

DRAFT NEW LONDON PLAN – EXAMINATION IN PUBLIC

Written Representation Contribution

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| Respondent Number | 2200 |
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| Dated | 6 th December 2018 |
| Deadline for submission | Noon Friday 14 th December 2018 |
| Hearing | [M20] Small Sites and Small Housing Developments |

M20 Small sites and small housing developments

M20 Are the presumption in favour of small housing developments of between 1 and 25 homes in Policy H2 and the targets in Table 4.2 justified and deliverable and will the policy be effective? In particular:

- a) Is the modelling of delivery from small sites in the SHLAA justified, including reliance on PTALs?
- b) Is it realistic to expect the small sites target to be achieved in the outer London Boroughs?
- c) Has adequate consideration been given to the cumulative impact on infrastructure, affordable housing provision and the character of some neighbourhoods as referred to in paragraph 4.2.5?
- d) Is the policy support for infill development within the curtilage of a house consistent with national policy in paragraph 53 of the NPPF which refers to resisting inappropriate development of residential gardens?

a) Is the modelling of delivery from small sites in the SHLAA justified, including reliance on PTALs?

As Policy D6 is based upon a "*design led approach*" which does not include a methodology of analysis of density in relation to setting, PTALs and the implication on population increase, the assessment of small sites and in-fill developments on Strategic Housing Land Availability Assessment (SHLAA) figures are not justified as the basis of determining the overall SHLAA figures. It is suggested that re-instatement of the Density Matrix would allow assessment of whether proposals within a setting meet the appropriate Density as related to local PTAL.

Therefore, the policy is not sound as defined by NPPF (2012) para 35 and NPPF (2018) para 182 as:

- The Policy is not **Positively prepared** – as the Policy D6 does not include a methodology of analysis of "*a design led approach*" but is a subjective and vague concept which could not withstand any challenge or

is consistent with achieving sustainable development;

- The Policy is not **Justified** – as there are alternative methodologies to ascertain the appropriateness of densities relating to PTALs which contribute to the SHLAA figures;
- The policy is not **Effective** – as the cumulative effect of developments are not considered;
- The Policy is not **Consistent with national policy** – as the policy is not clearly written or unambiguous, as required by NPPF (2018) para 16 d).

b) Is it realistic to expect the small sites target to be achieved in the outer London Boroughs?

The Small Sites target must be an assumption on the rate of development proposals from various developers' assessments of the possibilities and probability of an approval for redevelopment of an area. Developers assess the prospect of in-fill or redevelopment on whether an LPA are likely to approve a proposal and whether local residents are swayed to sell by an advantageous offer to sell to a developer.

LPA's Planning Policies therefore have a significant bearing on the prospect of small site developments and an LPA's planning committee's historical record of approvals also influence developers. An LPA Planning Committee's positive approval rating record **attracts** developers to an area as can be seen by interrogation and comparison of Government Records at **Table P135**. Thus, the Small Site targets are reliant on LPA's Local Plans and the interpretation of those policies by the LPA Planning Committee.

Any variation in Local Planning Policies which are subjective and vague can therefore be used by developers to their advantage which attracts developers to an LPA which have less stringent planning policies and thus has an effect on meeting target figures across London Boroughs.

Therefore, the policy is not sound as defined by NPPF (2012) para 35 and NPPF (2018) para 182:

- The Policy is not **Positively prepared** – as the Policy D6 does not include a methodology of analysis of "*a design led approach*" but is a subjective and vague concept which could not withstand any challenge and therefore not consistent with achieving sustainable development;
- The Policy is not **Justified** – as there are alternative methodologies to ascertain the appropriateness of densities relating to PTALs across all London Boroughs;
- The policy is not **Effective** – as the cumulative effect of developments on infrastructure are not considered
- The Policy is not **Consistent with national policy** – as the policy is not clearly written and unambiguous, as required by NPPF (2018) para 16 d).

c) Has adequate consideration been given to the cumulative impact on infrastructure, affordable housing provision and the character of some neighbourhoods as referred to in paragraph 4.2.5?

