



Appeal Decision

Site visit made on 23 February 2026

by K Allen MEng (Hons) MArch PGCert ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 19 March 2026

Appeal Ref: APP/L5240/W/25/3376481

22-24 Chipstead Valley Road, Coulsdon CR5 2RA

- 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 Mr Simon Harris of Signature Homes Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/01152/FUL.
 - The development proposed is demolition of part of building, alterations, erection of part two storey rear extension to provide storage to the shop and part 4 storey building to provide 2 flats incorporating balconies, outdoor amenity space with associated cycle and refuse facilities.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the host property and area;
 - the effect of the proposal on the living conditions of the residents of No 24A Chipstead Valley Road, with particular regard to outlook and visual intrusion;
 - whether the proposal would provide satisfactory living conditions for the future residents of Unit 1, with particular regard to outlook, light and privacy;
 - whether flood risk would be adequately mitigated; and
 - whether the proposal would support the use of sustainable transport options and reduce car dependency and vehicular traffic on local streets.

Reasons

Character and appearance

3. The area is urban, with this portion of Chipstead Valley Road predominantly comprising traditional, brick and render, two-storey properties with retail units at ground floor and residential units at first floor. The rear of the properties comprises a mix of ancillary commercial storage and subservient purpose-built residential units. A large retaining wall and access path separate the appeal site from the land and properties on Malcolm Road to the north, which are substantially higher.
4. The proposal would remove the existing ad-hoc storage buildings and fill the entire footprint of the site with built development. Whilst there are other flat-roofed

buildings within the locality, the proposal would be notably taller than the properties fronting Chipstead Valley Road, with its height further emphasised by the use of incongruous cladding on the upper floor. Despite the arrangement of windows and balconies, the proposal would appear as a substantial mass.

5. Whilst the proposal would be set to the rear and distinct from the host property and would not be visible from Chipstead Valley Road itself, it would be clearly visible from surrounding properties, the adjacent access path and Malcolm Road to the north. Due to its overall scale and materiality, the proposal would be a dominant addition when viewed against the host property and surrounding ancillary buildings.
6. Therefore, I conclude that the proposal would harm the character and appearance of the host property and the area. It would conflict with Policy D3 of the London Plan (March 2021)(LP), Policies SP4 and DM10 of the Croydon Local Plan (February 2018)(CLP) where amongst other things they seek to ensure that development is of a high-quality design which positively responds to local distinctiveness through scale, height, massing and appearance.
7. Similarly, the proposal would conflict with the National Planning Policy Framework (Framework) where it requires development to function well and add to the overall quality of the area, be visually attractive as a result of good architecture, be sympathetic to local character, including the built environment and maintain a strong sense of place, using materials to create attractive, welcoming and distinctive places.

Living conditions – No 24A

8. No 24A Chipstead Valley Road occupies the first floor of the existing road facing building. The flat has rear facing habitable rooms and benefits from a large balcony with open views to the rear above the existing storage buildings towards Malcolm Road.
9. The proposal would replace the existing storage buildings. Notwithstanding any guidance which sets out separation distances, the proposal would be approximately 10m from the rear of No 24A. Despite the reduction in height compared to previous iterations and the urban location, it would fill the entire width of the appeal site and would extend substantially above the floor level of the flat. Consequently, due to its proximity and overall scale, the proposal would be an extremely dominant feature when viewed from No 24A. It would have an enclosing effect, ultimately harming the open outlook currently afforded to the residents of No 24A.
10. I note that a scheme was previously approved on site with a height of 9.1m¹. However, the proposal would be substantially taller, and as such would have a much greater effect on the living conditions of the residents of No 24A. Therefore, the previous scheme does not alter my findings as set out above.
11. The parties agree that the proposal would not result in a loss of light or privacy for the residents of No 24A and that there would be no harmful effects for the residents of other nearby properties. Nevertheless, this would be expected of any well-designed scheme and neither weighs in favour of or against the proposal.

