



Appeal Decision

Site visit made on 17 December 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/L5240/W/25/3373468

174 Norbury Crescent, Norbury, Croydon, London SW16 4JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Ms Ashvinder Panchal of Little Londoners Childcare Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 25/01582/FUL was approved on 24 July 2025, and planning permission was granted subject to conditions.
 - The development permitted is change of use of the site from dwelling (C3) to a dwelling and a day nursery for up to 10 children (Sui Generis).
 - The condition in dispute is No.2 which states that:
‘Within 2 months of the date of this permission details of the proposed cycle storage facility (including elevations) shall be submitted to the Local Planning Authority for approval.
The approved details shall then be implemented on site within 2 months of being approved and retained for as long as the nursery use is in existence.’
 - The reason given for the condition is:
‘In order to promote sustainable means of travel and ensure suitable appearance’.
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Decision

1. The appeal is allowed and the planning permission Ref 25/01582/FUL for the change of use of the site from a dwelling (C3) to a dwelling and a day nursery for up to 10 children (Sui Generis) at 174 Norbury Crescent, Norbury, Croydon, London SW16 4JY, granted on 24 July 2025, by the Council of the London Borough of Croydon, is varied by deleting Conditions 2 and 3 and substituting them with the following conditions:

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Within 2 months of the date of this permission, details of the proposed cycle storage facility (including elevations) shall be submitted to the Local Planning Authority for approval.

The approved details shall then be implemented on site within 2 months of being approved and retained for as long as the nursery use is in existence.

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Within 2 months of the date of this permission, details of the proposed bin storage facility (including elevations) shall be submitted to the Local Planning Authority for approval.

The approved details shall then be implemented on site within 2 months of being approved and retained for as long as the nursery use is in existence.

Preliminary Matters

2. The evidence indicates that the change of use that was granted planning permission in July 2025 has already commenced. The appeal was made before the expiry of the time period given for the condition to be discharged. However, the effect of dismissing this appeal would mean that Condition 2 could never be complied with, because two months from the date of the original permission would be in the past. Consequently, I am allowing this appeal to avoid such a scenario. The resulting planning permission will be the original planning permission as modified by this permission, which will run side by side.
3. It is not clear from the evidence that Condition 3 has been discharged and no bin storage facility was observed on site. To avoid a situation whereby it cannot be secured, in the interests of effective waste management and the character and appearance of the street scene, I vary this condition to allow additional time for the submission of the details. No party would be prejudiced by this approach, as it could be re-discharged if indeed details have already been approved.

Main Issue

4. The main issue in determining this appeal is whether Condition 2 is reasonable and necessary in the interests of sustainable travel.

Reasons

5. Policy T5 of the London Plan 2021 requires proposals to help remove barriers to cycling and create a healthy environment in which people can choose to cycle. This is to be achieved, in part, by securing provision of appropriate levels of fit for purpose, secure and well-located cycle parking in accordance with a specified minimum standard.
6. Whilst the planning permission granted is for a mixed use of a dwelling and a children's day nursery, it is the nursery element that triggers the requirement for cycle storage. It is therefore reasonable to confine my considerations to this element. In respect of the use, 'nurseries' is named in Table 10.2 of the London Plan which sets out a minimum cycle parking requirement of 1 space per 8 full time equivalent staff and 1 space per 8 students. As a named use, I consider this policy expectation for cycle parking at nurseries to be crystal clear despite the changes to the Use Classes Order in 2020.
7. The appeal site comprises a terrace property which has paved hardstanding to its open frontage, which is accessed directly from Norbury Crescent. A bus stop lies directly outside, on what is described by the Council as a busy road. At the time of my visit, I observed no dropped curb, albeit the space was occupied by two cars and refuse bins.
8. The Travel Plan¹ advanced with the application indicates that none of the existing customers cycle to the nursery, primarily because they consider it impractical with small children. Evidence also indicates that no staff currently cycle to work.
9. However, whilst parents and staff do not currently cycle to the nursery, that is not to say that others in the future would not choose to do so. Parents could, in practice, drop off children and travel onwards to work or home. Likewise, staff

¹ Ref: TP/SGR/NCC/221124 V4) by Reeves Transport Planning dated July 2025

could cycle to and from nursery as their place of work. In both scenarios, this choice would be inhibited by the inability to secure their cycle whilst dropping off/collecting their child, or whilst working. In other words, not having the provision would dissuade users from adopting more sustainable travel choices.

Consequently, I find that the condition to require such provision is reasonable and necessary in order to secure the travel objectives of the London Plan.

10. To ensure the cycle storage facility is convenient, it would need to be easily accessible. Condition 2 as originally imposed does not specifically require the cycle storage to be located to the site frontage. Likewise, it does not specify the required number of cycle parking spaces. However, when considered alongside both the clear minimum cycle standards in the London Plan and Condition 7 which requires the development to be carried out in accordance with the Travel Plan – which references provision of cycle storage on its good-sized frontage and cross references to a layout plan– I am satisfied that the condition is sufficiently precise. I do not find the provision of a cycle store to be overly onerous, and it has not been demonstrated that its provision would impede pedestrian access into the property.
11. Contrary to the appellant's assertion, the Travel Plan does not demonstrate that the site does not lend itself to cycles as a means of transport. Indeed, it makes clear that the proposal would remove parking from the site frontage and replace it with bin and cycle storage as shown on the approved plan, the latter of which would help support sustainable choices. Operating in accordance with the Travel Plan, it should not impede comings and goings either.
12. Whilst cognisant of concerns that frontage cycle storage would be unsightly and add visual clutter to the street-scene, the approved plan shows this to be discreetly sited adjacent to the neighbouring wall at No.176 Norbury Crescent. Furthermore, the design requires agreement before its provision on-site, such that these concerns can be adequately addressed.
13. For the reasons set out above, I find that Condition 2 imposed is reasonable and necessary in the interests of sustainable travel. Thus, the condition meets the tests set out in the National Planning Policy Framework and the expectations of the London Plan Policy T5.

Other Matters

14. Representations have been made that despite the 20mph speed limit of the road, the perception is that Norbury Crescent is not safe for cycling with young children, given its levels of traffic, unregulated excessive traffic speeds and the existence of the bus stop outside. Although many would be put off from cycling with children, some may opt for this form of transport in the future, particularly if traffic conditions change and the necessary infrastructure is in place to enable and encourage this. Importantly, this provision would not force cycling but enable choice as intended by Policy T5 of the London Plan.
15. It has been put to me that the Council has been inconsistent in the application of its policies, as other nurseries have not been made to provide cycle storage. However, no details have been advanced as to which other premises are referred to, such that I am unable to undertake any comparison. Therefore, it does not alter my findings on this appeal.

Conclusion

16. For the reasons given above, I conclude that the planning permission should be varied as set out in the formal decision.

C Walker

INSPECTOR