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**From Mr Mick Hewish**

**Councillor Alison Butler**

**Cabinet Member for Homes, Regeneration & Planning**

**Question No.**

**PQ089-16**

How can the Council propose Residential Development on land that can only be accessed by a Private Road?

What are the physical differences between these two sites, that are to lose their MOL status protection completely, and the adjacent Shirley Oaks Playing Field / woods and site 548 that are being given Local Green Space protection instead of MOL. These four areas of land are maintained in the same manner and used by Shirley Residents as recreational areas.

It is important to realise that the sites 541 and 542 also provide the recreational areas for the adjacent five blocks of flats on Shirley Oaks Road which have no gardens at all.

**Reply**

The access arrangements to a site are a matter that any landowner or developer will have to negotiate with any party that owned the road or land required to access the site. The fact that the site requires access onto a private (un-adopted) road does not prejudice the principle of development of a site nor does it preclude the making of an application for planning permission.

Local Green Space must be demonstrably special to a local community and hold a particular local significance, for example because of their beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of their wildlife. These two criteria are part of the national policy on designating Local Green Space as set out in the National Planning Policy Framework.

In considering the national policy for Local Green Space designation Croydon Council has applied criteria to define 'demonstrably special' and 'particular local significance'. The criteria have been consulted upon twice, in October/November 2013 and in November/December 2015 and no comments were received suggesting alternative criteria should be used. The criteria used are that sites designated as Local Green Space must be at least three of the following or be publically accessible and at least one of the following:

- Historic Park or Garden;
- Community garden;

- Children's play area;
- Tranquil area;
- Natural and semi-natural open space;
- Cemetery, church yard or burial ground;
- Site of Nature Conservation Importance; or
- Playing field or recreation ground.

Site 548 was reassessed against these criteria and, because it is largely set back from the road running through the Shirley Oaks estate, it is a tranquil area, which combined with its public access means that it can be designated as Local Green Space.

The Shirley Oaks Playing Field/woods contains a continuous area of natural and semi-natural open space, is marked on Ordnance Survey maps as being a playing field (although no trace of it can be found on the ground), and is in part a tranquil area set back from the road.

The sites either side of Shirley Oaks Road (sites 541 and 542) are considered to incidental open space around existing development containing discontinuous pockets of scrub in places. There are many such examples of spaces like these in Croydon, none of which have been proposed as Local Green Space. As they are next to the road they are not tranquil, and they do not meet any of the other criteria for designation as Local Green Space.

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All the Sites in Shirley Oaks contain areas of Nature Conservation plus they also form part of a Green Chain. These are two of the criteria for retaining Metropolitan Open Land. You now intend changing two of the sites, Shirley Oaks Playing Field and woods and Site 548 to Local Green Spaces, the other sites including 541 and 542 lose all protection, the only sites in the Borough to do so. What are the physical differences between these four sites which are maintained identically and used by Croydon residents as recreational spaces, oh yes, yet another of the criteria for MOL status?

**Reply**

There are no designated Sites of Nature Conservation Importance in the Shirley Oaks area. None of the land proposed for de-designation from Metropolitan Open Land or re-designation to Local Green Space is designated as a Site of Nature Conservation Importance.

It is correct that the land as a whole currently forms part of a green chain, being at the southern end of a chain that extends as far as Beckenham Cemetery. However, being part of a green chain is not, on its own, justification for designation as Metropolitan Open Land. To be designated as Metropolitan Open Land the land would have to:

- Contribute to the physical structure of London; or
- Contain features or landscapes of national or metropolitan importance (such as a Registered Historic Park and Garden, a Site of Special Scientific Interest, a Site of Nature Conservation Importance of metropolitan grade); or
- Include open air facilities which serve the whole or significant parts of London (such as a sports stadium or outdoor concert venue).

The land does not include open air facilities which serve the whole or significant parts of London and it does not contain features or landscapes of national or metropolitan importance. In addition, because it is separated from the wider open area made up of Ashburton Playing Fields, South Norwood Country Park and Beckenham Cemetery by Shirley Oaks Hospital and its car park it does not contribute to the physical structure of London. Currently the car park of the hospital is designated Metropolitan Open Land. On the ground there is a physical barrier between Ashburton Playing Fields and the land south of Shirley Oaks Hospital, it not being possible to walk directly from one

area to the other because of a fence separating the hospital car park from Ashburton Playing Fields.

The recreational value of the land is not, specifically, a criteria for designation as Metropolitan Open Land. However, it can be a criteria for designation as Local Green Space.

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