
Appeal Decision

Site visit made on 10 October 2016

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th November 2016

Appeal Ref: APP/W5780/W/16/3152745

156 Fencepiece Road, Ilford, Redbridge IG6 2LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr H S Seehra against the Council of the London Borough of Redbridge.
 - The application Ref 1231/16, is dated 17 March 2016.
 - The development proposed is change of use of existing outbuilding to call centre office.
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Decision

1. The appeal is dismissed and planning permission is refused for change of use of existing outbuilding to call centre office at 156 Fencepiece Road, Ilford, Redbridge IG6 2LA.

Procedural Matter

2. The appeal results from the Council's failure to determine the planning application within the statutory period. The Council have provided a statement which sets out that had they been in a position to determine the application they would have refused it on the grounds that it would harm the living conditions of neighbouring occupiers in terms of increased noise, general disturbance from vehicles and pedestrians at and within the vicinity of the site.

Main Issue

3. On the above basis, the main issue is the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to general noise and disturbance.

Reasons

4. The outbuilding is located to the rear of No. 156, a single storey residential property located on the busy junction of Fencepiece Road and Trelawney Road. It was evident from my visit that there was very limited on-street parking space with vehicles parked on both sides of the highway, very close to the junction and in front of residential properties.
 5. The outbuilding is accessed from an existing entrance on Trelawney Road that serves the appeal property's garage. The evidence indicates that the use is associated with a new driver training enterprise and would be used primarily by one to two members of staff. The appellant contends that it would not involve any passing visitors or clientele apart from once every month when there would
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be a group meeting of 10 – 15 trainees at the site. However, I am also mindful that the plans show an area with a desk and chairs which could be used for future meetings.

6. The likely level and timings of trips associated with two members of staff would cause some very limited harm in terms of noise and general disturbance. Furthermore and on the evidence before me, I am not convinced that there would not be additional and unplanned trips to the site, given the nature of the use and the accommodation proposed. Moreover, the likely number of vehicles and comings and goings from 10-15 users, even on a monthly basis would be challenging to accommodate in such a busy and well trafficked street and would cause additional inconvenience and disruption to neighbouring residents in terms of general noise and disturbance.
7. In my judgement, it would be difficult to monitor and enforce vehicle movements associated with such a use and I also share with the findings of the previous Inspector that even if the proposed use generated minimal traffic and demand for parking, there would be no guarantee that the situation would not change as the business develops. If permission were to be allowed the use might intensify, or the nature of the operation could change, resulting in more comings and goings and with no suitable restrictions in place. In its context and in this particular case, such a use would not be appropriate or could be made appropriate by the conditions suggested by the parties.
8. For these reasons, the proposal would give rise to increased levels of noise and disturbance from vehicle movements and their users that would be harmful to the living conditions of neighbouring occupiers. It would be contrary to Policy SP3 of the Core Strategy Development Plan Document and Policy BD1 of the Borough Wide Primary Policies Development Plan Document which, amongst other things requires development to respect the amenity of adjoining properties and the locality generally and requires proposals to demonstrate that there would be no significant adverse impact on surrounding uses from noise pollution.

Other Matters

9. I acknowledge the concerns of the appellant regarding the handling of the application but the Council's administration of the application is a not a matter for me to address as part of this appeal. The economic benefits of the proposal in terms of creation of employment opportunities and lack of objection in terms of other effects on living conditions do not outweigh the harm that I have identified.

Conclusion

10. For the above reasons and having considered all other matters raised, the proposal would conflict with the development plan, when read as a whole and I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR