



Appeal Decision

Site visit made on 23 October 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/L5240/D/25/3372238

South Riding, 16A Hook Hill, South Croydon CR2 0LA

- 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 Dr Navin Peiris against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/01481/HSE.
 - The development proposed is described as, 'the construction of a rear facing ground floor extension and the upward extension of an existing single storey to create additional living and bedroom accommodation'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area with regard to protected trees on the site; and
 - the effect of the proposal on fire safety.

Reasons

Trees

3. The site and surrounding area predominantly consist of detached dwellings within large plots and generally have large trees and vegetation. As such the area has a pleasant verdant character and appearance.
4. A cherry tree identified as T4 in the Tree Survey and Constraints Plan (Survey) is proposed to be removed to facilitate the proposed development. The tree is subject of a Tree Protection Order. The tree is mature, in good condition, and has a life expectancy of over 20 years. It is sited close to the boundary of the site and is near the existing building.
5. The tree is a significant height and despite being in close proximity to a number of tall conifer trees, it is noticeably taller than the surrounding trees and appears in good health. While the tree does not appear prominent from the street, it is visible from across the site and positively contributes to the verdant character of the area. Although the tree may be one of a number on the site, there are few other tall deciduous trees near the cherry tree. Accordingly, the tree has moderate amenity

value and its removal would adversely affect the verdant character and appearance of the area.

6. A condition securing additional and replacement planting would take time to establish and would not guarantee the level of amenity provided by the tree. Therefore, a condition would not adequately mitigate the harm.
7. I note evidence regarding cracking in the patio area. However, little detailed evidence is provided regarding the cause of the cracking or assessment of any alternative solutions to the cracking that would avoid the removal of the tree. I also acknowledge that given the presence of the conifer trees along the boundary of the site, the cherry tree may not provide a significant degree of privacy screening. Nonetheless, given its size and good condition, the proposed removal of the tree would result in moderate harm to the amenity of the area and insufficient reasoning has been provided to justify its removal.
8. A walnut tree identified as T3 in the Survey is proposed to be retained. The proposal includes retention of the patio area near this tree and replacement of its finishes. The Root Protection Area (RPA) of tree T3 would encroach in the patio area by a substantial distance.
9. Trial hole locations are noted along the edge of the existing patio as it is unclear what mitigation measures would be required until works are commenced due to the presence of the patio. However, the existing patio area encroaches into the RPA of the tree. Accordingly, the BS5837 Tree Survey & Arboricultural Impact Assessment (AIA) confirms that given the presence of the existing patio, the tree will likely have a Root Protection Area biased towards the North and East. Accordingly, I am satisfied that the tree protection measures noted in the AIA would adequately mitigate any risk of harm to tree T3.
10. The proposed extension would bring the rear elevation of the existing building closer to the walnut tree. However, from the evidence, the rear elevations would be clear of the canopy of the tree. While part of the proposed patio area would lie under the canopy of the tree, it is to replace an existing patio area. Therefore, pressure to prune the tree would not be substantially greater than existing.
11. Consequently, the proposal would harm the character and appearance of the area with regard to Tree T4. Therefore, the proposal would conflict with Policy G7 of The London Plan The Spatial Development Strategy for Greater London March 2021 (London Plan), Policy DM10 and DM28 of the Croydon Local Plan (2018) which together seek, among other things, to retain existing trees that contribute to the character of an area. It would also conflict with the National Planning Policy Framework (Framework) which requires that existing trees are retained wherever possible.

Fire Safety

12. London Plan Policy D12 requires all development proposals to achieve the highest standards of fire safety. It seeks proposals that identify suitably positioned unobstructed outside space, designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, are constructed in a way to minimise risk of fire spread, provide an evacuation strategy for all building users and provide suitable access and equipment for firefighting.

13. The fire strategy submitted as part of the appeal includes details of external assembly points, evacuation strategies, fire exits and recommended fire rating of materials.
14. Consequently, the proposal adequately addresses fire safety and would accord with London Plan Policy D12.

Other Matters

15. The Council did not raise objections with respect to the design of the proposed extensions or the effect on neighbouring occupiers. However, any lack of harm in these respects do not override the harm identified.
16. Benefits of the proposal include an improved and enlarged dwelling. However, given the harm identified above this does not alter my overall decision.
17. I note the evidence regarding sustainable development as set out in the Framework. However, given my finding regarding the character and appearance of the area as set out above, this matter does not alter my overall decision.

Conclusion

18. For the reasons given above, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR