



Appeal Decision

Site visit made on 12 July 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2022

Appeal Ref: APP/W5780/W/21/3282176

35 New Road North, Hainault, Ilford IG6 2UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr Singh against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 2109/21, dated 17 May 2021, was refused by notice dated 9 July 2021.
 - The development proposed is change of use from ground floor betting shop to one residential unit.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Singh against the Council of the London Borough of Redbridge. This application is the subject of a separate Decision.

Preliminary Matters

3. The details of the appellant's name varies between the application and appeal forms. As the right of appeal rests with the original applicant, I have used the details as given on the application form.
4. The description of the development provided on the application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

Background and Main Issue

5. The Council's first reason for refusal related to the loss of a shop unit in a Key Retail Parade. However, as set out in the appellant's Appeal Statement, there have been a number of amendments¹ to Class M of Part 3 of the GPDO since the determination of the prior approval application. This included the removal of M.2 (1)(d)(ii) which related to the impact of the change of use on the

¹ under SI 2021/814 the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2021. This includes a Schedule of transitional and saving provisions.

sustainability of a key shopping area. Following these amendments to the GPDO, the Council's first reason for refusal is no longer applicable.

6. On that basis, the main issue is the effect of the proposal on the design or external appearance of the building.

Reasons

7. The appeal site is located at the end of a parade which includes commercial uses on the ground floor with residential uses above. Although there is some variation in design, all of the ground floor units have an active commercial frontage and this is a defining feature of this parade. The proposal would involve the removal of the active commercial frontage of the appeal site and the introduction of a residential frontage. This would contrast uncomfortably with neighbouring units, and would give the building a jarring and incongruous appearance within the context of this key retail parade.
8. This harm would be exacerbated due to the unsympathetic design of the front elevation. The placement of the door and window does not reflect that of the windows on the upper floor, and when combined with the limited detailing the proposal would be of a stark and clumsy appearance.
9. Although the appeal site is located at the end of the parade, this would not be sufficient to mitigate the unfortunate design of the front elevation of the proposal or its contrast with the commercial appearance of the other ground floor units.
10. The Council has not objected to the proposed design of the side and rear elevations, but this does not negate the harm I have identified in respect of the front elevation.
11. The appellant refers to other properties in the surrounding area where residential and commercial shop frontages are interspersed. However, these examples given do not reflect the circumstances of the appeal site and in particular the completeness of the commercial frontages along this parade which is a defining feature of this block within the streetscape.
12. I conclude that, due to its design and location, the proposal would lead to significant harm to the external appearance of the building. The proposal would therefore conflict with condition M.2.(1)(e) of Class M of the GPDO. Insofar as they are relevant to this issue, the proposal would conflict with policies LP10 and LP26 of the Redbridge Local Plan 2018 which together seek to promote uses which provide active frontages at the ground floor in key retail parades and promote high quality design. The GPDO sets out that regard should be had to the National Planning Policy Framework (the Framework) so far as relevant to the subject matter of the prior approval. Due to the identified harm, the proposal would conflict with the Framework in respect of achieving well-designed places.
13. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR