
Appeal Decision

Site visit made on 17 March 2026

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2026

Appeal Ref: APP/L5240/W/25/3376058

191 Northwood Road, Thorton Heath, London CR7 8HX

- 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 Paul Frankel against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/01871/FUL.
 - The development proposed is the change of use from an existing single family dwellinghouse (Use Class C3) to a 8-bed HMO (Use Class C4), in addition to the demolition of existing side extension and provision of cycle and refuse storage.
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Decision

1. The appeal is dismissed.

Preliminary and Procedural Matters

2. The description of development as provided on the application form refers to the proposed House in Multiple Occupation (HMO) as falling within Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended). However, as the proposed HMO has more than six residents, it is a sui-generis use and I have dealt with the appeal on this basis. This is the same as the Council and as it correctly identified in its decision. As the appeal is to be dismissed, it is not necessary for me to correct this in the description of development that I have used in the banner heading above.
3. Late evidence was provided with the appeal at my request. This comprised a plan relating to the neighbouring property at 193 Northwood Road which was referred to by the Council in its determination of the application but was not shared with other parties. The appellant has been given the opportunity to comment upon this.
4. A parking survey was submitted with the planning application however this was not provided in evidence with the appeal by either party. As this is material to my decision and was considered by the Council at the time of its determination of the application, I sought this evidence and have taken it into account.
5. A revised plan was provided with the appeal as the appellant's Appendix 6. This shows the first floor communal area being outfitted as a kitchen. Whilst this does alter an element of the proposal, it does not result in a change to the description of development or the number of occupants. Moreover, it does not result in any external alterations. These revisions have been seen, and commented upon, by the Council. The amendment to show the first floor kitchen is not a substantial difference or a fundamental change and, regardless, the appeal is to be dismissed so there would be no procedural unfairness by my taking it into account.

Main Issues

6. The main issues are:

- 1) whether the proposed development provides adequate vehicle and cycle parking provision and access to the site, and whether adequate and satisfactory arrangements are available for refuse and recycling storage,
- 2) whether the proposed development would result in the loss of a family sized home, and
- 3) whether the proposed development would provide satisfactory living conditions for the future occupants having particular regard to kitchen provision and access arrangements.

Reasons

Vehicle and cycle parking and access and refuse storage

7. The existing site comprises a four bedroom home and the proposal seeks to convert this to an eight bedroom HMO. There is an existing vehicle access with the highway however this access does not, at present, serve an area clear of the carriageway which is of sufficient size to accommodate a vehicle. Moreover, this access is very close to an access to the neighbouring primary school and it is necessary to traverse the yellow zig-zag lines on the highway to enter or leave it. The site is not within a Controlled Parking Zone (CPZ). The site is in an area with a Public Transport Accessibility Level (PTAL) of 1b indicating limited public transport availability.
8. A parking survey was submitted with the planning application. Whilst I note that this was not conducted in accordance with the Council's preferred model, this does not negate its value as evidence. Indeed, the survey's conclusions are not, for the purposes of this appeal, significantly affected by the differing methodology and, in any case, my attention has not been drawn to any adopted policy of the Council that requires a particular methodology to be used for undertaking parking surveys. In essence, the survey indicates that there is a relatively high parking stress in the local area, albeit that this is reduced near the appeal site, particularly along Northwood Road (east).
9. The proposal incorporates the removal of an existing single storey side lean-to extension. There is a suggestion by the appellant that this would allow for the parking of two vehicles clear of the highway. However, no details of the dimensions and arrangements of these spaces have been provided. Regardless of this, I am unpersuaded that sufficient space exists for these spaces and this includes when the lean-to is removed. Even if such space were available, it appears to me that vehicles parked in this location would, to all intents and purposes, block access to the side and rear of the property.
10. The appellant has suggested that the proposal could operate as a car free or car-light development. However, as the site is not within a CPZ, there is no mechanism available to me to control this. A condition to this effect would be unenforceable and thus would not pass the tests in the Planning Practice Guidance (PPG) or National Planning Policy Framework (the Framework). No planning obligation has been provided to secure this arrangement and, for similar

reasons to the proposed imposition of a condition to this effect, would be unable to make the development acceptable in planning terms were it deemed necessary.

11. Even so, I am mindful that the parking survey suggests ample availability of on-street parking. Assuming that each bedroom to the HMO results in one vehicle, there would still be overnight parking available along Northwood Road. Whilst public transport availability is at the lower end, with a PTAL of 1b, there is still some public transport available. Therefore, I am satisfied that the development could proceed without any on-site vehicle parking as any increased parking demand could be accommodated on local roads.
12. However, the appellant has not been clear in establishing what the parking arrangement would be and, in essence, has offered multiple scenarios without fully establishing the rationale for any particular one. There are no details of the existing access, how this would or could be modified (if at all) to provide on site parking and how this would be arranged.
13. It seems to me that the site presently has no ability to accommodate any vehicles clear of the highway due to the presence of the side lean-to, narrow width and short front garden area. In effect, this means that this access cannot be practicably used for serving parked vehicles. As I have highlighted, it is in proximity to the entrance to the primary school where vehicles entering or leaving the site in a reverse direction would cause conditions of danger to pedestrians, particularly young children accessing the primary school. A vehicle parking and overhanging the footway would be of particular concern here due to this proximity to the school. There is no indication of visibility splays from this access and given it is, presently, effectively unusable for vehicle parking I find it reasonable to require this detail as was desired by the Council.
14. Moreover, the layout of the proposed parking area has not been provided. Again, I have already highlighted that I am not convinced that there is space available to park a vehicle or vehicles in this area, even with the lean-to removed. Even if this were not the case, the arrangement would be clearly very tight and this would limit, or perhaps prohibit, the accessibility to the side and rear of the site where it is suggested that the cycle parking, refuse and recycling store would be located. However, there is no detail on this. I find these details are important and clearly quite fundamental to the proper functioning of a large HMO. This is of special note here given the proximity of the site to the primary school, low PTAL and lack of detail on the visibility splays.
15. Whilst I accept that vehicle parking arrangements, cycle parking and refuse and recycling storage can often be controlled by way of a planning condition were permission to be granted; it has not been shown that these could be satisfactorily accommodated here. In the absence of these details, the proposal conflicts with policies SP8, DM13, DM29 and DM30 of the Croydon Local Plan (2018) (CLP) and policies T3, T5 and T6 of the London Plan (2021) (LP). This is because it has not been demonstrated that any off-street parking could be safely accommodated with adequate visibility splays and that accessible and compliant cycle parking facilities and refuse and recycling storage would be available for the future occupants.

Loss of family dwelling

16. Policy DM1.2 of the CLP sets out that the Council will permit the redevelopment of residential units where it does not result in the net loss of three bedroom homes

(as originally built) or the loss of homes smaller than 130 square metres. The Council suggests the existing dwelling is of a 1930s design. Having regard to its geographical location, style and proportions this seems a reasonable conclusion to reach. There is, however, disagreement between the parties regarding the size of the originally built home and whether this was constructed as a three bedroom home or larger.

17. There are no plans of the dwelling as originally built and no available details of the works that have been made to the property in the intervening period. The appellant has provided an aerial image from 1946 which, whilst being of a low resolution and grainy, does show a rear outrigger projection to number 191 and the adjoining neighbour at 193. This image is, however, indeterminate in showing whether the outrigger is single storey or two storey.
18. The plan provided by the Council from around 1985, relating to 193 Northwood Road, and connected with planning application reference 85/02871/P, for a two storey rear extension is also of low quality. It only shows the proposed plans for this neighbouring dwelling at 193. However, I have reviewed this plan and have annexed it to this decision with annotation. My annotation with thick black rectangles appears to show a distinction between an existing outrigger (at that time, in 1985) and the extension that was proposed.
19. Further, the plans show a chimney breast in plan form on what would be the common party wall between number 193 and its neighbour at 191. This is annotated as a thick black circle on the annexed plan. This chimney breast equates with a lighter element on the roof on the appellant's 1946 plan and this could be taken as a chimney.
20. These two pieces of evidence lead me to conclude that there was an outrigger projection to both 191 and 193 Northwood Road as originally built. This outrigger is what is shown in the aerial imagery in the 1946 plan and this date is likely very soon after the dwellings' estimated 1930s construction. Being mindful that domestic additions of this nature would have been somewhat unlikely during the second world war, particularly in unison to both properties; I am therefore willing to accept that this outrigger formed part of the original dwelling(s). The 1985 plans infer that this was a two storey outrigger.
21. Whilst I do not find this evidence to be wholly conclusive as it does not definitively show the original building, it does not need to be here. I find that, on the balance of probability, there was an existing outrigger projection to both numbers 191 and 193 Northwood Road that was part of both of their original construction. It is likely, therefore, that these were built as four bedroom dwellings at the same time and to a matching design.
22. Therefore, the original dwelling would have been a four bedroom residence. Thus, the loss of a four bedroom unit of accommodation would not conflict with policy DM1.2 of the CLP insofar as it does not result in the loss of a three bedroom home as originally built.

Living conditions

23. The application considered by the Council showed a single kitchen on the ground floor. Revised plans provided by the appellant indicate that a communal living area on the first floor could also be utilised as a kitchen area. For the reasons set out in

the preliminary and procedural matters above, I have already explained why I am willing to accept these plans in this instance.

24. The two-kitchen arrangement would ensure that adequate kitchen facilities are available for the number of occupants having regard to the Croydon Houses in Multiple Occupation Standards (CHMOS). Moreover, the provision of a kitchen area on the first floor ensures that the residents on the top-most or loft floor would only have to travel a single floor to reach these facilities and this is in accordance with the HMO standards.
25. I have applied the standards of the CHMOS as they have been put to me in evidence by the parties, although it is worthwhile to note that the CHMOS was not provided by either party in the appeal. Moreover, there is no indication that this document has been adopted as part of the Development Plan. Nevertheless, as the appellant has shown compliance with these standards, it is not necessary for me to explore this further.
26. I therefore conclude on this issue that the proposal would achieve satisfactory living conditions for the future occupants and would comply with policy SP2 of the CLP and policy D6 of the LP.

Other Matters

27. The appellant has highlighted that the development would not cause harm to the living conditions of neighbours and that other matters that may be of concern such as living conditions of the occupants, including noise attention, could be controlled through the use of conditions. I accept these points, however these are neutral considerations that weigh neither for, nor against, the proposal.

Conclusion

28. I have concluded that the proposal would not result in the loss of a three bedroom dwelling, and that the internal layout would provide satisfactory living arrangements for the future occupants. However, I have found that the proposal does not provide adequate detail on vehicle and cycle parking. There is also insufficient detail on the manner of operation of the refuse and recycling storage arrangements. In this instance, these details are fundamental to the proposed scheme due to their influence on the living conditions of the future occupants and upon highway safety.
29. The proposal therefore conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
30. The appeal is dismissed.

N Bowden

INSPECTOR

