



Appeal Decision

Site visit made on 22 July 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 December 2025

Appeal Ref: APP/L5240/W/25/3364498

4 Grange Park Road, Croydon, Thornton Heath CR7 8QA

- 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 Mrs Xiyun Lin (Sarah Commodities Ltd) against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/02971/FUL.
 - The development proposed is described as: C3 to C4 House in Multiple Occupation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal submission includes updated drawings which identify the location of a bin store, which was not previously included on the submitted drawings. Paragraph 16.1 of the Procedural Guide: Planning appeals – England (December 2025) is clear that the appeal process should not be used to evolve a scheme and there are no provisions within the rules for amendments to be submitted. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Local Planning Authority and by interested parties at the application stage.
3. Where amendments are proposed, regard should be had to the principles established in *Holborn Studios Ltd*¹, including whether the amendments would materially alter the nature of the application and whether anyone who should have been consulted on the changed development would be deprived of that opportunity. Although the amendments relate to the addition of a bin store accepting the revisions could deprive those who were entitled to be consulted of the opportunity to make any representations as part of an appeal, which, given the matters that have been raised, they may have wished to make. For this reason, I have determined the appeal on the basis of the plans that were before the Council when it made its decision.
4. The appellant has also provided a drawing identifying a proposed cycle store in relation to another reason for refusal. As the location of the cycle store was shown on the drawings submitted with the planning application, the drawing provides additional detail rather than any amendments to the design of the proposal. For this reason, I consider that there would be no prejudice to any party by considering the additional drawing, and I have therefore determined the appeal on this basis.

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823

Main Issues

5. The main issues are:
- whether the proposal would adequately promote sustainable modes of transport;
 - whether the proposal would provide satisfactory provision for the storage of waste; and
 - the effect of the proposal on the living conditions of future occupiers of the proposal with specific regard to outlook and privacy, and the occupiers of 6 Grange Park Road (No 6) with specific regard to privacy.

Reasons

Sustainable Transport

6. The application site is within a controlled parking zone (CPZ), which is indicative of a high level of parking stress within the area. I also noted Grange Park Road and surrounding streets were heavily parked at the time of my site visit.
7. Given the nature of Houses in Multiple Occupation (HMO's), the proposal would likely result in different travel patterns to the occupation of a dwelling used as a family home where trips may be taken together and fewer vehicles required. This would exacerbate the level of parking stress in the area and encourage travel by private car which has a detrimental impact on air quality, personal health, well-being, and the environment.
8. A planning obligation would be required to prevent the proposal from being occupied by multiple individuals holding parking permits above that of a single family household, preventing an intensification of the use of private vehicles. The appellant contends that they would be willing to enter into a section 106 agreement which would restrict the ability of future occupiers to obtain parking permits. However, no completed planning obligation which would secure that commitment has been provided. Consequently, there is a significant possibility that future residents could add to the parking stress that I observed. In turn, this would lead to an adverse transport impact in the area due to an increase in parking stress.
9. Policy T5 of the London Plan – Spatial Development Strategy for Greater London (2021) requires proposals to make provision for appropriate levels of cycle parking which should be fit for purpose, secure and well-located. The proposed cycle parking would be located towards the rear of the appeal property, accessed from the highway via the narrow passageway, approximately 0.85 metres in width, along the side of the dwelling. The London Cycle Design Standards (2014) (CDS) states that cycle parking serving all types of homes should avoid obstacles such as narrow doorways less than 1.2 metres wide. It further states that if unavoidable, where cycle parking is provided to the rear or sides of private dwellings, the access way should preferably be 1.5 metres wide or a minimum of 1.2 metres over a distance of no more than 10 metres. Whilst only guidance this document provides a good indication of the required width of a passageway to allow comfortable access for the average bicycle.
10. Given the passageway is significantly below the minimum width prescribed within the CDS, I consider it inadequate for the access for the majority of bicycles and would therefore prevent the use of the proposed cycle parking by future occupiers. The appellant contends that the average side access to terraced properties is 0.9

metres and these could therefore not benefit from cycle parking in the rear garden. Nevertheless, each development must be determined on its own merits.

11. Whilst vertical storage cycle racks are proposed, the Council raises concerns that these would not be appropriate for residents that may have difficulty lifting their bikes. The appellant has indicated that a planning condition could be imposed to require the submission of further details relating to the cycle storage. However, given the constrained nature of the site, I cannot be certain that there would be a suitable location for cycle parking, which meets the requirements of Policy T5, to be provided. Therefore, it would not be possible to deal with this matter through the use of a planning condition.
12. Based on the above, the proposal would not adequately promote sustainable modes of transport and mitigate the transport impacts of the development. The proposal would conflict with the relevant provisions of Policies T5 and T6 of the London Plan – Spatial Development Strategy for Greater London (2021) and Policies SP8, DM29 and DM30 of the Croydon Local Plan (2018) (Local Plan). When read together these policies require development to help remove barriers to cycling and create a healthy environment in which people choose to cycle, be car-free as the starting point, and to reduce the impact of car parking in any development.

Waste Storage

13. The Council have raised concerns regarding the absence of details in relation to waste storage. They contend that given the confined nature of the front garden, the siting of bin stores in this area would have an unacceptable effect on the character and appearance of the area in addition to their use generating noise, having an unacceptable effect on the occupiers of the front ground floor bedroom with regard to outlook and noise.
14. I agree with the council regarding the effect of the storage of the bins within the front garden. However, given the size of the rear garden the waste storage facilities could be located to the rear of the property. Any bin store would therefore be screened from the public realm, preserving the character and appearance of the area. Further, the submitted plans indicate that the rear ground floor of the proposal would be occupied by a living room/ kitchen and therefore any noise generated from the use of the bin store would not harm the living conditions or outlook of the occupiers of any of the bedrooms. A condition securing details of the location waste storage could be secured through condition were I minded to allow the appeal.
15. As such, the proposal would be acceptable with regard to the satisfactory provision for the storage of waste. As such, it would not conflict with the relevant provisions of Policies D3 and D4 of the London Plan and Policies SP4, DM10, DM13 of the Local Plan. When read together these policies require development to positively respond to local distinctiveness, respect local character, sensitively integrate refuse facilities, and deliver appropriate amenity.

Living conditions of neighbouring occupiers

16. The appeal site comprises a semi-detached dwelling arranged over three floors. The submitted plans confirm that the existing roof space accommodates a bedroom positioned to the front, served by a side-facing window within the gable

elevation. This window currently provides the only outlook and directly faces the neighbouring side window at No. 6 Grange Park Road from a short distance. As this window already serves a bedroom, the proposed development would not introduce any additional loss of privacy to neighbouring occupiers beyond the existing situation.

17. The Council contends that bedrooms within HMOs often function as the main living space for occupants, and therefore are used more intensively than bedrooms within houses occupied by families. However, the proposal includes a dedicated living-kitchen area and a separate study space, ensuring that future occupiers have alternative areas to spend time. In addition, the introduction of two roof lights to the front roof slope will significantly reduce reliance on the existing side window, thereby mitigating perceived overlooking towards No 6.
18. With regard to the living conditions of future occupiers, the proposed introduction of two roof lights to the front roof slope would improve both ventilation and natural light within the second-floor bedroom. As I have already concluded that the existing side window does not result in an increase in overlooking of No 6, it follows that future occupiers of this bedroom would also benefit from adequate privacy.
19. For the above reasons, the proposal would have an acceptable effect on the living conditions of future occupiers of the proposal with specific regard to outlook and privacy, and the occupiers of No 6 with specific regard to privacy. As such, it would accord with the relevant provisions of Policies D3 and D6 of the London Plan and Policies SP2, SP4 and DM10 of the Local Plan. When read together these policies require development to deliver appropriate outlook and privacy whilst enhancing well-being.

Other Matters

20. The appellant indicates that the proposal would seek to conserve water for planting within the site and mitigate against the impact of water waste. The property's garden is also intended to provide a quality green space for occupiers of the site. Be that as it may, these matters do not outweigh the harm I have identified.

Conclusion

21. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

N Unwin

INSPECTOR