



Appeal Decision

Site visit made on 16 August 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2022

Appeal Ref: APP/G5750/W/21/3289485

829 Romford Road, Manor Park, London E12 6EA

- 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 Qadir against the decision of London Borough of Newham Council.
 - The application Ref 21/01825/FUL, dated 20 July 2021, was refused by notice dated 29 October 2021.
 - The development proposed is described on the planning application form as relocation of stairwell leading to the first floor flat from front to the rear of the property to allow for increase in shop floor floorspace; relocation of flat entrance from front to rear.
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Decision

1. The appeal is allowed and planning permission is granted for relocation of the existing stairwell from the front of the property to the rear for access to the first floor flat and increase in the floor space of the existing pharmacy on the ground floor at 829 Romford Road, Manor Park, London E12 6EA in accordance with the terms of the application, Ref 21/01825/FUL, dated 20 July 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4D-134 P01, 4D-134 P02, 4D-134 P03, 4D-134 P04, 4D-134 P05, 4D-134 P06, 4D-134 P07 and 4D-134 P09.

Preliminary Matters

2. In my decision I have used the description of development used by the Council in its decision notice as it describes the development proposed more clearly.

Main Issues

3. The main issues are: (i) whether the proposed increase in commercial floorspace would undermine the vitality and viability of designated town and local centres; and (ii) whether rear access to the residential flat on the first floor would provide a legible and secure access for residential occupiers of the upper floor flat.

Reasons

Effects on the vitality and viability of designated town and local centres

4. The appeal site is part of a terraced building containing a ground floor pharmacy with a residential flat on the upper floor. It is in an established shopping parade, but is not within a designated town or local centre. Relocation of the access door and stairs to the flat on the upper floors would marginally increase the internal floor area of the pharmacy.
5. The proposed development is not a new use, or the extension of existing retail premises. Rather, it is a moderate internal reconfiguration of an existing one. Such a small increase in floorspace within an existing retail unit and in the same use would not, on the basis of the evidence before me, have a material impact on the vitality or viability of designated town and local centres.
6. In relation to this issue, the development would therefore accord with the relevant aspects of The London Plan 2021 (LP) Policies SD6, SD7 and SD8, which seek to support the vitality and viability of London's town centres and their roles as primary locations for commercial activity, and Newham Local Plan 2018 (NLP) Policies S1, S6, SP1, SP2, SP3, SP7, SP8 and INF5, which together support town and local centres and local shopping parades, and high-quality development across the Borough. It would also accord with the relevant provisions of Chapter 7 of the National Planning Policy Framework (the Framework) which seeks to ensure the vitality of town centres.

Rear access to the residential flat on the first floor

7. The appeal site is the only premises on the terrace with access to the upper floor directly from the shopping parade. The proposal would relocate the entrance door to the yard at the rear, which is described as 'Rabbit Mews' on the Location and Block Plan. It is a private gated yard which serves as residential access to several flats above the retail units in the terrace, and for a small number of dwellings opposite.
8. Rabbit Mews is accessed via a relatively wide side road, with active retail frontages and a footway along one side, street lighting, and natural surveillance from Romford Road and a block of flats. Three floors of flats overlook the entrance to Rabbit Mews, and there are active residential frontages on the ground floor along one side of Rabbit Mews. At my visit I also saw private CCTV cameras within Rabbit Mews and at its entrance. Therefore, although an entrance at the rear would not be as legible in terms of its presence in the street, Rabbit Mews would provide a suitable access in an existing residential area, where there would be natural surveillance and potential for social interaction with other residents.
9. In relation to this issue, the proposed rear access to the residential flat on the first floor would provide a legible and secure access for residential occupiers of the upper floor flat. It would accord with the relevant aspects of LP policies D1, D4 and D8, and NLP policies S1, S6, SP1, SP2, SP3 and SP8. Together these policies seek well-designed, safe and accessible developments which provide natural surveillance. It would also accord with the relevant provisions of the Mayor of London Housing Supplementary Planning Guidance March 2016, which seeks to maximise active frontages on the ground floor to encourage natural surveillance and activity, and Chapter 8 of the Framework, which promotes healthy and safe communities.

Conditions

10. I have imposed a condition specifying the approved plans for certainty, but given the modest nature of the proposal, it is not necessary to require samples of the materials proposed in the external works.

Conclusion

11. For the reasons above, having regard to the development plan as a whole, the approach in the Framework, and all other material considerations, I conclude the appeal should be allowed.

Peter White

INSPECTOR