



Appeal Decision

Site visit made on 16 March 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2020

Appeal Ref: APP/B5480/W/19/3243592

97-101 Main Road, Gidea Park, Romford, London RM2 5EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by The Co-operative Food Group Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref P0847.19, dated 20 May 2019, was refused by notice dated 12 November 2019.
 - The development proposed is partial demolition in a conservation area and associated reconfiguration of existing Class A1 unit to provide a convenience foodstore, together with associated external alterations, including the installation of new shopfront, use of the land to the front and rear of building for associated car parking, together with installation of external plant enclosure to the rear.
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Decision

1. The appeal is allowed. Planning permission is granted for partial demolition in a conservation area and associated reconfiguration of existing Class A1 unit to provide a convenience foodstore, together with associated external alterations, including the installation of new shopfront, use of the land to the front and rear of building for associated car parking, together with installation of external plant enclosure to the rear at 97-101 Main Road, Gidea Park, Romford, London RM2 5EL in accordance with the terms of the application, P0847.19, dated 20 May 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 34970-1, 3497-02b, 3497-03c, 3497-04c, 4144-09 and E3254-CR3.
 - 3) Prior to their installation, detailed drawings of the windows, doors and fascia board shall be submitted to and approved in writing by the local planning authority. These features shall be implemented in accordance with the details agreed and shall thereafter be retained for the lifetime of the development.
 - 4) No works or development shall take place unless in accordance with the recommendations and tree protection plan contained within the Arboricultural Impact Assessment (AIA) by Urban Green dated April 2019.

- 5) The premises shall only be open to customers between the following hours: 06:00 – 23:00 on any day of the week.

Procedural Matter

2. The proposal includes the installation of plant within an enclosure and some limited parking towards the side and rear of the premises. The Council have not expressed concern relating to these parts of the proposal and I have no reason to disagree.
3. The appeal site is next to the Grade II listed Ship Public House. In considering the evidence, there is no suggestion that the proposal would fail to preserve the setting of this building. Having considered the proposal and visited the site, I concur with this position and I shall make no further reference to this matter.

Main issue

4. The main issue is the effect of the proposal on the character and appearance of the Gidea Park Conservation Area (the conservation area).

Reasons

5. The appeal site is an existing retail unit which fronts the footway on the busy Main Road. The main aspects of the proposal relate to the demolition of the front section of the building to provide car parking spaces and the provision of a new shop front.
6. The buildings within the immediate area of the appeal site vary considerably in age, character and architectural quality and the resultant street scene is mixed. The Conservation Area Character Appraisal¹ (CACA) advises that the Main Road character area is dominated by retail and commercial buildings. These buildings and their relationship with the street scene, which is more positive where they lack parking forecourts, define the character and appearance of the area.
7. Whilst the CACA identifies high-quality buildings within the character area, the building to which the appeal relates has a modern warehouse like appearance and has a limited active frontage. It is identified within the CACA as an inappropriate structure and therefore makes a negative contribution to the character and appearance of the area.
8. The front part of the building would be demolished with the remaining structure set back from the street to be level with the majestic wine premises next door. The new shop front would provide a wider active frontage than that existing through its provision of five full height openings which would be fitted with painted softwood window frames and doors. A timber fascia board would be fitted and the remainder of the elevation would be formed of brickwork to match that existing.
9. Whilst the wider active frontage would improve the appearance of the building, the timber fascia board proposed would be plain, and would lack the stepped detail on that existing. However, overall, the resultant appearance of the building including its revised building line would remain appropriate and it would make a neutral contribution to the character and appearance of the conservation area.

¹ London Borough of Havering Gidea Park Conservation Area Character Appraisal and Management Proposals

10. Parking bays would be provided immediately to the front of the store. Forecourts (in the main used for parking) are identified within the CACA as negative features which detract from the street scene and therefore the character and appearance of the conservation area. That would be the case here, and this aspect of the proposal would as a result detract from the heritage significance of the conservation area, which in this part, sits with buildings of mixed character and their relationship with the street scene. As a result, there would be some conflict with Policies DC61 and DC68 of the Havering Core Strategy and Development Control Policies DPD (2008) (HCSDCP) and Policies 7.4 and 7.8 of the London Plan (2016) (LP), which amongst other things seek development which maintains, enhances or improves the character and appearance of the area within which they would be located and which protects heritage assets.
11. However, the forecourt would be relatively restrained as it would not provide an excessive number of parking spaces and would be limited in depth. I am also mindful that parking courts are a common and established feature within the immediate vicinity. Therefore, the harm to the significance of the conservation area would be less than substantial. Paragraph 196 of the National Planning Policy Framework (the Framework) requires such harm to be weighed against any public benefits of the proposal.
12. The evidence suggests that the retail unit has been vacant for over a year and states that the ability to provide some parking is a critical requirement for the Co-op. The alterations proposed would allow the uptake of the premises for a convenience food store which would provide a valuable retail service in the local area for day to day essentials. The evidence indicates that 3 full time and 15 part time jobs would arise.
13. Whilst I attach considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the conservation area, the creation of these jobs would provide economic and social benefits. I afford these benefits significant weight and conclude that they would amount to public benefits that would outweigh the less than substantial harm to the significance of the conservation area and the partial conflict with the HCSDCP and LP that I have identified. Even in the event of the alternative scenario of the convenience foodstore not coming forward, another commercial use could likely offer similar benefits.
14. Although Policy CP3 of the HCSDCP relates to employment it does not appear to relate directly to this proposal. Policy CP4 relates to town centres, but there is no evidence to detail how this policy relates to this particular site. Policies DC32, DC33 and DC34 of the HCSDCP relate to the road network, car parking and walking respectively, and I have not identified any conflict with these policies. I have not identified any conflict with Policies 7.3, 7.5 or 7.6 of the LP which relate to designing out crime, the public realm and architecture respectively.

Other Matters

15. Although the implications for highway safety have been questioned, the Council has not raised concern in this regard and I have no reason to disagree. Concerns have been expressed as to encroachment associated with the egress of vehicles from the site. However, there is no evidence to indicate that such

issues could not be properly dealt with under legislation dealing with private legal rights regarding land ownership.

Conditions

16. As well as the standard time limit, I have imposed a condition in the interests of certainty detailing the approved plans. In the interests of the character and appearance of the building and the area, a condition is required to enable further joinery details of the windows, doors and fascia board to be submitted as those on the plan are somewhat limited. A condition is required relating to the protection of trees which are close to the proposed rear plant area. I have added a condition detailing opening hours in line with those stated on the application form. A restriction of opening hours is necessary in the interests of the living conditions of residents within the area. Nothing within the evidence suggests that the detailed hours would be inappropriate in what is predominantly a commercial area on a busy road close to public houses.
17. I have not attached a condition requiring details of brickwork as the plans are clear that the brickwork proposed would match that existing. This would be acceptable. I have not attached a condition requiring details of landscaping as there does not appear to be space to provide any landscaping within the site.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed subject to the conditions detailed.

T J Burnham
INSPECTOR