



Appeal Decision

Site visit made on 3 June 2025

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/L5240/W/24/3353386

755-757 London Road, Croydon, Thornton Heath CR7 6AW

- 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 Dharmic Amin against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/04508/FUL.
 - The development proposed is the construction of an additional 4th floor to create new 2 self-contained residential units with cycle facility and amenity space to the existing mixed use development.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A set of revised plans have been submitted with the appeal. These show the relocation of the proposed cycle storage facility and alterations to the ground floor of the building to incorporate fire safety measures. These changes are minor alterations to the original scheme, and I do not consider that any interested party would be unfairly prejudiced by my determination of the appeal with regard to the amended drawings. There is also nothing before me to demonstrate that the revised cycle storage would not comply with London Cycling Design Standards. On the basis of the evidence before me, I am therefore satisfied, having regard to security, that its new location would be acceptable.
3. The Council confirmed in its supporting information that if these plans were to be accepted, it would withdraw its second reason for refusal concerning the location of the proposed cycle storage and its effect on highway safety. I have therefore not considered this in my decision.

Main Issues

4. In light of the above, the main issues are therefore;
 - Whether or not the proposed development would provide a suitable mix of dwellings having regard to the need for family accommodation in the borough;
 - The effect of the proposed development on highway safety; and
 - Whether the proposed development makes adequate provision for matters relating to fire safety.

Reasons

Housing Mix

5. The appeal relates to a 4 storey building that is under construction and located in Thornton Heath Ponds Local Centre. Whilst the surrounding area is predominantly commercial there are a number of other apartment blocks being built in the vicinity.
6. The Council has identified a need for a choice of homes of different sizes. In particular, it has identified a need for larger family sized homes. To achieve this, Policy SP2.7 of the Croydon Local Plan 2018 (Local Plan) sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
7. The proposal is to provide two 1 bedroom flats. However, this would be via the construction of an additional floor on a building that already has planning consent for 7 residential units. Although I do not have the exact mix before me, it is not disputed between the main parties that the proposal would result in an apartment block where none of the 9 flats would have 3 or more bedrooms. This lack of provision would fall markedly short of the Council's aim to ensure that new homes address the borough's need for homes of different sizes.
8. Both main parties have referred to the London Borough of Croydon Local Housing Needs Assessment 2023 (HNA) in support of their cases. The HNA identifies that 69% of homes in the market sector have 3+-bedrooms. It also states that its suggested indicative targets for different sizes of property by tenure can be used as a monitoring tool to ensure that future delivery is not unbalanced when compared to the likely requirements as driven by demographic change in the area.
9. In the context of Croydon having a greater proportion of older people than in London, the appellant assumes that many homeowners will want to downsize over the next 15 years, freeing up more of the existing stock and creating a demand for 1 bed units. I am also aware of the housing mix requirements of Local Plan Policy DM1 for larger developments and the Council's positive housing delivery rates.
10. However, it is uncontested by both main parties that the HNA demonstrates a need for 3 bedroom market homes, which at 41%, is high, when compared to the relatively low 9% figure for 1 bedroom residential properties. There is also no substantive evidence before me to suggest that the strategic target is being met, and there is no guarantee that older people would be likely to occupy the proposed development either now or in the future.
11. The HNA explains that site location and area character are relevant considerations for the appropriate mix of market housing on individual development sites and I am aware of a relatively busy roundabout nearby. Furthermore, Policy H10 of the London Plan 2021 (London Plan) states that a higher proportion of 1 and 2 bed properties are generally more appropriate in locations that are closer to a town centre. Nonetheless, this does not preclude the provision of larger dwellings in locations like this one and would not alter my findings as the site is still in an area that could meet the needs of many small and growing families.
12. As such, the proposed development would not provide a suitable mix of dwellings having regard to the need for family accommodation in the borough. Consequently, it conflicts with Policy SP2.7 of the Local Plan and H10 of the London Plan relating to the mix of housing size.

Highway Safety

13. The appeal site is located in an area with a Public Transport Accessibility Level (PTAL) rating of 3. In areas such as this it is more likely that people will have to rely on private cars for their everyday needs than in areas with a higher PTAL score, where there is better access to public transport. It is undisputed by the main parties that in such areas, the London Plan indicates that a maximum of 1.5 parking spaces should be provided for the two proposed 1 bedroom flats.
14. However, no off street car parking provision, other than for the one previously approved disabled space for the consented 7 flats is proposed. At the time of my mid-morning weekday site visit I saw that the area in the vicinity of the appeal site is one of parking stress with high levels of on-street parking. This was confirmed by the parking survey submitted by the appellant which shows unrestricted parking stress of 91% and 97% for the two dates surveyed.
15. I have had regard to the census data and levels of vehicular ownership put forward. Nonetheless, given the PTAL rating, and the high levels of on-street parking that I observed and have been recorded in the parking survey I am not convinced that the size of the proposed flats, their town centre location, or the low levels of vehicle ownership in the area would result in less reliance on the private car.
16. As a result of the very high parking demand in the area, it is likely that an increased demand for parking, even from the residents of a relatively small number of additional dwellings, would increase parking pressure within the area. In turn, this may lead to additional congestion and vehicular conflict as drivers seek parking space, or park illegally, which would be harmful to highway safety and the efficient operation of the existing highway network. Accordingly, it would conflict with Local Plan Policies DM29 and DM30 of Policy T6 of the London Plan. These seek, amongst other things, to reduce the impact of car parking in areas of existing on-street parking stress and to ensure that development has a positive impact on highway safety.

Fire Safety

17. The Council also refused permission on the grounds that insufficient information had been submitted to adequately consider fire safety. The appellant has responded with the submission of a Fire Safety Strategy (FSS), which has been prepared by a suitably qualified specialist. I am content to accept this submission as it is evidence that directly relates to and counters the Council's reason for refusal on this matter.
18. The FSS recommends several passive and active fire safety measures, and minor changes to the ground floor layout of the apartment block which are shown in the amended plans. I have no substantive reason to disagree with any of this and am satisfied that the strategy could be secured via a suitably worded condition. I therefore find that the proposed development would make adequate provision for matters relating to fire safety. As such, it would not conflict with Local Plan Policy D12, which seeks to ensure the safety of all building users, and that all development proposals achieve the highest standards of fire safety.

Other Matters

19. The Council found the effects of the proposal's siting, design and scale to be acceptable. Nevertheless, the absence of harm in these respects does not weigh in favour of the proposed scheme. Furthermore, in light of the policy context and my findings in regard to housing mix and the need for family accommodation, the contribution that would be made to meeting the demand for 1 bedroom flats in the borough would be limited.

Conclusion

20. Although I have found that there would be no adverse impact regarding fire safety, this, and the other matters identified above, are significantly outweighed by the unacceptable harm that would be caused in respect of the proposed housing mix and highway safety.
21. The proposed development consequently conflicts with the development plan and there are no material considerations that warrant taking a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR