



Appeal Decision

Site visit made on 6 November 2024

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/W5780/W/24/3345829

108-112 Horns Road, Barkingside, Redbridge, Ilford IG2 6BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Plamen of Pickup Motorcycles against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 0284/24.
 - The development proposed is conversion of the existing sheltered area (part of motorcycle repair centre) into MOT Centre and showroom along with new shutter and the proposed wall to the front of sheltered area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of surrounding occupiers with respect to noise and disturbance.

Reasons

3. The appeal site is located on a busy road, adjacent to a terrace of properties in retail uses at ground floor level and which appear to have residential accommodation at first floor level. The surrounding land uses other than this are predominantly residential, including a block of flats in very close proximity to the site immediately to the rear. The proposed use therefore has the potential to give rise to levels of noise that could have an adverse effect on the living conditions of the occupiers of the surrounding residential properties. In such circumstances, it is necessary for those effects to be clearly understood and mitigation measures identified.
4. There is no evidence before me to demonstrate the current noise environment of the area or the level of noise generated by the existing use. The appellant indicates the proposal would intensify the use of the site. I therefore could not be certain that the noise that would be generated by the proposed development would be similar to that generated by the existing. I also do not have any evidence to support the appellant's assertion as to the sound insulation properties of the building fabric in the area. Nor do I know the effectiveness of the building works in reducing noise transmission. I am unaware if a noise assessment was requested during the application process. However the fact remains there is not a noise assessment before me. I therefore cannot be satisfied that there would not be an adverse effect on the living conditions of neighbouring residential occupiers.

5. It has been suggested that this issue could be addressed by a condition limiting the hours of operation. However, in the absence of any information about the noise effects of the proposal, I cannot be certain that this would provide effective mitigation.
6. I find that the proposed development would not have an acceptable effect on the living conditions of surrounding occupiers with respect to noise and disturbance. It therefore would be contrary to Redbridge Local Plan 2015 – 2030 (adopted March 2018) (LP) Policies LP24 and LP26 which taken together and insofar as they relate to this appeal, require development to not have an adverse effect on the amenity of neighbouring occupiers as a result of noise and disturbance.

Other Matters

7. The principle of the development has been accepted by the Council and I have no reason to find otherwise. However, the support to businesses looking to adapt and expand provided by the London Plan, the LP and the National Planning Policy Framework does not automatically justify allowing development that could result in harm to the living conditions of surrounding occupiers. The application form confirms there would be no increase in the number of people employed at the site. There is no substantive evidence before me of the economic benefits that would be generated by the proposed development. Consequently, I cannot conclude that the economic benefits would be sufficient to outweigh the harm I have identified.
8. I have been directed to other decisions taken by the Council. However I do not have full details of those proposals, the relationship between those sites and surrounding residential properties, or the evidence that was available to the Council in reaching their decisions. These therefore would not alter my assessment of this proposal.
9. The proposal would not be permitted development. Other permitted development rights would therefore not alter my assessment. The site was in use at the time of my visit and there is no substantive evidence before me that were this appeal to be dismissed, the site would become vacant.

Conclusion

10. The appeal proposal would conflict with the development plan when read as a whole. There are no material considerations, including the Framework, of sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.

Jennifer Wallace

INSPECTOR