



Appeal Decision

Site visit made on 1 December 2025

by **A Phillips MPlan BA CertHE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal Ref: APP/L5240/W/25/3369684

93 Woodcote Valley Road, Purley, Croydon CR8 3BG

- 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 Clifford Miles on behalf of Inksp Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/01031/FUL.
 - The development proposed is Demolition of existing dwelling and erection of two-storey with habitable roofspace building comprising 6 residential units with external bin and bike stores, parking and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the development description as stated on the Decision Notice as this provides a more accurate representation of the proposed development.
3. The 7th reason for refusal on the Decision Notice I have viewed as an informative and therefore does not form a main issue.

Main Issues

4. The main issues are:
 - Effect on the character and appearance of the local area.
 - The effect of the proposed development on the living conditions of the occupiers of 91 Woodcote Valley Road (No.91) with particular reference to outlook, sunlight and potential for noise and disturbance.
 - The effect of the proposed development on trees.
 - Effect on ecology, specifically on bats.
 - Whether the proposal makes adequate provision for any additional improvements to sustainable transport options and is there suitable parking provision.
 - Whether the proposed development would provide suitable access to car parking and waste storage.

Reasons

Character and appearance

5. The site is located on the corner of Woodcote Valley Road and Grovelands Road and is largely concealed by mature planting. The existing dwelling is a single storey detached property, though is partially connected to No.91, with a garden that wraps around the dwelling on three sides. The area is predominantly defined by two storey detached, pitched roofed, dwellings on generous plots. Well established landscaping makes a significant contribution to the character and appearance of the area.
6. The proposal is for a three storey building on the site following the demolition of the bungalow. The building is designed to appear like two semi-detached dwellings from the front elevation, with the rear elevation defined by the crown roof, which has a flat central section and ad-hoc window arrangement. The proposal by seeking to remove some trees to allow access to a new parking courtyard would increase visibility of the rear elevation of the proposed building.
7. The plans submitted show that the proposed new building would project in front of No.91, with the creation of rooms at 2nd floor level leading to the proposed development that would have a noticeably higher ridgeline than No.91. In addition, the proposed ridgeline would exceed the height of the projecting gables on the front elevation. The crown roof and fenestration on the rear elevation creates a conflicting design approach to the front elevation, a top heavy design with the fenestration being more dominant on the 1st and 2nd floor as well as fenestration pattern that has a hectic design approach. The design, specifically the rear elevation, does not follow any form or massing styles of the nearby buildings. Therefore, the design of the proposed building would not preserve or positively contribute to the street scene.
8. The removal of mature landscaping to create the rear parking area, not only opens the rear of the site to allow viewing of the rear elevation from the adjacent road, but it also creates an alien feature within the local area of a visible rear parking courtyard. Given the limited potential to replace planting given the constraints of the site, this harm is unlikely to be satisfactorily mitigated via a condition.
9. I acknowledge that some of the design cues have been taken from other individual developments in the area. 74 Woodcote Valley Road has a similar design to the proposal with the double projecting gable ends, although its ridge height is significantly less prominent than that being proposed on this development.
10. The two dwellings referred by the appellant as 80 Woodcote Valley Road have crown roofs, though this specific element is visually obscured from the public realm. However, the crown roof does allow these two dwellings to have a noticeably higher ridgeline. Therefore, this moderately weighs in favour of the proposal.
11. The flats at 42 Grovelands Road form a three storey building, that while taking architectural cues from nearby dwellings is still a visually dominant building in the street scene.
12. However, whilst I have taken these buildings into account in my assessment, these properties are exceptions within the street scene that is predominantly defined by

more modest two storey detached dwellings. Moreover, the Council advises that 42 Grovelands was granted permission under different planning guidance and whilst the government is still seeking to significantly boost the supply of housing, this should not be at the expense of the character of the area. Accordingly the examples presented to me carry limited weight in my consideration of this appeal.

13. On this issue I conclude that the proposal would have a harmful impact upon the character and appearance of the local area. On this basis it conflicts with policy D3 of The London Plan March 2021 (London Plan) and policies SP4 and DM10 of the Croydon Local Plan 2018 (Local Plan) that require high quality design that respond to the existing character of the area. While it is noted that policy DM10 of the Local Plan seeks a minimum of three storey buildings, this is not at the expense of the quality of the design or having an inappropriate scale of the area.

Living conditions of the occupiers of No.91

14. The proposed building would be located approximately to the southwest of No.91.
15. The appellant in their submitted Proposed Block Plan, drawing number 105 revision P01, demonstrate that the highest element is just outside of the 45-degree line of the ground and first floor window of No.91 closest to the proposed development. On this basis the proposed development is very unlikely to cause material harm as a result of being overbearing or causing a loss of sunlight to the occupants of No.91 internal amenity space.
16. The proposed development, which would be sited over 2m away from the common boundary, would have some impact on the patio area of No.91 by causing some loss of afternoon sunlight. However, given the relatively limited loss of sunlight and that the visual impact of the proposal is reduced by its distance away from the common boundary there would unlikely be material harm to the ability of the occupants of No.91 to enjoy their garden space.
17. The proposed car parking area to the rear of the site is on raised ground above the patio area of No.91. This car parking area is limited to 4 vehicles and on this basis any disturbance would be limited. However, any lighting scheme would need to be carefully designed to stop unnecessary light pollution to the occupants of No.91. While a boundary wall could reduce noise pollution this would likely lead to the loss of hedges and is unlikely to be necessary given the limited vehicle movements.
18. I have noted the comments made by the occupants of No.91 and if the appeal was allowed, it would be necessary to add conditions to protect their privacy from the proposed development.
19. On this issue I conclude that the proposed development would not materially harm the living conditions of the occupiers of No.91. The proposal therefore complies with policy D3 of the London Plan and policies SP4 and DM10 of the Local Plan that in total seek to deliver appropriate outlook, privacy, amenity, social well-being and ensure lighting schemes do not cause glare and light pollution.

Trees

20. The Council has stated and provided evidence of a Tree Preservation Order (TPO) on the site that protects two sycamore trees and three Holly trees in the rear garden of the appeal site. The Council in its questionnaire states that the TPO is still in effect and details in the Delegated Business Meeting report that only one Holly tree now benefits from a TPO. However, the comments from the Tree Team suggest that two Holly trees benefit from protection.
21. The appellant's submitted report from Harper tree consulting does not note any legal protections on any tree within the site. Neither party from the evidence presented identifies which existing tree(s) benefit from the TPO. However, from the evidence presented to me it is most likely to be T18 and/or T19.
22. The Holly trees T18 and T19 are stated by the appellant to be category B trees in good condition. These trees, due to their maturity and condition, positively add to the character of the street scene both individually and by virtue of group value.
23. The appellant has stated that the parking and driveway, which is specifically close to the stem of T18, would be a no dig permeable hard surface treatment. I have also noted that the Tree Team do not raise concern regarding either of these two trees. Therefore, based on the evidence before me it is unlikely that the proposal would lead to material harm to the Holly tree(s) protected by the TPO. However, this is subject that works around the tree(s) were specifically conditioned to prevent damage, specifically to T18.
24. The other tree that the appellant is seeking to retain that the Council specifically mentions is T12, which is a category B Lawson Cypress in good condition. That tree is, at approximately 11m tall, of good form and stature and is visible from adjoining roads and makes a positive contribution to the verdant character of the area.
25. Plans indicate that steps, and possibly a retaining wall, will need to be constructed within the Root Protection Area of T12. However, whilst the arboricultural report suggests general ground protection measures relating to areas of hardsurfacing, there are no details before me of how the steps would be constructed and what impact any engineering works might have on tree roots. On that basis I cannot be sure that the tree would be adequately protected and thereby retained. Both main parties agree that on the basis of the proposed site layout there is very limited space for any replacement planting. Consequently, without further information I cannot be certain that the proposal would not result in the loss of more of the trees than is intended. The loss of T12, without mitigation in the form of replacement planting, in addition to the loss of other trees on the site to form the access, would have a significant effect on the character and appearance of the site and local area.
26. On this basis the proposal does not comply with policy G7 of the London Plan and policies DM10, DM28 and SP7 of the Local Plan that in total seek to retain, replace/plant new trees. The proposal also does not comply with the Framework, specifically chapter 12 that highlights the importance trees make to the character and quality of urban environments.

Ecology

27. The application was supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment with a survey date of 5 February 2025. The report states that while the building is of a low value for roosting bats it does state an additional survey is required due to the missing, dislodged or other damage to the roof tiles.
28. Government guidance states 'You should not usually attach planning conditions that ask for surveys. This is because you need to consider the full impact of the development proposal on protected species before you can grant planning permission'¹.
29. I have not been presented with any evidence that further surveys on the building have been undertaken. A pre-demolition condition is not considered to be appropriate, as if bats are found within the building it might not be possible to discharge such a condition. With the appellant's ecologist stating that the demolition of the dwelling could result in disturbance, injury or death to bats the proposed development provides an unnecessary and unacceptable risk to a protected species.
30. On this issue I conclude that the proposed development would have an unacceptable impact on ecology, specifically on potential bats roosting within the dwelling. On this basis the proposal does not comply with policy G6 of the London Plan and policy DM27 of the Local Plan that both seek the protection of priority/protected species.

Sustainable transport options and parking provision

31. The submitted Proposed Block Plan, Drawing Number 105 Revision P01, shows parking spaces of a variety of different sizes. From the evidence before me, it is likely that some of these parking spaces will not be practical to park a car in. This would further reduce the amount of parking on site.
32. However, many dwellings in the local area appear to have their own off-street parking facilities and I am not aware of any parking restrictions. Moreover, there is no evidence before me that there is a particularly high demand for on-street parking space in the vicinity of the site. As such there is no reason to conclude that a limited number of additional vehicles associated with this development could not be accommodated on street without causing a danger to highway safety or detriment to the living conditions of neighbouring residents. Furthermore, while Policy T6, including Policy T6.1, of the London Plan requires a maximum of 1.5 spaces per dwelling for an Outer London PTAL 0 – 1, it is clear that 'New residential development should not exceed the maximum parking standards'. Policy SP8 in the Local Plan states that outside of high PTAL areas parking standards will follow the London Plan. On this basis given that the policies do not set a minimum amount of parking, the proposed development is not in breach of these policies.
33. However, the policies that the Council has referred to in its decision notice relate to how development should promote a range of sustainable transport measures. The

¹ <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Council is seeking to achieve this via a financial contribution of £1,500 per unit. From the evidence provided to me, there is no detailed argument to why this contribution would be unreasonable. The requirement for these contributions is further strengthened by the reduced amount of off street parking spaces being proposed.

34. I acknowledge the willingness to provide a Unilateral Undertaking but one is not before me and in accordance with the Procedural Guide, which states that the appellant must ensure that an executed and certified copy of the planning obligation is submitted at the time of making their appeal.
35. On this issue I conclude that the proposed development would not provide suitable contributions towards sustainable transport options. On this basis the proposal does not comply with policies DF1, GG3, T2, T3, T4, T5 and T6.1 of the London Plan and policies DM16, DM29, DM30 and SP8 that in total seek to ensure that sustainable transport options are provided with new development as well as supporting public health.
36. On this issue of parking provision, I have found that policy compliant car parking spaces have been provided and on this basis the proposal complies with this element within policy T6 of the London Plan and policies DM30 and SP8 in the Local Plan.

Access to car parking and waste storage

37. The proposal is seeking to provide four car parking spaces and the waste storage area to the rear, as well as providing two car parking spaces to the front.
38. The Council's reason for refusal is that the waste storage and car parking is not conveniently located or easily accessible. However, as identified above that policies regarding car parking do not set a minimum. On this basis, the two parking spaces at the front would provide step free access to parking to residents.
39. However, the waste storage area to the rear can only be reached via steps within the site. While the appellant suggests step free access could be provided via a condition, there is no convincing evidence before me that this can be satisfactorily achieved considering the changes in land levels, the current site layout and the presence of trees. On this basis I am not persuaded that a condition requiring step free access would be appropriate. The lack of suitable access for future occupiers who might have mobility issues to be able to place either their waste or recycling in the bins provided would not meet the requirements of inclusive design.
40. On this issue I therefore conclude that the proposed development would not provide suitable access to waste storage. On this basis the proposal does not comply with policy D5 of the London Plan and policy DM13 of the Local Plan that in total seek to ensure high standards in accessibility and inclusive design.
41. I have not considered policy SP8 of the Local Plan to be relevant to the reasoning why I am dismissing the appeal on this main issue, as while it deals with accessibility this is in relation to public transport.

Other Matters

42. The proposed development would lead to an additional five dwellings. The increase in dwellings, as well as the short term economic benefits from

construction work and longer term benefits of additional people using services and facilities in the local area, all have limited weight in favour of the proposal. However, this does not overcome the harm I have identified above.

Conclusion

43. The proposal conflicts with the development plan considered as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. On that basis, the appeal is dismissed.

A Phillips

INSPECTOR