



Appeal Decision

Site visit made on 15 July 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2022

Appeal Ref: APP/G5750/W/22/3294137

546 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 Mr B Kalsi against the decision of London Borough of Newham.
 - The application Ref 21/02887/FUL, dated 14 November 2021, was refused by notice dated 20 January 2022.
 - The development proposed is the erection of front porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are 1) having regard to development plan policy whether the proposal would undermine the vitality and viability of town and local centres, and 2) the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

Vitality and viability of town and local centres

3. The appeal property is part of a terrace of two storey properties. It has a commercial unit on the ground floor and residential units above. It is located on a section of Romford Road which contains a number of commercial uses such as shops, food establishments and other service providers. There are also residential properties, however these are mainly confined to the floors above the ground floor commercial units and purpose-built blocks.
4. The proposed development would result in the extension of a main town centre use that is not within a defined town or local centre.
5. Policies S1, SP6 and INF5 of the London Borough of Newham Local Plan (2018) seek to focus main town centre uses to be located in town and local centres in order to, amongst other things, focus investment, economic growth and regeneration in such areas.
6. Policies SD6, SD7 and SD8 of the London Plan (2021) outline that the vitality and viability of London's varied town centres should be promoted and enhanced by, amongst other things, ensuring town centres are the primary locations for commercial activity. These policies outline that when considering development proposals, boroughs should take a town centres first approach, discouraging out-of-centre development of town centre uses. It is also outlined that

boroughs should require an impact assessment on proposals for extensions to existing edge or out-of-centre development for retail uses that are not in accordance with the Development Plan.

7. I have not been provided with an impact assessment or any other substantive evidence to suggest the scheme would not harm the vitality and viability of nearby town and local centres. It may be argued that the impact of the proposal on the vitality and viability of nearby town and local centres would be very low, however the cumulative impact of such incremental changes would have significant effects, and this has not been addressed.
8. The appellant has drawn my attention to the fact that the appeal site is located within a Micro Business Opportunity Area (MBOA) which is identified in the local plan as an area considered to have potential to provide for incubator and micro business space, defining micro business as small businesses employing ten or fewer people. The appellant has outlined that this is applicable to the business operating from the appeal site.
9. Although retail uses create employment opportunities, the identification of an MBOA would not override the policy requirement to adopt a town centre first approach for main town centre uses. To do so would undermine policies intended to protect the vitality and viability of town and local centres. Furthermore, the appellant's citation of Policy J2(d) highlights that within MBOAs allowing employment floor space that accommodates no more than 10 employees is subject to other policy considerations, notably SP6.
10. The appellant has also outlined that the current use, falling within use class E could change to a number of other uses without the need for planning permission. It is not clear however, given that the proposed development is for an extension to any existing unit, why the potential for any fallback to change the existing use is pertinent to the main issue. I therefore give this argument limited weight.
11. Therefore, having regard to development plan policy the proposal would undermine the vitality and viability of town and local centres, contrary to the aims and requirements of policies S1, SP6 and INF5 of the Local Plan, Policies SD6, SD7 and SD8 of the London Plan.

Character and appearance

12. The proposed development would be located to the front of the premises on a currently open forecourt area that sits adjacent to the footpath and a bus stop. The development would run almost the full length of the appeal property.
13. Due to its size and siting, the proposed development would almost completely obscure the existing shopfront, protruding significantly into the street-scene. The design and the materials would not result in a successful transition from the existing building, nor are they considered to be of such high-quality to justify such a significant deviation of style and material. The overall result would be that the development would appear as a dominant addition to the property and an incongruous feature in the street scene.
14. The appellant has drawn my attention to developments that have taken place to the frontages of nearby commercial properties. Those at nos. 556 and 621 appear to primarily comprise retractable canopies with open seating areas as opposed to enclosed extensions to the building. They are not the same as the

proposed development. The example at no. 562-564 is the most similar to the proposed development, however this serves to demonstrate the harm that can be caused to the character and appearance of the property and the surrounding area from inappropriate additions. Either way, I am not aware of the planning background to any of these other examples, and have, in any event, determined the appeal on its own individual planning merits.

15. The appellant outlines how the proposed structure would result in the removal of unsightly structures and vehicles that currently occupy the frontage of the building. On my site visit I observed that there was a skip sited in front of the property. Although it appeared somewhat unsightly and there would be a benefit from its removal, the proposed extension is not the sole means of achieving its removal and would therefore be not a reason to allow the appeal.
16. The proposed development would therefore cause significant harm to the character and appearance of the host property and the surrounding area. it would be contrary to Policies S6, SP1 and SP3 of the Local Plan and Policies D1, D3 and D4 of the London Plan. Collectively, these policies require that developments are of a high-quality design.

Conclusion

17. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
18. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR