grass verges either side.** The Driveway surface would not survive long with additional continued high usage of **family sized vehicles** and a high volume of **delivery vans** that would service the proposed development, of **16 persons occupancy.**

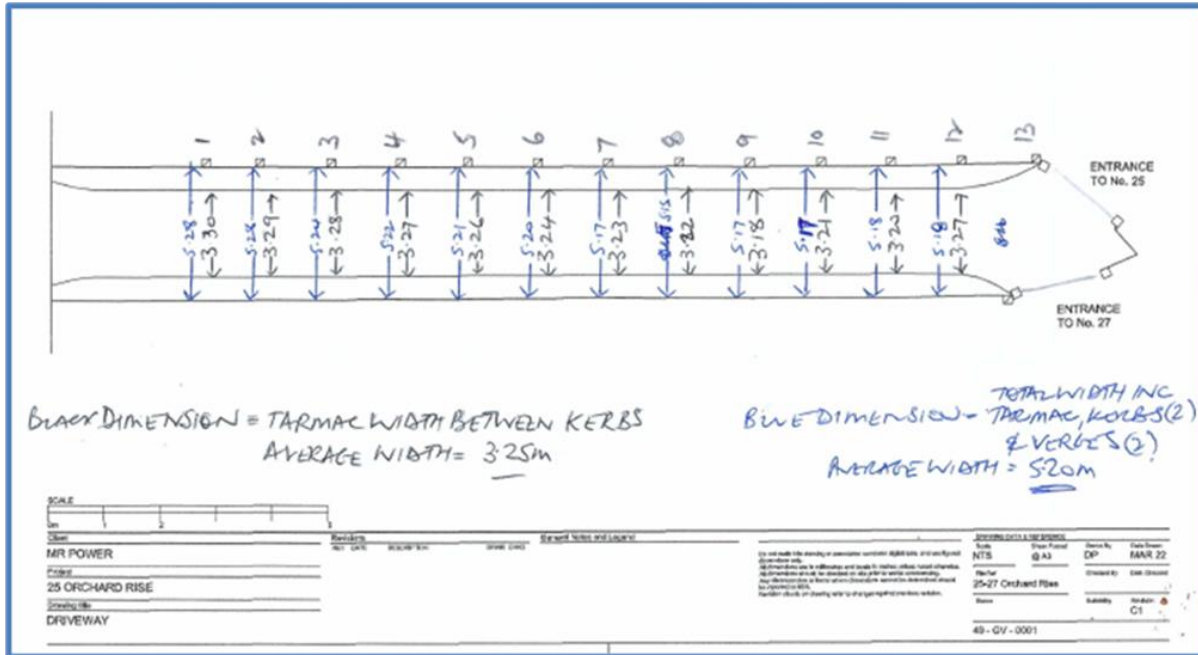
It is our considered view that the shared **driveway Access** is **inadequate** for the number of additional disproportionate **Pedestrians (16)** and **(Car 5)** regular **vehicular** traffic movements by **occupants and visitors which will cause disproportionate wear and tear.**

**The Driveway does NOT meet Public Realm design requirements.**

The **Access Drive** has minimum width of **3.18m** (pinch point) over the **tarmacked** surface and an average **width** over the full 'length' of **3.25m.** The overall width, including the grass verges either side has a minimum width of **5.15m** and average

width over the full 'length' of **5.2m**. The drive is **42.55metres** plus a crossover ramp of **4.60metres**; and thus, the overall length of drive from site boundary to road is **47.15metres**.

**Thus, the 3.7m width depicted in the Drawing N° ORCHRD-ZZ-04-DR-A-01 302-A3 Date 29-05-2024 is unreliable and misleading.**



### Access Drive Measurements

There is one **Disabled Type M4(3)** dwelling for at least one disabled individual who could be wheelchair bound and use the driveway. This would require a safe width of **900mm** but would need to remain on a stable tarmacked surface. As there is no passing bays the length of the drive it would be very difficult for the safe passing of a wheelchair bound individual and an oncoming or rear coming vehicle.

**The Public Realm Design Guide** indicates a safe width for a wheelchair or person with crutches requires **90cm (0.9m)**. The average car width in the UK is **≈1.8m** with larger **SUVs** in the **≈2m** range. Typical load space dimensions of a **3.5 tonne Luton box delivery van**: Length: 4 metres with **width: 2.2 metres** (usually in a bit of a hurry to meet their allocated delivery schedule). The Tarmacked Drive average width is **3.25m**.

Therefore, the gap between a passing vehicle and a wheelchair, would be a space of approximately **3.25 – (0.9 + 1.8) = 0.55m (55cm)** for average **car**; **3.25 – (0.9 + 2) = 0.35m (35cm)** for an **SUV**; and **3.25 – (0.9 + 2.2) = 0.15m (15cm)** for a **small delivery van**. This **very limited clearance could be quite concerning and uncomfortable for a possibly elderly disabled person to negotiate, whilst trying to avoid going onto the unstable, unsafe, grass verge, for passing.**

We believe that the driveway is unsafe for the likely volume of pedestrians and vehicular traffic, especially during dusk and early morning when light levels are low, as the drive is unlit the full length.

## Fire safety

### The Applicant's Design & Access Statement:

We are considerably concerned that the Fire Safety Statement has been produced by the **Applicant of this proposal** as it is signed by **Mr Shazad Mahmood – BSc CM Building Control Officer**, which is presumably the same person who is described as the Applicant on the Application Form: **"Mr Shazad Mahmood"** of APC Capital 1 Ltd. Although recognising Mr Shazad Mahmood has obtained a BSc CM, we contest that he is not qualified to produce an independent the Fire Safety Statement. We request that the Case Officer clarify this concern.

If our concerns are justified, we believe the **Fire Safety Assessment is extremely suspect in validity**. We question whether Mr Mahmood is adequately qualified to provide this Fire Safety Assessment. We believe the fire safety assessment should be completed by a suitably qualified **'independent third party'**.

We are of the view that **this concern needs to be investigated by the Case Officer and if found to be the case, the proposal should be un-validated until a Fire Safety Report is provided by a Professionally qualified third-party author.**

## Croydon LPA Validation Checklist (April 2024)

### 4. Fire Safety Planning Statements

The **London Plan 2021** introduced a new requirement for fire safety information to be submitted with planning applications. The relevant statement or exemption statement needs to be submitted at validation stage.

<b>Fire Statement</b>	All Applications	<p>All applications need a supporting statement setting out the fire strategy for the site.</p> <p>Gateway One Fire Statement (National Requirement): The Government's Planning Gateway One requires Fire Statements to be submitted with applications for "relevant buildings"<sup>16</sup> which:</p> <ul style="list-style-type: none"> <li>contain two or more dwellings / educational accommodation</li> </ul>	LP21 Policy D12. National Requirement (for Relevant Buildings)
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### London Plan Policy D12 Fire safety

A In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

1. identify suitably positioned unobstructed outside space:
  - a. for fire appliances to be positioned on
  - b. appropriate for use as **an evacuation assembly point**

2. are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire **alarm systems and passive and active fire safety measures**;
3. are constructed in an appropriate way to minimise the risk of fire spread;
4. provide suitable and convenient **means of escape, and associated evacuation strategy** for all building users;
5. develop a robust **strategy for evacuation** which can be periodically updated and published, and which all building users can have confidence in;
6. provide suitable **access and equipment for firefighting** which is appropriate for the size and use of the development.

The London Plan Policy D12 at Paras 1 a) & b); and Paras 4, 5 & 6 are NOT met. Further requirements are contained in the London Plan Paras 3.12.1 & 3.12.2.

The **Access Drive Surface is Tarmacked** over rough foundations and would not support heavy construction delivery or emergency vehicles, or a **14 Tonne Fire Appliance** without sustaining considerable damage to the drive and probably the utility services beneath the grass verges. **The Applicant's assumes that a fire appliance can actually enter the access drive from Orchard Rise, which we believe is extremely doubtful (see below).**

The Statement indicates the **Fire Appliance** would be positioned **20 metres** into the driveway, on a surface which could not support it, probably the grass verges, as the tarmac does not extend over the full wheelbase width of the vehicle. A 14 Tonne Fire Appliance would likely sink into the grass verge earth.

The Fire Statement has a confusing policy at Para 5.2 of "Stay-Put" or "evacuation" as it does NOT Identify any appropriate safe evacuation strategy or assembly point.

There are inadequate fire safety design features provided (Other than possible option of providing Block A with a Category 2 Automatic Suppression System).

The Applicant's Design & Access Statement at - 'Transport' Section 1.11 states:

*"The driveway into the site is approximately **5m wide**. The distance from the highway to the houses is approximately **65m**.*

*These parameters would allow a fire appliance to drive approximately **20m** up the driveway and stop in a set down position (so as not to reverse more than **20m**), the driveway width allows sufficient operating space, in this set down position the appliance would be approximately **45m** from the houses."*

Assuming a **14 Tonnes Fire Tender**<sup>7</sup> could **actually** enter the driveway from **Orchard Rise** (See below), the Applicant's statement is **NOT** true. The **Access Drive** has a minimum width of **3.18m** (pinch point) over the **tarmacked surface** with an average width over the full 'length' of **3.25m**. The Full Width, including the **grass verges** on either side has **minimum width of 5.17m**. Presuming the **Fire Appliances** were to drive **20m** up the driveway, it would need to

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<sup>7</sup> <https://www.london-fire.gov.uk/media/7521/foi-response-73201-fire-access.pdf> Freedom of Information request reference number: London Fire Brigade - 7320.1

be positioned as far to the 'offside' as possible to allow **Fire Fighters** access to the appliance pressurized Hose connectors on the nearside of the Appliance. At least **50%** of the Appliance weight would be distributed to the **off-side wheels**, on the **Grass verge**, with the utility services below. The appliance would sink into the earth and damage the utility services below.

The **Applicant's Fire Strategy Statement** assumes a **Fire Appliance** can actually access the Drive, but the statement has not addressed the actual need to be able to turn into the driveway from **Orchard Rise**.

**Orchard Rise** road width is just under **5m wide (4.85m)** as actually measured at the junction with **Orchard Rise** and at the centre of the access drive road width to the opposite kerb).

We challenge the Applicants' assumption that it would be possible for a fire appliance to even access the driveway from **Orchard Rise** which is only 5m (**4.85m as measured at the actual junction**).



**MORA's assessment of Drive Access requirements.**

In order to access the Driveway from Orchard Rise, a Fire Appliance would require an inner (Nearside) turning radius of **≥5.66m** and an outer (offside) radius of **≤10.18m** (See illustration) which is insufficient as the vehicle specifications require the swept path radius is limited to **equal to** or greater than **≥17.5m**. which presumably also requires a safe clearance tolerance added either side.

As the Fire Appliance vehicle has forward and rear bodywork overhang of the wheelbase, the turning radius needs to compensate for the full sweep of the vehicle perimeter, front & rear, nearside and offside, to miss the adjacent Street Tree.

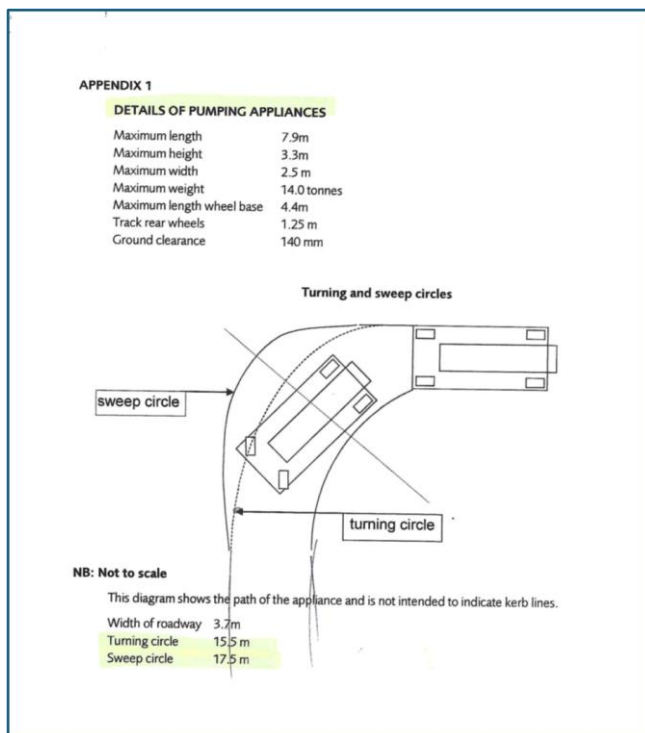
Therefore, we conclude Access is **NOT physically possible** and that the **fire appliance vehicle could not feasibly access the driveway.**

It is our understanding that **Building Regulations and Fire Service guidance Approved Document Part B<sup>8</sup> Section 13 Vehicle Access** states:

- **“B13.1 Access for a pumping appliance should be provided to within 45m of all points inside the dwellinghouse”.**

We are convinced that a **Fire Appliance** vehicle with high pressure pump **cannot get within 45m** of any part of the proposed development to be reached by **Pressurised Hose to extinguish a Fire at this proposed development.**

The following is an extract from the London Fire Brigade - Fire Safety Guidance Note GN29 – Access for Fire Appliances which sets out the turning and sweep circles for appliances. (Made available by the occupants of 25 Orchard Rise).



- Minimum width of road between kerbs – 3.7m (Access)
  - Minimum width of gateways – 3.1m (Restricted Access)
  - Minimum turning circle between kerbs – 15.5 (Radius)
  - Swept path radii 17.5m
  - Minimum turning circle between walls – 19.2m (Radius)
  - Minimum clearance height – 3.7m
- From the document it can be seen that the minimum turning circle is 15.5 metres with a sweep circle (to cater for the forward and rear overhanging body work) of 17.5 metres.

### The Applicant’s Design & Access Statement at ‘Transport’ Section 1.11 ‘implies.’

If the Fire Tender cannot access the Drive, then:

*“compensatory measures designed by a fire engineer in accordance with Building Regulations could be secured by condition e.g. sprinklers, private fire hydrant.”*

Therefore, even if a **‘sprinkler system’** were provided, we would request the **Case Officer** to establish how a **serious fire** at the proposed development would actually be tackled as pressurised hoses could **not reach** the **45m limit** required.

<sup>8</sup> <https://www.gov.uk/government/publications/fire-safety-approved-document-b>

## Nearest Fire Hydrant

### Fire and Rescue Services Act 2004. Part 5 Water Supply – 42 Fire Hydrants:

1. A water undertaker <sup>9</sup> **must** cause the location of every fire hydrant provided by it **to be clearly indicated** by a **notice** or **distinguishing mark**.
2. A water undertaker may place such a **notice** or **mark** on a wall or fence adjoining a **highway** or **public place**.

It is understood that **no house on a development** should be further than **>120m from a Fire hydrant**. The Nearest (**unmarked**) Hydrant is 8.25m diagonally from the kerb line in front of no.24 Orchard Rise, which would be approximately  $8.25 + 42.55 + 39 + 9 \approx 99.8\text{m}$  to reach the far corner of unit 1 of the proposed development.

However, there is no Hydrant Location Display at the back of the footpath for this hydrant as required by the Fire and Rescue Services Act <sup>10</sup> 2004, Part 5. Section 42 (1) to (4) and therefore unless the Appliance personnel are aware, it might be difficult to locate in an emergency. The nearest **Visible** Marked Hydrant is on the footpath adjacent to 11 Orchard Rise which is approximately  $\approx 100\text{m}$  from the entrance to the Access Drive to 25/27 Orchard Rise (as measured on Google Earth). Which is  $100 + 42.55 + 39 + 9 = \approx 190.55$  from the nearest Unit, which is unacceptable.

**This would be an unacceptable Fire safety hazard.**

There could be a possible **16 persons** in occupation on the site **plus any visitors**. Therefore, in the case of such an incident it would be necessary to evacuate possibly **16 or more** from the site to a **place of safety for accounting escapees**. In addition, occupants (residents and visitors) of 25 Orchard Rise who may also need to vacate their premises to a **place of safety**.

## Overlooking – Invasion of Privacy

The Applicant's Design and Access Statement at page 21 depicts **no windows** in the **flank Wall** of #25 Orchard Rise.

This is **untrue** as the flank wall of **number 25** has both **door and window** from their **dining room** onto their garden and would be  $\approx 15.8\text{m}$  perpendicular separation from the proposed **buildings facing windows** (See illustrations below).

The recommended Spacing for facing windows is **18m to 21m** but the proposal would provide Facing windows from both the **Kitchen** at ground floor level and **Bedroom 1 window** at first floor level at approximately  $\approx 15.8\text{m distance}$ .

**This is unacceptable.**

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<sup>9</sup> <https://www.water.org.uk/wp-content/uploads/2018/11/national-guidance-document-on-water-for-ffg-final.pdf>

<sup>10</sup> <https://www.legislation.gov.uk/ukpga/2004/21/part/5>





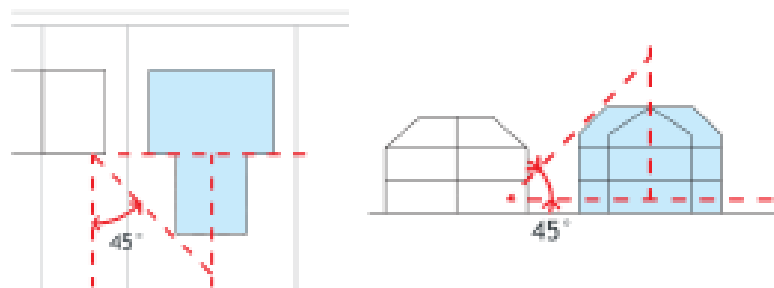
In addition, the London Plan SPG Small Site Design Code at Section 4.5 states that:

*“4.5.1 When setting design codes for buildings or extensions that extend beyond a rear building line, parameters should be set to ensure that there is no unreasonable impact on the amenity of neighbouring homes in relation to **daylight, sunlight, and privacy.**”*

*4.5.2 A good rule of thumb is to follow the **45-degree** rule illustrated below. This rule specifies that the height and depth of a new development or extension should **not***

*breach a 45-degree line drawn from the centre of the window of the lowest, and closest, habitable room on the neighbouring property. ...”*

**Figure 4.6 Example code for rear building line projection of dwellings in a semi-detached character type (such as Metroland Estate)**



The 45° Degree projection from the Flank Wall window of 25 Orchard Rise would intersect the corner of the proposed development by a significant amount which fails to meet the London Plan SPG – Small Site Design Code para 4.5 recommended guidance.

## Refuse & Recycling

### Applicants Design & Access Statement – Transport (Refuse)

*"The proposed dwellings feature integrated bin stores within the porch. As discussed at the pre-application meeting; the site will provide a bin collection point near the front of the dwelling.*

*A private contractor will collect and dispose of the waste. The distance from the furthest dwelling to the collection point does not exceed the limit of 30m."*

The presumption by the Applicant therefore assumes the occupants of each Unit will need to Pull their Bins from their front porch to the collection point at the head of the Driveway, a maximum of **30metres**.

**Private Contractor Vehicle** can access the **Jointly owned Drive up** to the **20m limit** as the statement indicates the collection point is within **30 metres**. Then the pull distance is 51.65m minus 20m = **31.65m** which exceeds the pull distance of 30 metres.

This may not even be possible (see above) and also might **not be acceptable** to the Part Owner and occupants of **25 Orchard Rise**. (As the driveway would attract shared maintenance costs issues), the proportion of which would need to be re-negotiated.

If the Contractor 'Refuse Collection' Vehicle cannot access the Drive, the Pull distance would be **42.55metres** plus a crossover ramp of **4.60m plus 4.5 m end of drive to refuse point ≈51.65m**.

### Croydon Council Refuse Waste and Recycling Planning Policy

August 2015 - Edited October 2018: Produced by LBC Waste Management Team

#### 2.4 External Storage – Design Features

*"... Appropriate access for collection crews must also be included in the design of the outside space. This should involve solid surfaces, with no steps leading to and from the bin store. The distance from the presentation point to where the collection vehicle can safely stop should be no more than **20m**. There should not be any locks on the doors or gates of bin storage chambers for individual houses. ... "*

The Standard requirement for a Single Unit House is **2 x 240 Litre bins and one 180Litr bin plus food caddy and Garden recycling of 1 x 240 litre bin per dwelling**. Occupants would be expected to transfer their Waste & Recycling from their own bins into the Joint Refuse Bins at the end of the Driveway. The location of Refuse Bins in the '**Front porch**' adjacent to the **entrance** to each dwelling is not only **inadequate but inappropriate**.

**The proposal therefore fails to meet the Refuse Recycling Bin pull distance and capacity requirements for 4 Units as defined by the Croydon Council Refuse Waste and Recycling Planning Policy.**

## London Plan Policy D6 - Housing quality and standards

The proposal appears to meet most accommodation standards (bedroom 3 is possibly critical) as defined by the New **London Plan** (2021) except that the proposal does **NOT** appear to identify any **'In-Built' Storage capacities**. These Standards are appropriate for the storage of the normal living clutter requirements for future occupants as defined in the **New London Plan (2021) Table 3.1** which indicates **3b4p Dwellings should provide 2.5sq.m. In-Built Storage per Dwelling** and the **London Plan Guidance LPG – Housing Design Standards Table 1A.1**. indicates a **Best Practice for 3b4p dwellings of 3sq.m. In-Built Storage per Dwelling**.

These are **'Minimum' Accommodation Space Standards** which the London Plan recommends **"these minimum standards should be exceeded if at all possible"**. It is unacceptable that this requirement is not fully met and gives further evidence of overdevelopment of the site area of **927m<sup>2</sup>** or **0.0927ha** as there is insufficient space to provide the minimum in-built storage space requirement.

## Summary and Conclusions

The proposed Development would result in the loss of a single-family home with garden. The NPPF (2023) Para 8 a) require new Developments to be of the **'Right Type'** in the **'Right Place'**. This proposal is the **'Wrong Type'** and in the **'Wrong Place.'** The proposal is for two blocks of Two-Storey Semi-detached with gabled room forms, which does **not respect the predominant build type** of bungalows of the locality.

The proposal has not shown any **in-built storage** for the future occupants which is an indication of overdevelopment as the Developer is attempting to squeeze as much as possible into a limited site area which does not allow the minimum internal space standards to be implemented.

The assessment and analysis clearly indicate that the proposal exceeds the local **Post Code Area Type** by **58.52%** requiring bridging the established **Area Type** the range of **'Outer [London] Suburban'** to **'Suburban'** with **no increase in supporting infrastructure**.