¹ Application Reference: 20/00674

12. Overall, I conclude that the proposal would harm the living conditions of the residents of No 24A, with particular regards to outlook and visual intrusion. It would conflict with Policy D3 of the LP and Policies SP4.2 and DM10 of the CLP, where they collectively require development to protect the amenity of the occupiers of adjoining buildings, enhance social cohesion and well-being and deliver appropriate outlook.

Living conditions – future residents

13. Unit 1 would be a two-bedroom basement and ground floor maisonette. The living space would be located at ground floor with the bedrooms in the basement. The living space would be dual aspect, with a large window facing the footpath to the north and glazed doors to the south opening into a private courtyard. The basement bedrooms would have glazed doors accessing the narrow north facing light well.
14. Notwithstanding that denser development is characteristic of urban locations such as the appeal site, the outlook from all the habitable rooms, namely the bedrooms and living space would be extremely restricted with views limited to close by brick walls, extending well above head height, to the detriment of the future residents living conditions.
15. I acknowledge that the light levels entering the basement would be somewhat limited. However, given the intended use of the rooms as bedrooms, I am satisfied that sufficient levels would be achieved. Although the footpath to the rear of the site would be in close proximity to the north facing windows, due to the obscure panels and relatively quiet character of the footpath, the future residents would benefit from adequate levels of privacy.
16. Whilst I am satisfied that adequate levels of light and privacy would be achieved, I conclude that the proposal would not provide satisfactory living conditions for the future residents of Unit 1, with particular regard to outlook. The proposal would conflict with Policy D6 of the LP and Policy DM10 of the CLP where they require development to be of a high-quality design, with comfortable and functional layouts.

Flood risk

17. Policy SI12 of the LP and SM25 of the CLP are consistent with the Framework and require development to minimise and mitigate flood risk, locating the most vulnerable uses in areas with lowest risk and ensuring that any residual risks are adequately addressed, maintaining safety for the lifetime of the development.
18. The appeal site is located within Flood Zone 1. Whilst the parties disagree about the risk of surface water flooding across the site itself, they agree that there is a mix of low/medium/high risk from surface water within close proximity. Additionally, the Council have stated that the site is within a Critical Drainage Area.
19. Whilst I sympathise with the appellant that the Council have failed to elaborate on the extent of the CDA or its definition, the proposal would introduce residential accommodation, including basement bedrooms on site, which are classed as 'highly vulnerable' in a location which at the least is in extremely close proximity to areas at high risk from surface flooding.

20. The appellant suggests that appropriate mitigation measures could be secured via condition. Nevertheless, given the vulnerability of the proposal as well as the proximity to areas of high risk from surface water flooding, I cannot be satisfied that any residual risks would be adequately addressed, maintaining the safety of the development for its lifetime.
21. Therefore, I conclude that the proposal would not adequately mitigate flood risk. It would conflict with LP Policy SI12, CLP Policy SM25 and the Framework for the reasons set out above.

Sustainable transport options

22. The parties agree that without an appropriate mechanism, the proposal would not promote the use of more sustainable transport options nor reduce car dependency and movement of vehicular traffic on local streets.
23. During this appeal the parties have worked proactively to agree a draft unilateral undertaking which would encourage a reduced use of private car and a modal shift towards more sustainable modes of transport and would address the Council's concerns. I have no reason to dispute the effect of the agreement, however as the agreement has not been dated, it has not been adequately secured.
24. Therefore, I must take a precautionary approach and conclude that the proposal would not support the use of sustainable transport options and reduce car dependency and vehicular traffic on local streets. It would conflict with policies DF1, GG3, T2, T3, T4, T5, T6 and T6.1 of the LP and policies DM16, DM29, DM30 and SP8 of the CLP, where amongst other things they collectively seek to ensure healthy communities, promote public transport and not have a severe impact on local transport networks.

Other Matters

25. In accordance with the provisions of the Framework, the proposal would provide two additional dwellings in an accessible location, making effective use of previously developed land and the airspace above an existing commercial. Further, the sedum roof would contribute to the biodiversity value of the site.

Conclusion

26. For the reasons given above, I conclude that the proposal would conflict with the development plan, as a whole, and there are no material considerations, including the provisions in the Framework and the benefits of the proposal, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

K Allen

INSPECTOR