
Appeal Decision

Site visit made on 3 March 2026

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

Appeal Ref: APP/L5240/W/25/3376522

266 Green Lane, Norbury, London SW16 3BA

- 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 Farrukh Dar against the decision of the Council of the London Borough of Croydon.
 - The application reference is 25/00780/FUL.
 - The development proposed is the change of use of a dwellinghouse (Use Class C3) to a six-bedroom House in Multiple Occupation (HMO) for six occupants (Use Class C4).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form does not comprise any development. I have therefore used the description on the decision notice, which I have amended to include only those parts that refer to development.
3. The application form indicated the proposal had both started and been completed on 10 April 2014 and the submission stated that it included internal amendments to provide most rooms with an en-suite facility and communal kitchen facilities.
4. What I saw on site did not reflect the drawings in that the garage had a window but no door to the driveway, the frontmost ground floor room was a living room and the ground floor space under the stairs contained a toilet.
5. An alternative layout drawing was submitted with the appeal. The 'Procedural Guide – Planning Appeals – England' advises that the appeal process should not be used to evolve a scheme. I have therefore dealt with the appeal based on the scheme and plans which were before the Council when it made its decision.

Main Issues

6. The main issues are the effect of the proposal on the supply of needed types of homes and whether the proposal would provide adequate living conditions for its occupiers with particular regard to floor space and facilities.

Reasons

Housing need

7. The appeal site is a corner plot containing a two-storey detached house with a front and rear garden, the latter accessible from a road along one side of the plot. A garage to the other side appears to have been converted as it lacks a vehicular door. A building behind it is marked as 'landlord storage' on the drawings.

8. The property was originally used as a dwellinghouse within Class C3 with four bedrooms and appears to have been used as an HMO. There is a dispute as to when the HMO use began and whether it has been uninterrupted. As such, the Council still consider it to be a family sized home. Whilst the property would be capable of reverting to such a use without structural alteration, this is unlikely to be economic for the foreseeable future.
9. Whilst I accept that HMOs provide affordable and flexible accommodation, a clear need has been identified in the Strategic Housing Market Assessment for family-sized homes, of which Authority Monitoring Reports show ongoing under provision. There is no similar quantitative evidence of a lack of HMOs and so, on balance, the need for family housing outweighs that for HMOs.
10. Because the proposal would exacerbate this under provision, it would harm the supply of needed types of home within the Borough and therefore conflict with Policies SP2.2 and SP2.7 of the Croydon Local Plan (2018) (CLP). However, as the proposal would not result in the loss of a three-bedroom home or one smaller than 130sqm, I find no conflict with Policy DM1.2 of the CLP.

Living conditions

11. The proposal would provide six bedrooms, of which three would have ensuite bathrooms and three would share a bathroom and separate toilet. A ground floor kitchen would be shared by all occupiers. As the proposal is for a use within Class C4, it is unlikely any room would be occupied by more than one person.
12. Whilst primarily directed at licensing, the Council's HMO Standards are equivalent to the standards in part SP2.8 of Policy SP2 of the CLP and therefore material in interpreting it. They require single bedrooms with no ensuite bathroom and shared kitchen facilities to have a floor area of at least 10sqm and require kitchens to be shared by no more than five persons. Policy D6 of the London Plan (2021) also requires a one bedspace single bedroom to have a floor area of at least 7.5sqm.
13. One of the proposed bedrooms with no ensuite bathroom would have a floor area of 5.3sqm. This would be well below the requirement in the HMO Standards and below that in Policy D6 of the London Plan (2021). The proposed kitchen would be shared by six people and, whilst I note the appellant is willing to provide further cooking facilities, these would still be within the same kitchen. The lack of other communal floor space compounds this substandard provision.
14. Consequently, the proposal would fail to provide adequate living conditions for its occupiers with regard to floor space and facilities, contrary to Policy SP2 of the CLP and Policy D6 of the London Plan (2021), which require homes to achieve minimum standards and adequately sized rooms.

Conclusion

15. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR