
Appeal Decision

Site visit made on 26 May 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2020

Appeal Ref: APP/G5750/W/20/3244875

552 Romford Road, Manor Park, London E12 5AF

- 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 CCC - Gospel of Light against the decision of the Council of the London Borough of Newham.
 - The application Ref 19/01222/FUL, dated 28 April 2019, was refused by notice dated 18 December 2019.
 - The development proposed is change of use application to include D1 Community Centre and A1 Retail Shop Front.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be in an appropriate location in relation to the Council's objective to concentrate new community facilities within Town and Local Centres or Community Facilities Opportunity Areas and meets an identified local need;
 - Whether the proposal is accessible to all members of the community;
 - The effects of the proposed development on the appearance of the area; and
 - On the living conditions of occupants of nearby properties.

Reasons

Appropriate location

3. The appeal site is located outside of the Borough's designated town or local centres and outside a designated Community Facility Opportunity Area (CFOA).
4. Policy INF8 of the London Borough of Newham Local Plan (2018) (the Local Plan) states that the Council will prioritise town and local centre sites for the location of community facilities, such as places of worship, but it does allow exceptions subject to a series of criteria. The exception that could more readily apply to the present proposal is 2b.iii, which states that community facilities may be allowed outside of designated town or local centres and outside of a CFOA when adding to existing facilities to help form a recognisable 'hub' or

'cluster' meeting localised needs. Other exceptions do not apply because of either the size of the facility, its previous use not being a public house, not being related to emergency services, not being ancillary training or childcare facilities or not being located within a designated CFA.

5. The Planning Statement (2019) submitted with the appeal's planning application suggests does state that the appeal site will become part of a cluster of community facilities within the area and makes reference to an educational centre at 566A Romford Road, the gym located above the appeal site and a veterinary clinic at 653-657 Romford Road.
6. Nonetheless, even if a recognisable hub could be established, Policy INF8 also states that a recognisable 'hub' needs to meet a localised need. In order to demonstrate local need, proposals should be accompanied by evidence that at least 67% of users would be ordinarily Newham residents.
7. Although evidence has been provided to demonstrate there has been an increase in the overall membership of Orthodox, Pentecostal and other new churches in the UK, no evidence has been provided which shows that at least 67% of the users of proposed development would be ordinarily Newham residents.
8. In fact, the evidence indicates that approximately 60% of the members of the church are Newham residents, which is below the level required. Moreover, evidence provided in the Transport Statement (2019) states that most attendees homes are scattered across northeast London, with a substantial minority from inner south London, therefore confirming that the appeal scheme does not meet the requirement set out in Policy INF8.
9. Therefore, I conclude that the proposal is in conflict with Policies S1, S6 and INF8 of the Local Plan, which, among other objectives, set out the Council's overarching strategic principles to guide development in the Borough including its aim to achieve a stable, cohesive *web of opportunity* through place curation and an approach to new community facilities. I find that the proposal is also in conflict with Policies 2.9, 3.1 and 3.16 of the London Plan (2016) which collectively seeks to set out the strategy for development within inner London, protect and enhance social infrastructure and ensure equal life chances for all and the National Planning Policy Framework (the Framework).

Accessible to all

10. Policy INF8 of the Local Plan also seeks to ensure that all new community facilities are accessible, welcoming, inclusive and open to all members of the local community.
11. The applicant does propose community and other events in addition to Sunday church services. Nevertheless, little evidence has been presented to demonstrate how these events would be open to all members of the local community or that efforts will be made to welcome members outside of the congregation served by CCC- Gospel of Light.
12. Furthermore, the Planning Statement (2019) indicates that the appellant finds it inappropriate and disrespectful that there is an expectation that the proposed community facility would need to be able to accommodate groups other than small organisations of the same religious sect within the same faith. Although community facilities do make a positive contribution to the wider area, this

contribution would be diminished if only certain members of the community can use and benefit from such a facility.

13. Therefore, in that regard, I find the proposal to be in conflict with Policy INF8 of the Local Plan, which aims to ensure that community facilities are accessible to all, and Policy GG1 of the Draft London Plan (2018) which seeks build strong and inclusive communities.

Design and Appearance

14. The appeal site is located on the ground floor of a two storey building, on Romford Road, in close proximity to Woodgrange Park Station. The area is dominated by 2 storey terrace housing with shops on the ground floor.
15. Romford Road is a fairly busy Road, with a considerable amount of pedestrian and road traffic and a high concentration of shops on the ground floor which create a continuous active frontage.
16. The proposed frontage features reflective windows which prevent viewing from the outside. As such, the creation of a continuous active frontage would be undermined. Such visual separation between the ground floor and the street would not allow for active engagement with the wider public realm and would negatively impact the design and appearance of the wider area.
17. No evidence is before me in order to justify why such separation between the public realm and the proposed community facility is required or appropriate.
18. Therefore, in that regard, I find the proposal to be in conflict with Policy INF8, which aims to ensure, among other objectives, that community facilities are outward looking and obvious and welcoming and Policies S1, S6, SP1, SP3, SP7 and SP8 of the Local Plan which set out the Council's overarching principles in terms of the design of development. I find that the proposal is also in conflict with Policies 2.9, 7.1, 7.4 and 7.7 of the London Plan (2016) which collectively set out design criteria to ensure the character of an area is preserved and that neighbourhoods within inner London are well designed and the Framework.

Living Conditions

19. Places of worship have the potential to attract significantly larger numbers of people at certain times of the day or the week. Considering the activities and proposed opening hours, it is likely that large gathering of people would occur on a Sunday, between 10:00am and 1:00pm. There could also potentially be significant gatherings of people attending training events that might occur in this space, although timing for these are understandably difficult to predicted.
20. The Sound Testing Report (2019) states that there are some concerns with the levels of noise as it does not appear that the effect of noise from worship activities within the building on neighbouring residential properties was monitored as part of the noise report. Furthermore, evidence has been presented by the Council on complaints received regarding levels of noise and disturbance to the wider area.
21. Although I accept that a service would only be performed in the premises once a week during certain hours of the day and that the area already experiences significant levels of noise and disturbance, I am not persuaded by the evidence

before me that the present proposal would not unreasonably exacerbate the current situation.

22. On this basis, the appeal use would be likely to harm the living conditions of occupants of nearby properties contrary to Policies SP2, SP3 and SP8 of the Local Plan, which collectively, among other objectives, aim to ensure community facilities are accessible to all, as well as Policy 7.15 of the London Plan (2016) which aim to reduce and manage exposure to noise and the Framework.

Other Matters

23. The development falls within the 3 to 6.2 km Zone of Influence of one European designated site, namely the Epping Forest Special Area of Conservation. It is my duty, as the competent authority, to consider whether the proposed development would have a likely significant effect on the sensitive interest features of the designated site as set out within Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017.
24. As the appeal is to be dismissed on other issues mentioned in this decision, it has not been necessary for me to consider the matter further.

Conclusion

25. For the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR