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## Appeal Decision

Site visit made on 24 January 2019

**by R J Maile BSc FRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 22<sup>nd</sup> March 2019**

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**Appeal Ref: APP/L5240/W/18/3213916**  
**80 North End, Croydon, Surrey, CR0 1UJ.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by M J Mapp Ltd against the decision of the Council of the London Borough of Croydon.
  - The application ref: 18/02275/FUL, dated 4 May 2018, was refused by notice dated 1 August 2018.
  - The development proposed is change of use from D1 (Dental Surgery) to B1(a) (Offices).
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### Application for costs

1. An application for costs was made by M J Mapp Ltd against the London Borough of Croydon. This application is the subject of a separate decision.

### Decision

2. The appeal is allowed and planning permission is granted for change of use from D1 (Dental Surgery) to B1(a) (Offices) at 80 North End, Croydon, Surrey, CR0 1UJ, in accordance with the terms of the application ref: 18/02275/FUL, dated 4 May 2018, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan:	scale 1:1250.
Drawing no. OAS 001:	Floor Plans as Existing – scale 1:50.
Drawing no. OAS 002:	Floor Plans as Proposed – scale 1:50.

### Main Issue

3. The main issue in this case is whether there is an overriding need to retain the premises for community use purposes.

## Reasons

4. The subject property forms the upper floors of a prominent building on the east side of the pedestrianised North End, which is a Primary Shopping Area. It is sited between the Centrale and Whitgift Shopping Centres and is located within the Croydon Metropolitan Centre and the Central Croydon Conservation Area. The three upper floors are approached by means of a wide staircase from North End.
5. National policy at Chapter 8 (Promoting healthy and safe communities) of the Framework<sup>1</sup> requires that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (paragraph 92 (c)).
6. Policy DM19 of the adopted Local Plan<sup>2</sup> similarly seeks to provide and protect community facilities. However, it does permit the loss of such facilities where it can be demonstrated that there is no need for the existing premises for a community use and that it no longer has the ability to serve the needs of the community (DM19.1).
7. My attention has been directed to Policy SP3.8 of the Local Plan, which states that the Council will promote and support the development of all B1 uses within the Croydon Metropolitan Centre. Policies SP3.9, SP3.10, SP3.11 and SP3.13, which are also of relevance to a consideration of this appeal, confirm that the Council will adopt a flexible approach to B1 uses and will promote and support measures to improve the quality of the borough's stock of retail and office premises, particularly in the Croydon Metropolitan Centre.
8. The scheme before me would not involve any alterations being made to the external appearance of the building, while the existing and proposed uses are both appropriate within this town centre location. For these reasons, I am satisfied that the character and appearance of the Central Croydon Conservation Area would be preserved.
9. The three floors of accommodation are in many ways unsuitable for continued community use. They are some 170m from the nearest vehicle drop-off point, being located within the pedestrianised section of North End. There is also no ground floor reception area or lift, such that all visitors have to approach the premises by means of a steep staircase (some 20 steps). Accordingly, access for disabled and elderly members of the community would be problematic.
10. The accommodation is poorly laid out, having numerous small rooms that are approached over narrow staircases. It would be difficult to create meaningful small lettable units for any community purposes, while the interior is in a poor state of repair.
11. It is hard to envisage any beneficial community use for these premises other than for some quasi medical use. However, the evidence adduced on behalf of the appellants confirms that there are 14 other dental practices located within the CR0 postcode area, such that this part of Croydon is already adequately served by such facilities.

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<sup>1</sup> The National Planning Policy Framework (July 2018).

<sup>2</sup> The Croydon Local Plan (adopted 27 February 2018).

12. I have therefore concluded that the current accommodation does not comprise a valued community facility whose loss for D1 (Dental Surgery) use will reduce the community's ability to meet its day-to-day needs.
13. I note from the marketing report prepared by local agents SHW that Croydon office stock levels have reduced significantly, with the sale of over 1.7 million square feet of office accommodation for conversion to residential use under Permitted Development rights. The report goes on to confirm that the current availability of office accommodation is the lowest for a generation, at less than 300,000 square feet (4 per cent).
14. The Local Plan confirms that the Council will adopt a flexible approach to B1 uses and community facilities within the Croydon Metropolitan Centre. In this regard, I understand that much of the existing or new office space coming onto the market is more suited to larger occupiers only. The provision of small scale office accommodation, as proposed by the current scheme, would contribute to meeting the needs of smaller sized office occupiers. The change of use to B1 purposes would thereby accord with the objectives of Policies SP3.8 – SP3.11 and SP3.13 of the Local Plan.
15. For all of these reasons I have found in relation to the main issue that there is no overriding need to retain the premises for community use purposes, given that their conversion to office use would accord with other recently adopted Local Plan policies, as detailed above, which provide encouragement to the provision of B1 uses. Such a finding would also accord with paragraph 92 (e) of the Framework, which requires planning policies and decisions to take an integrated approach to considering the location of housing, economic uses and community facilities and services.

### **Conditions**

16. The Council has put forward a total of two conditions to be imposed should I be minded to allow the appeal, which I have considered against the tests of the Framework and advice provided by the Planning Practice Guidance. I find both to be reasonable and necessary in this case.
17. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2, which requires the development to be carried out in accordance with the approved plans, provides certainty.

### **Conclusion**

18. For the reasons given above, I conclude that the appeal should be allowed.

*R. J. Maile*

INSPECTOR