
Appeal Decision

Site visit made on 28 July 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/E5330/W/20/3248346

142 Plumstead High Street, Plumstead SE18 1JQ

- 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 Mr Umair Sudhal against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/2248/F, dated 21 June 2019, was refused by notice dated 21 August 2019.
 - The development proposed is change of use from A1 to A5 Take-Away and Installation of Extraction System to Allow Cooking of Hot Food.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Changes to the Country Planning (Use Classes) Order 1987 have come into force on the 1 September 2020 which have introduced significant changes to the use class system. Consequently, a A1 use, from the 1 September 2020 is classified as a E(a) use. Also, a A5 Hot Food Take-Away use, from the 1 September 2020, is classified as Sui Generis.
3. Under the present system, the appeal seeks a change of use from E(a) to Sui Generis Hot Food Take-Away. I have made my decision on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the vitality and viability of the Plumstead District Centre.

Reasons

5. The appeal site is a two-storey end of terrace building, currently occupied as a computer and electronics shop. The site lies within the primary shopping frontage of Plumstead District Centre.
6. The Council maintains that the present proposal is contrary to Policy TC(b) iii of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (the Core Strategy) as it would result in the loss of an occupied retail unit, where reasonable alternative premises for the proposed non-retail use are available elsewhere in the that centre.

7. The Council has provided evidence in the form of the Plumstead District Centre Shop Frontage Survey (August 2018) which indicates that there are reasonable alternative premises for the non-retail use elsewhere in the centre.
8. The appellant does not contest the Council's findings on this point although he maintains that the proposed change of use would contribute to the vitality and viability of the District Centre by creating job opportunities and boosting local business.
9. Nevertheless, no evidence has been submitted to demonstrate that the existing E(a) use is not viable in this location or that there are no other vacant viable sites within the Centre that justify, either a departure from local policy, or the proposed location for this use.
10. Policy TC6 of the Core Strategy seeks to support retail developments in district centres to serve the population of their catchment area and, in that regard the present proposal does meet the overarching objectives of the local policy. Nevertheless, the proposal would lead to the loss of an occupied E(a) retail unit, contrary to Policy TC(b) iii of the Core Strategy.
11. Consequently, although the proposal would create job opportunities and promote local business, it would also result in the displacement of an established business, therefore reducing the potential positive impact that the present proposal would have on the local economy.
12. For the foregoing reasons, I conclude that the proposed development would have an adverse impact on the vitality and viability of the Plumstead District Centre. It would, therefore, be in conflict with the objectives of Policies TC6 and TC(b) of the Core Strategy which seek to protect the retail function, viability and quality of the environment in Plumstead District Centre.

Other Matters

13. The host building, 142 Plumstead High Street, is a non-designated heritage asset which, in the Royal Borough of Greenwich, is referred to as a locally listed building. The building is part of a 2-storey early 19th century terrace, formerly cottages, converted into shops and which have been subject to many alterations but retain their basic form. However, as the appeal is to be dismissed for the reason stated above, there is no need to further consider the impact of the proposal on the non-designated heritage asset.

Conclusion

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

Andre Pinto

INSPECTOR