



Appeal Decision

Site visit made on 16 October 2024

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2024

Appeal Ref: APP/L3625/W/24/3342245

Sparkle Launderette, 50 Nutfield Road, Merstham, REDHILL, RH1 3EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Woodcote Estates Ltd against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 23/02590/PAP3MA.
 - The development proposed is Change of use to dwellinghouse..
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 3 Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the change of use from a launderette to a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development, paragraph W provides that the local planning authority may refuse the application where it considers that the proposed development does not comply – or that the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions that are applicable to such permitted development.
4. Of relevance to this appeal Paragraph M.2 (1) (D) (i) states that prior approval will be required as to whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use on adequate provision of services of the sort that may be provided by a building falling within article 3(6)(c) (launderette) of the Use Classes Order, but only where there is a reasonable prospect of the building being used to provide such services.

Planning Policy

5. Part 3 Class M of the GPDO establishes that change of use from a launderette to a dwellinghouse is permitted development and therefore is accepted in principle by virtue of the legislation. Furthermore, in these circumstances, there is no requirement to have regard to the development plan as there would be for any development requiring planning permission.

6. Nevertheless, Policy RET3 of the Reigate & Banstead Local Plan Development Management Plan (2019) is a material consideration but only insofar as it relates to the matters, and only as evidence to support the planning judgment to be made. In these areas Policy RET3 requires that for proposals resulting in a loss of retail and community uses, a 6 month marketing exercise is required. This is in order to protect shops, services and facilities which serve the local needs of communities that are easily accessible from pressure from alternative uses.
7. I have been provided with an evidence base document for the draft local plan which sets criteria the local centres should satisfy. Whilst the other commercial units on this side of the road have been lost, there is a parade of commercial units on the opposite side of the road, and 50 Nutfield Road is clearly linked with this group. As such, for the purposes of this appeal the appeal site is part of a local centre.
8. Similarly, the National Planning Policy Framework is also a material consideration, and this includes the government's aim to boost the supply of homes.

Main Issues

9. The main issue is whether or not it would be undesirable for the building to change to a use falling within Class C3 (dwellinghouse), having regard to the provision of laundrette services and whether there is a reasonable prospect of the building being used to provide laundrette services.

Reasons

Provision of laundrette services

10. The closest alternative Laundrette is in the centre of Redhill, around 2.5km away or a 22min bus journey. This would be an unreasonable walking or carrying distance or impractical for carrying loads of laundry. I am not provided with detail that there are laundry or dry cleaning services who provide the same function with drop off/pick up. Consequently, I am not satisfied that there would be any laundrette service in Merstham. As such, the loss of this use would result in inadequate provision of laundrette services.

Prospect of the building being used to provide laundrette services

11. The operation of the laundrette that was previously operating has ceased and the building has been vacant since 1st August 2023.
12. The adjoining units between nos 42-56 are undergoing refurbishment works. Aside from no. 50, permission has been granted for residential use of these properties and external refurbishment to elevations as well as structural repairs appeared to be ongoing at the time of my site visit.
13. The appellant has provided detail that there are structural defects with 50 Nutfield Road. The remediation of which will include the removal and reinstatement of the ground floor structure and the removal of the external ventilation system. In order to comply with building regulations further works including alterations to the electricity supply, the removal of the gas supply and the removal of asbestos and the consequent replacement of ceilings which has lowered ceiling heights are also being undertaken. This would result in a

void commercial use requiring a full internal and external fit out to bring it back into viable use.

14. There would be costs associated with this and the appellant states that this is likely to be unattractive to tenants. However, I do not have substantive evidence, such as marketing evidence, which demonstrates that a tenant or owner could not be secured to operate a launderette at this premises. Therefore, in the absence of such detail, I am not satisfied that an operator could not be found to run this property as a launderette.
15. A launderette has previously operated with residential units nearby including directly above. Foot and vehicle traffic, as well as any socialising, throughout the day is likely to differ from a takeaway restaurant such as that which was previously next door. Therefore, I am not satisfied that a launderette use could not operate without noise and disturbance to neighbouring occupiers.
16. Therefore, for the reasons set out above, there is a reasonable prospect of the building being used to provide laundrette services.
17. Consequently, it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use on adequate provision of services of the sort that may be provided by a building falling within article 3(6)(c) (launderette) of the Use Classes Order, and there is a reasonable prospect of the building being used to provide such services. Therefore, the proposal would not comply with Paragraph M.2 (1) (D) (i)

Other Matters

18. Reference has been made to the social and economic benefits associated with the provision of housing. These matters relate to the principle of the development, which is accepted by virtue of the legislation. Therefore, they do not alter my conclusions with regard to the main issues considered as part of this appeal.

Conclusion

19. For the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR