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## Appeal Decision

Site visit made on 12 June 2025

by **K Williams MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

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**Appeal Ref: APP/L5240/W/25/3358689**

**71 Tower View, Croydon, CR0 7PZ**

- 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 Ms Sharon Ringer against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 24/03443/FUL.
  - The development proposed is the subdivision of existing dwellinghouse to form two dwellings with addition of flat-roofed rear ground floor extension and pitched roof to existing two-storey side extension.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council has advised that the third reason for refusal relating to the provision of cycle storage facilities could be dealt with by a suitably worded planning condition. This reason for refusal is therefore not being contested by the Council. I have determined the appeal on this basis.

### Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the area;
  - the effect of the proposal on highway safety with particular regard to the provision of off-street car parking; and
  - whether the proposal would achieve the highest standards of fire safety.

### Reasons

#### *Character and appearance*

4. The appeal site is located at the head of a long cul-de-sac. The area is characterised by substantial semi-detached homes, many of which have been extended. Another feature of the area is that there are very few pedestrian footways, and areas in front of homes have mostly been paved for parking vehicles. Located around the circle of the cul-de-sac, the appeal property is slightly set back from the adjacent home.
5. The proposal seeks to subdivide the existing building resulting in two dwellings on the site. The proposal also incorporates a hipped roof over the existing flat roof

and a single storey extension. Parking and dedicated areas for cycle and refuse storage are also shown on the plans.

6. The alterations to the appeal property would have an overall scale and form which substantially reflects those in the surrounding area. The level of openness attributable to the area would not be harmfully eroded by the addition of the roof or rear extension. The proposed front door, and any address marker on it, would be discreetly located to the side of the bay window. The resultant appearance of the building would not be markedly more cramped than the existing property.
7. However, the development would transform No 71 into a mid-terraced property. Both No 71 and the new dwelling would also have a narrower plot width. This would be at odds with the predominance of semi-detached homes, and there would be some incongruity with the overall layout of the area. However, given the minimal alterations proposed and the acceptability of the design it would be difficult to ascertain that the new dwelling was not part of No 71. The appeal building would appear much as it does now, simply as a common form of extension to the property, particularly if front boundary treatments were open or low and the proposed hardstanding was sensitive to this.
8. The subdivision of the rear garden would be noticeable to residents at the rear. Nearby residents would also be cognisant of the cars parked at the front. However, my understanding is parking provision would be set at the existing level. There were already numerous cars parked in front of homes. There would also be dedicated areas for cycle and refuse storage, such that I do not consider domestic paraphernalia at the front of the property would be excessive.
9. Two households operating independently of each other would not have the same level of activity as a single household. For example there would not be sharing of trips, and it is likely that each household would have its own schedules for everyday activities. However, I am also not convinced that this would be harmful given the overall scale of the proposal would result in the creation of a smaller two-bed dwelling. Nor has the Council raised the effect on the living conditions of neighbouring residents as a reason to withhold permission.
10. In the context of the spacious layout of the surrounding homes I am satisfied that there would be adequate separation to accommodate the proposal and activities of future occupiers. Domestic activities of this scale and the alterations proposed would not dominate or fundamentally undermine the single household characteristic of the area. A new use is not being introduced and the residential use is inherently compatible with surrounding land uses. The subdivision would not appear cramped nor inappropriate. Whilst the appellant has provided numerous Planning Appeals to support their case, I have judged the proposal on its own merits.
11. Although the proposal would not reflect the existing layout from the formation of the terrace and narrower plots, I conclude that it would not harm the character or appearance of the area. As such the proposal would be in overall compliance with Policies SP4 and DM10 of the Croydon Local Plan 2018 (the Local Plan) and Policies D3 and D4 of the London Plan 2021 (The London Plan). Together and insofar as they are relevant these seek to ensure development is informed by the distinctive qualities of an area and respects local character.

### *Highway Safety*

12. The parking space requirements within London Plan Policy T6 are set in accordance with the Public Transport Accessibility Level (PTAL) rating to ensure existing and future residents can continue to park safely and efficiently. Located in an Outer London location with a PTAL of '1' the proposal is required to provide 1.5 parking spaces for a three-bed and for a two-bed home. The proposal meets this requirement.
13. The single southern space would be allocated to the new two-bedroom home. The southern space is shown against the boundary fence and up to the bay window feature on the existing dwelling. In effect it would be sited in front of another home. This would severely restrict access to the front door of another home, as well as being intrusive on their living room environment. This arrangement is not conventional or practical. Neither is tandem parking for separate residential homes a workable arrangement, it could result in disputes. No tracking or swept path analysis has been provided, and car parking spaces have not been clearly dimensioned on the plans. It is not fully evident whether a vehicle could enter and leave the southern parking space without potential conflict with the tandem spaces at the narrow crossover point.
14. The appellant contends that the proposed parking layout may be beneficial and would improve highway safety. However, it has not been demonstrated that three vehicles from two different households could be adequately accommodated on the site, nor important details such as space to access vehicles, refuse, cycle storage or front doors would be achievable. It is therefore likely that only two vehicles would be able to successfully park on the site. Due to the poor accessibility of the area, and the absence of footways I consider it very likely that future occupiers would be reliant on private vehicles, and the need for the requisite number of parking spaces is not unreasonable in this location.
15. I have no evidence that the existing property does not accommodate its own parking needs. However, due to the location and characteristic of the area the proposal would accommodate two separate households, whose vehicle movements are not likely to be combined or at the same time. It is likely to result in demand for an additional parking space. The option for on-street parking is not always unreasonable. The area was not heavily parked at the time of my site visit; however this was afternoon when it is reasonable to consider some residents may be away from their homes in their vehicles. Furthermore most frontages along the street consisted of dropped kerbs and parking. As such, there is little substantive evidence that the existing on-street parking situation has not reached saturation point. In the absence of any parking survey it is not clear where on-street parking could be located that would be safe and convenient for the future occupiers of the development. The absence of suitable parking arrangements could lead to an increased demand for indiscriminate on-street parking in the area and at the appeal site
16. Although the proposal would not put severe strain on the existing highway network, the Framework at paragraph 115 seeks to ensure that development provides safe and suitable access to the site for all users. Whilst it is contended highway safety risks are low, I have no evidence regarding accident levels. I also did observe numerous people walking, particularly with their pets, in the area.

17. Although the Council has provided several Planning Appeals related, I note the Council's Transportation Team did not raise any issues regarding not being able to exit the site in a forward gear. However, in an area where there are no footways and pedestrians have to walk in the road and around any parked vehicles, it has not been demonstrated that adequate pedestrian sight lines could be provided.
18. Although the proposal would not put severe strain on the existing highway network, the Framework at paragraph 115 seeks to ensure that development provides safe and suitable access to the site for all users. I am therefore of the view that the absence of suitable parking arrangements would be detrimental to highway safety for all road users trying to cycle, cross the road, walk or manoeuvre vehicles. Furthermore future occupiers would be impeded from entering the existing and new dwelling, storing cycles and refuse.
19. I therefore conclude that the proposal would have a harmful effect on highway safety with particular regard to parking provision. There is conflict with Policies SP8, DM29 and DM30 of the Local Plan and T4 and T6 of the London Plan. Together these seek to ensure development provides parking appropriate to its location and that development does not impact on highway safety and the movement of pedestrians, cyclist and emergency vehicles is not impeded by the provision of car parking.

#### *Fire Risk*

20. Part A of Policy D12 of the London Plan sets out that all development proposals must achieve the highest standards of fire safety, taking into account factors which include fire risk reduction, fire escape and evacuation and provision for firefighting. The appellant advises unobstructed spaces would be capable of being provided on the forecourt and public highway for fire appliances to be positioned, and appropriate to use as an evacuation point. Fire alarms could also be provided at suitable positions in each property. The internal layout shows an internal staircase which is separate from kitchens and living areas providing a direct route to the front of the property. The Kitchen and Dining areas would be well served by external doors and openings.
21. However, Policy D12 of the London Plan is clear that addressing the issue of fire safety may have spatial implications on the layout and design of a development. While the appellant has indicated the requisite information is not insurmountable, there is no detailed Fire Safety Strategy before me. I cannot be certain, particularly as the development is partly in existence, that the layout or fabric has been designed to minimise risk of fire spreading and it has not been evidenced, whether the fire safety elements of the Building Regulations could be readily incorporated without necessitating internal or external changes to the buildings.
22. I cannot be certain that these matters have or can be fully considered in the design and layout of the proposed development. Consequently, the potential for the scheme to present unacceptable fire risk to future residents cannot be ruled out and nor can I have confidence that they are matters that could be adequately addressed if they were to be controlled by way of a planning condition.
23. For the above reasons, I conclude that the development would not achieve the highest standards of fire safety. The proposal is therefore contrary to London Plan Policy D12.

## Planning Balance and Conclusion

24. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
25. Notwithstanding my conclusions on the character and appearance of the area I have concluded that the proposal would lead to harm in respect of highway safety parking provision and fire safety. Given the potential risk, I attach significant weight to these harms.
26. Benefits include the creation of one additional dwelling contributing to the supply, mix and range of housing optimising the use of a previously developed site. Economic benefits, although not quantified, would arise from the construction and occupation of the development. However due to the small scale of the development, the weight to be given to these benefits is limited.
27. The proposal accords with the development plan and the Framework in terms of design, and an area could be made available for cycle storage. However, these are largely neutral matters which all development should achieve. Their benefits are also tempered by the layout of the proposed parking spaces that could impede the access to homes and cycle stores resulting in the proposal not being able function well for its lifetime.
28. I note the proposal would not have a harmful effect on the occupiers of neighbouring homes, would provide suitable living conditions for future occupiers, would not exacerbate flood risk and would provide suitable refuse provision and water use targets could be conditioned. There is no substantive evidence that These are also neutral matters that weigh neither for nor against the proposal. the existence of other schemes approved by the Council, who have disputed these, do not alter my opinion because they largely reflect elements within which I am in agreement with the appellant.
29. Having taken account of the other considerations in support of the proposal, to which overall I attach no more than modest weight, I do not consider these to be sufficiently forceful to outweigh the harm and conflict with the development plan I have identified. The benefits of the scheme do not outweigh the harm and conflict in this case.
30. 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. For the reasons given above, I conclude the appeal should be dismissed.

*K Williams*

INSPECTOR