The **Post Code (CR0 7QZ)** has a **'Housing Density'** of **≈27.22 Unit/ha (Outer [London] Suburban Area Type)** and a **'Residential Density'** of **≈66.44 Persons/ha (Outer [London] Suburban Area Type)**.

In contrast, the Applicant's proposal has **43.15 Unit/ha (Suburban Area Type)**, a **48.52% increase**, and **172.6 Persons/ha ('Urban' Area Type)**, a **159.78% increase** setting (bridging a **Suburban Area Type**) as defined by the **National Model Design Code & Guidance (NMDC&G)**. These increases are proposed without any **proportionate increase in local Infrastructure**, especially **accessibility to Public Transport** which is currently **PTAL 1a** ( $\approx 0.66$ ), and thus clearly indicates an **over development for the locality**.

This comparison of **Post Code Area Type** to the **Application Area Type** clearly indicates an **over development or intensification** which is **inappropriate** for the locality as defined in the **National Model Design Code** referenced from the **NPPF (2023) para 134**, or the **London Plan para 2.4.2**.

The required increase in **PTAL** (if assumed **linear** over the **PTAL range 0 – 6** and **Area Types, Outer [London] Suburban to Central**) would require a **PTAL of 3.19 (numerical)** to support the proposal.

**Therefore, as 27 Orchard Rise is <PTAL at 1a (≡ 0.66) and is >800m from any Tram/Train Station or District Centre, the locality is 'inappropriate' for Incremental Intensification.**

Thus, all the forgoing assessment is in accordance with the **NPPF (2023/4) guidance** and the **National Model Design Code and Guidance (2021)** assessment indicating the proposal would exceed the **local Area Type design code** as defined by the Local Post Code (CR0 7QZ) at '**Outer [London] Suburban**' which would increase to a '**Suburban**' Area Type. And for equivalent Residential Density (based on National average occupancy) to be increased from '**Outer [London] Suburban**' to an '**Urban**' Area Type; with no equivalent increase in supporting infrastructure, or **Public Transport Accessibility Level (PTAL) improvement**, current or planned.

If the Case Officer is minded 'to approve' the proposal, recognising the NPPF (2021 & 2023) directive, we would respectfully request the Case Officer's Report provides comprehensive reasons for:-

- a) Why is the LPA ignoring the NPPF directive?
- b) Why is Croydon LPA disregarding the National Guidance?
- c) Why the National guidance is considered inappropriate;
- d) What different 'Area Type' parameters would be appropriate for Croydon assessments and why those 'Area Type' parameters differ from the National Guidance?
- e) Why the assessment disregards the London Plan Policy on 'Incremental Intensification' (para 4.2.4).
- f) Why the assessment disregards the predominant character of Bungalows on the North Side of Orchard Rise, which a Two Storey development fails to respect (Croydon Pan Policy DM10.1).

The London Plan Residential Parking provision is given at Policy T6.1 Table 10.3 and for "outer London" at PTAL 0 to 1 which includes PTAL1a. The Parking provision appropriate is **1.5 Spaces per Unit**, which again for **4 Units** would require '**6**' **Parking Bays**.

The proposal only provides **5 Parking Bays**, in a locality of PTA1a (≡ 0.66) which fails to Meet the Croydon Local Plan Policy DM30 or the London Plan Policy T6.1 Table 10,3

Our assessment is that the parking provision for the proposal is inadequate in both capacity and Area due to the inappropriate parking configuration with limited manoeuvrability. The Swept Path analysis clearly indicates that Parking provision is inadequate, and that Parking manoeuvres and clearances proposed would be probably impossible and therefore is '**unacceptable**.'

Additionally, the Disabled Parking Bay dimensions should be checked for Compliance to regulation requirements BS:8300 vol-1 standards as required by London Plan Policy T6.1 H(5).

It is our considered view that the driveway Access is inadequate for the number of additional Pedestrians (16) and (Car 5) regular vehicular traffic movements by occupants and visitors. It does NOT meet Public Realm design requirements. The 3.7m width depicted in the Drawing No ORCHRD-ZZ-04-DR-A-01\_302-A3 Date 29-05-2024 is unreliable and misleading.

We are considerably concerned that the Fire Safety Statement has been produced by the **Applicant of this proposal** as it is signed by **Mr Shazad Mahmood – BSc CM Building Control Officer**, which is presumably the same person who is described as the Applicant on the Application Form: “**Mr Shazad Mahmood**” of APC Capital 1 Ltd, Simplex House, Freshwater Road, Leamington Spa, Dagenham. (the Application Form).

If our concerns are justified, we believe the **Fire Safety Assessment is extremely suspect in validity**. We question whether **Mr Mahmood is adequately qualified to provide this Fire Safety Assessment**. We believe the fire safety assessment should be completed by a suitably qualified ‘**independent third party**’ but it has been produced by the Applicant, which could be a prejudicially subjective and biased representation.

We are convinced that a **Fire Appliance** vehicle with high pressure pump **cannot get within 45m** of any part of the proposed development to be reached by **Pressurised Hose**.

Therefore, even if a ‘**sprinkler system**’ were provided, we would request the **Case Officer** to establish how a **serious fire** at the proposed development would actually be tackled as pressurised hoses could **not reach** the **45m limit** required.

**The proposal also fails to meet the Refuse Recycling Bin pull distance and capacity requirements for 4 Units as defined by the Croydon Council Refuse Waste and Recycling Planning Policy.**

The proposal meets most accommodation standards as defined by the New London Plan (2021) except that the proposal does NOT identify any ‘**In-Built**’ **Storage capacities**.

These Standards are appropriate for the storage of the normal living clutter requirements for future occupants as defined in the **New London Plan (2021) Table 3.1** which indicates **3b4p Dwellings should provide 2.5sq.m. In-Built Storage per Dwelling** and the **London Plan Guidance LPG – Housing Design Standards Table 1A.1**. indicates a **Best Practice for 3b4p dwellings of 3sq.m. In-Built Storage per Dwelling**.

These are '**Minimum**' Accommodation Space Standards which, in addition, the London Plan recommends "**these minimum standards should be exceeded if at all possible**". It is unacceptable that this requirement is not fully met and gives further evidence of overdevelopment of the site area of **927m<sup>2</sup>** or **0.0927ha** as there is insufficient space to provide the minimum in-built storage space required.

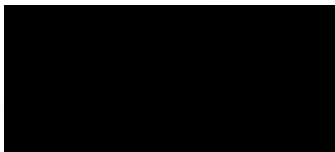
We also believe that the configuration with respect to 25 Orchard Rise would allow significant invasion of privacy and overlooking, as the separation distance between the Flank Wall of 25 Orchard Rise, which contains a Window to their Dining Room would be directly overlooked by the proposed development Ground Floor Kitchen and first floor bedrooms at approximately **15.8m** perpendicular distance. This fails to meet the recommended **18 to 21 metres** recommended spacing between facing windows,

The foregoing assessment and analysis, based upon National Policies, as directed by the NPPF (2023), the London Plan and Croydon Local Planning policies provide conclusive and overwhelming evidence of Non-Compliance to The National Model Design Code & Guidance, The National Planning Policy Framework (NPPF) (2023), and The London Plan (2021) to warrant a Refusal.

We therefore urge the Case Officer to Refuse this proposal.

Kind regards

Derek



**Derek C. Ritson** I. Eng. M.I.E.T.  
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Cc:

Natasha Irons MP  
Cllr. Sue Bennett  
Cllr. Richard Chatterjee  
Cllr. Mark Johnson

Croydon East Constituency  
Shirley North Ward  
Shirley North Ward  
Shirley North Ward

Bcc

MORA Executive Committee & interested Parties.