The character of a neighbourhood is partially defined by the Setting, the Housing and Residential Density and the Public Transport Accessibility. The cumulative incremental intensification of an area requires 'management' to avoid uncontrolled change of local character and unmanaged increased population densities which outstrip local services, infrastructure and public transport accessibility. Incremental Intensification can be managed by the evaluation of the Setting and perhaps by introducing sub settings with the commensurate Housing and Residential Density, the available and programmed Public Transport Accessibility (PTAL) improvements. This could be afforded by retention of the SRQ Density Matrix and meeting the density ranges therein. Without a methodology to evaluate these parameters, the assessment is subjective and open to interpretation.

Sub designations of settings such as areas of 'Focussed Intensification' could have slightly higher density ranges but within the overall setting range for that area. This could be an improved SRQ Density Matrix with additional sub settings within the overall ranges but not exceeding the next higher setting at the appropriate PTAL.

Without a methodology of managing incremental intensification across various London Boroughs developers have no guidance and can increase densities beyond acceptable values without justification, to maximise profit at the expense of the local (existing) population's access to local public services.

Therefore, the policy is not sound as defined by NPPF (2012) para 35 and NPPF (2018) para 182:

- The Policy is not **Positively prepared** – as the Policy does not provide a methodology of cumulative impact of infrastructure requirement.
- The Policy is not **Justified** – as there are alternative methodologies to ascertain the appropriateness of cumulative densities relating to PTALs across all London Boroughs;
- The Policy is not **Consistent with national policy** – as the policy is not clearly written and unambiguous, as required by NPPF (2018) para 16 d).

d) Is the policy support for infill development within the curtilage of a house consistent with national policy in paragraph 53 of the NPPF which refers to resisting inappropriate development of residential gardens?

The pressure to meet housing targets is creating pressure to allow rear garden development in suburban residential areas. However, loss of suburban gardens reduces the biodiversity of the suburban environment and has a detrimental effect on the air quality and regeneration of oxygenation of the environment. Also, the loss of garden area reduces habitat for wildlife in the suburban environment.

Garden area is a major contribution to "Green Space" in suburbia which should be retained for future generations.

The Croydon Local Plan Policy on in-fill within the curtilage of a dwelling is – *if there is enough space for the development and 5m² of amenity space with a specified minimum retained garden land (10m) – the development is generally accepted.* These are **NOT** policies to **RESIST** garden Development but policies to **ALLOW** garden development ^[1] which is in contravention of **NPPF para 53** and **New NPPF para 70** (July 2018). Which states:

*"Where an allowance is to be made for windfall sites as part of anticipated supply, there should be **compelling evidence** that they will provide a reliable source of supply. Any allowance should be **realistic** having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. **Plans should consider the case for setting out policies to resist inappropriate development of residential gardens**, for example where development would cause harm to the local area."*

More stringent policies to resist loss of residential garden land to development should be embodied in the New London Plan.

In addition to in-fill within the curtilage by redevelopment of dwellings in suburbia resulting from demolition and replacement of small detached and semi-detached dwellings with Flats results in loss of significant garden land as there is no specified requirement for communal open space appropriate for the number of residents of a block of flats. The footprint of a block of flats is greater normally than the footprint of the demolished dwelling(s) and a large portion of the remaining gardens (site) area is consumed by car parking space for the increased residential density and very limited amount retained as communal open space or garden land for the pleasure of new residents of the block of Flats.

To ensure adequate communal open (garden) space is provided for new residents, a minimum allocation of communal open land should be provided per occupant resident in the new development for all residential redevelopments.

Therefore, the policy is not sound as defined by NPPF (2012) para 35 and NPPF (2018) para 182:

- The Policy for in-fill within the curtilage of an existing dwelling is not **Positively prepared** – as it does not provide reasons for **Resisting** Garden Developments but provides policies which **Allows** development on garden land.
- The Policy is not **Justified** – as there are no policies to define the appropriate allocation of garden land for the new development or communal garden land for the residents.
- The policy is not **Effective** – as the cumulative effect of developments on local character are not considered.

[1] Croydon Local Plan Policy DM10.4 e). *"In the case of development in the grounds of an existing building which is retained, a minimum length of 10m and no less than half or 200m² (whichever is the smaller) of the existing garden area is retained for the host property, after the subdivision of the garden."*