



Appeal Decision

Site visit made on 27 October 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2020

Appeal Ref: APP/E5330/W/20/3244424

Vista Field at Horn Park, 67 Sibthorpe Road, Eltham SE12 9DN

- 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 Serkan Ozdemir against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 19/2240/F, dated 17 June 2019, was refused by notice dated 27 September 2019.
 - The development proposed is Change of use of application from D1 to A1 Use Class – Barber shop.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country (Use Classes) Order 1987 has been amended from 1 September 2020. However, as this proposal was submitted to the Council before this date, the use classes in effect when the application was submitted are to be used to determine the appeal. Both parties have been made aware of these changes and therefore I am satisfied that neither have been prejudiced as a consequence.

Main Issue

3. The main issue is the effect on local community facilities.

Reasons

4. The appeal site forms part of a short parade of commercial units that supports the residential area of Horn Park. The appeal site is currently vacant and its last use was a D1 children's creche facility. The appellant seeks a change of use to A1 use class as a barber's shop.
5. Strategic Policy CH1 of the Council's Local Plan Core Strategy with Detailed Policies 2014 (LP) supports cohesive communities and seeks to protect local services. Detailed Policy CH(a) of the LP seeks to protect community facilities and, where a change of use is sought, states that planning permission will only be granted where it meets the stipulated criteria.
6. With regard to Policy CH(a) criteria i. and ii., there is very little in the submitted evidence to demonstrate that the appellant has analysed the provision of D1 uses in the area with regard to the number, capacity and catchment area. Nor is there substantive evidence that similar alternative

community facilities are provided in the locality, save for the appellant's reference to the community hall opposite, and there is uncertainty that Number 65 Sibthorpe Road would be re-let as a D1 use.

7. I have no evidence that the appeal proposal would enable the implementation of the Royal Borough's strategy for the provision of community facilities, in accordance with Criteria iii of the Policy.
8. There is no evidence before me that the site is demonstrably unsuitable for continued use as a community facility to accord with criteria iv. of Policy CH(a).
9. The appellant cites other Council policy and London Plan policy to support their scheme. However, based on the evidence before me, I conclude that the proposed change of use would have a harmful effect on the provision of local community facilities. It would therefore conflict with the relevant development plan policies outlined above which together seek to achieve cohesive and healthy communities.
10. I therefore conclude that the proposal would conflict with the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) Policies CH1 and CH(a) in their aims to resist the loss of community facilities and to build cohesive communities. It would also be contrary to Policy 3.16 of the London Plan (2016) to protect social infrastructure.

Other Matters

11. Policy 2.15 of the London Plan 2016 is not relevant to this appeal as it relates to town centres. Policy 4.8 of the London Plan is a broad strategic policy that relates to plan making taking a proactive approach to planning providing both shopping and service provision. I therefore do not find the proposal to be in conflict with that policy.
12. No objections have been received and no issues raised with regards to the external appearance of the building, or to the effect on the living conditions of local residents. However, this absence of harm is a neutral factor which weighs neither for, or against the proposal.
13. As part of my consideration, I have taken into account that the site is located within an area surrounded by residential houses with good access to local facilities and accessibility to different public transport options. Furthermore, a barber's shop would provide a service to the community as well as remove a vacant unit from the parade. These matters weigh in favour of the proposal, however, in the overall planning balance, I am not persuaded to alter the conclusion I have reached.

Conclusion

14. Having considered all matters before me, the appeal is dismissed.

Alison Scott

INSPECTOR