



Appeal Decision

Site visit made on 11 February 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2025

Appeal Ref: APP/L5240/W/24/3351824

265 Portland Road, South Norwood, Croydon, London SE25 4XB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Leroy Chambers against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/01098/FUL.
 - The development proposed is alterations, change of use of existing retail unit (class E) and residential unit above (class C3) to provide supported living accommodation for up to 9 young adults leaving care (class C2), erection of single-storey rear extension, rear dormer extension and provision of 2x rooflights in front roofslope.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In the interest of accuracy and conciseness, the description of development in the banner heading is based on that given on the decision notice and appeal form.
3. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. On the basis that the latest revisions have no material implications for the outcome of this appeal, it has not been considered necessary to request any related observations from the main parties.

Main Issues

4. The main issues are:
 - whether the proposal would be contrary to the Council's strategic approach to the provision of supported accommodation for care leavers in the borough;
 - whether the proposal would be contrary to local housing policies in respect of the loss of a residential unit smaller than 130 square meters;
 - whether the proposal would harm the vitality and viability of the Portland Road/Sandown Road Shopping Parade (the Parade) in respect of the loss of a ground floor commercial unit;
 - whether the proposal would provide adequate living conditions for the future occupiers of the building having particular regard to their specific needs; and
 - whether the proposal would provide adequate cycle storage.

Reasons

Provision of supported accommodation

5. The proposed development would provide supported accommodation for up to 9 vulnerable young adults, aged 16–25, transitioning from care into independent living. The appellant contends this type of accommodation is needed in the borough and, in support of this, submitted an email from a social worker identified as a Service Manager for Leaving Care within the Children, Families and Education Department of Croydon Council. The email states that a scheme that could provide self-contained accommodation would be welcomed in the area.
6. The email provided is very brief and is somewhat dated given it was sent in 2019. In itself, it does not constitute a compelling justification for the scheme. Indeed, the Council's Strategic Commissioning Lead Sufficiency and Children in Care has, at application stage, advised that there is an over provision of supported accommodation for care leavers in Croydon, stating there are already 139 premises offering such provision in the borough.
7. The appellant contends the proposal would adhere to the principles of the Homelessness Reduction Act 2017 and the Social Services and Well-being (England) Act 2014 and that the development aims to provide care for a demographic, distinct from the wider care population referenced by the Council, facing unique and pressing challenges such as homelessness, unemployment and social exclusion. However, I have not been provided with sufficient evidence and clear information, such as numerical reports and mapped analysis, to support the claim that there is an identified need for the proposal in this location.
8. Policy DM2.3 of the Croydon Local Plan 2018 (CLP) states that the requirement to provide evidence for identified demand does not apply to accommodation for children (under the age of 18). As the proposal includes accommodation for young adults over 18 and up to age 25 as well as children aged 16-18 years, the policy requirements apply. Furthermore, the Framework seeks to ensure that the needs of groups with specific housing requirements should be addressed but that the overall aim should be to meet an area's identified housing need. In this context, the appellant has not convincingly demonstrated that there is an identified need for the type of accommodation proposed in this location.
9. I note here that crime in the area is high such that contextual safeguarding concerns for young people arise, which is not desirable. However, the accommodation would have 24-hour on-site staff supervision, and the occupants would have access to structured mentoring and support. I am thus content that this proposal for accommodating vulnerable young adults should not be resisted on the specific basis of high crime levels in the area.
10. Nevertheless, for the above reasons, the proposal would cause harm by being contrary to the Council's strategic approach to the provision of supported accommodation for care leavers in the borough. It would conflict with Policy DM2 of the CLP and Policy H12 of the London Plan 2021 insofar as they seek to ensure that the delivery of supported and specialised housing meets an identified need.

Loss of residential unit

11. The proposal would lead to the loss of a residential unit smaller than 130 square meters. The appellant states that the change of use would contribute to addressing broader housing and social needs and that the supported accommodation would constitute a valuable asset serving the local community.
12. However, whilst I shall return to the scheme's benefits in the Planning Balance section below, the retention of smaller homes (for which there is an identified need) such as the appeal property is a strategic priority that would not be accorded with by the appeal proposal. It has not been substantiated otherwise. Thus, there is identifiable conflict with the Council's housing strategy.
13. For the reasons given above, the proposal would be contrary to local housing policies in respect of the loss of a residential unit smaller than 130 square meters. It would thus cause harm and not adhere to Policy DM1 of the CLP which seeks to resist the loss of homes smaller than 130 square meters and Policy SP2 of the CLP insofar as it seeks to ensure that there is a choice of homes of different sizes available in the borough.

Loss of commercial unit

14. The appeal property comprises part of the Parade, which itself forms part of the Portland Road/ Watcombe Road/ Woodside Avenue Neighbourhood Centre (the Neighbourhood Centre).
15. Notwithstanding the fact that the proposed accommodation would have staff regularly working on-site, the office space would only occupy a limited part of the ground floor and would be ancillary to the proposed use (Class C2). Furthermore, much of the ground floor window frontage would serve the residential communal living area. The ground floor of the development would therefore not include an active frontage with a commercial function and would not offer any interaction with the wider public.
16. The proposed supported accommodation would be within walking distance of shops and facilities within the Neighbourhood Centre. The future occupiers and members of staff would also engage with businesses and facilities in the vicinity. However, the loss of the ground floor retail unit would reduce commercial activity, consistent footfall and the opportunity for new business. It would thus erode the vitality and viability of the Parade.
17. Whilst the ground floor premises are currently vacant and derelict, it is possible that refurbishment could occur in advance of future occupation. Moreover, I have not been provided with any evidence or marketing reports to demonstrate that the ground floor unit could not be viably repurposed or used for other commercial purposes.
18. The appellant has highlighted that Policy DM6 allows development related to a community use. However, supported accommodation for care leavers would not constitute a community facility. What's more, there is no robust evidence that there is an identified need for the proposal. As such, the proposed care provision would not represent an essential service for local residents.
19. For the above reasons, the proposal would harm the vitality and viability of the Parade in respect of the loss of a ground floor commercial unit. Therefore, it would

conflict with Policies DM5, DM6 and SP3 of the CLP insofar as they seek to ensure that development proposals and changes of use on ground floors in neighbourhood centres and shopping parades are appropriate and ensure vitality and viability are enhanced and maintained.

Living conditions of future occupiers

20. The proposed development would exceed minimum space standards and would offer a sufficient amount of communal space as well as outside amenity space. As such, I do not find that the internal layout would be unreasonably cramped and lead to overcrowding. Furthermore, the staffing structure would ensure appropriate supervision and reduce any issues arising related to noise or antisocial behaviour.
21. Notwithstanding the above, concerns have been raised regarding whether the accommodation would meet the medical needs of the future residents. The submissions state the proposal would cater to vulnerable young adults with ongoing medical conditions and pathologies upon their discharge from hospital. The appeal statement also highlights that the future occupiers may have ongoing support needs but do not require intensive medical or clinical care. However, it remains unclear what type of care would be provided and whether specific provisions would need to be made for the residents. In light of insufficient information being before me, I cannot adequately determine the accommodation would be suitable for the future users.
22. I note that the privacy of the future occupant of the ground floor bedroom could be safeguarded via screening adjacent to the window which would face the rear garden. I am satisfied this could be resolved by imposing an appropriate condition to secure full details.
23. Nevertheless, for the above reasons, it has not been satisfactorily demonstrated that the proposal would provide adequate living conditions for the future occupiers of the building having particular regard to the specific needs of the residents. It would thus cause harm and conflict with Policy DM10 of the CLP which seeks to ensure proposals are well-designed and Policy H12 of the London Plan which aims to ensure supported and specialised accommodation is designed to satisfy the requirements of the specific use or group it is intended for.

Cycle storage

24. The provision of cycle storage at the rear of the property would require cycles to be manoeuvred through internal hallways, multiple narrow doorways as well as the communal living area. This would be impractical and would discourage cycle use.
25. The alteration of the internal layout and suggested widening of doorways to allow an appropriate route for cycles to be moved safely and easily through the property would require the amendment of submitted plans. In the absence of these, it has not been demonstrated that suitable cycle storage can be achieved. Whilst a condition could be imposed to ensure the storage itself is well-designed, adequately sized, secure and weatherproof, there is insufficient assurance that the issue of location and access to the storage is resolvable.
26. Given this, the proposal would cause harm via the provision of inadequate cycle storage. It would conflict with Policies SP8, DM29 and DM30 of the CLP, Policy T5 of the London Plan and the London Cycle Design Standards (2016) insofar as

these policies and guidance seek to ensure proposals promote measures to increase cycling and provide appropriate levels of secure and well-located cycle parking.

Planning Balance

27. Whilst an identified need for the specific type of accommodation proposed has not been clearly established, the scheme would still hold the potential to deliver distinct social benefits by offering accommodation for young people transitioning to independent living. Moreover, the scheme would be fairly anticipated to offer assistance in preventing homelessness, unemployment and social isolation.
28. Furthermore, the proposed accommodation would sit in a sustainable location, close to amenities, facilities and public transport and would lead to spending in the local economy and support for community facilities. The scheme, by bringing a vacant property back into use, would also represent an effective use of land, which is supported by the Framework. These are benefits of the scheme that cumulatively attract considerable weight. However, in my judgement, they do not outweigh the various harms and associated policy conflicts I have identified.

Conclusion

29. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
30. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR