



Appeal Decision

Site visit made on 15 April 2025

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 May 2025

Appeal Ref: APP/M1595/W/24/3349425

3 Lampits Hill, Corringham, Essex SS17 9AA

- 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 Rasel Talukder against the decision of Thurrock Borough Council.
 - The application Ref is 24/00554/FUL.
 - The development proposed is a single storey extension fronting the highway at the Zaal Indian Dining.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site is occupied by a commercial unit, currently used as a restaurant, located within a small shopping parade in a largely residential area. To the front of the shopping parade is a wide pavement area with street furniture and some informal car parking. The retail units in this shopping parade sit in a linear row following the same building line, with no other extensions to the front.
5. The proposed extension to the front elevation of the restaurant would jut out in front of this parade of shops, which, as there are no other front extensions, would be contrary to the building line and established pattern of development in the area. Whilst there are various items of street furniture, such as a bus shelter, already located to the front of this shopping parade, the proposal would be a much larger and prominent addition, adjoining the host building and parade. It would therefore significantly alter the prevalent pattern of development and would appear out of character in the streetscene.

6. It is noted that the extension, with a glass frontage and minimal footprint, has been designed to minimise the impact on the streetscene and create a point of interest, and that the scale and general design has been found acceptable by the Council. However, it seems to me that, any extension forward of the existing shopping parade would wholly conflict with the simple linear pattern of development in the area, appearing overly incongruous and at odds with the existing context and character of its surrounds. Therefore, regardless of design, the proposal would still have a detrimental impact on the character and appearance of the area.
7. Therefore, for the reasons above, the proposed development would harm the character and appearance of the surrounding area and would conflict with Policies CSTP22, CSTP23 and PMD2 of the Thurrock Core Strategy and Policies for Management of Development 2015 (the CS). These policies seek to ensure that development proposals demonstrate a high quality design founded on a thorough understanding of, and positive response to, the local context, protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place and contribute positively to the character of the area in which it is proposed, and to the surrounding areas that may be affected by it.

Other Matters

8. The appellant considers that Policies CSSP2 and CSTP8 of the CS are also core to the project, although they have not been considered as part of the main issue in this appeal. These policies relate to the vitality and viability of existing centres and sustainable employment growth. They also indicate that the focus should be on the future of the high street and emerging localisation trends. However, limited evidence has been provided to demonstrate how a proposal of this scale would contribute to the vitality and viability of this shopping parade, the high street or employment in the area. Therefore, I afford any compliance with these policies limited weight.
9. The appellant makes reference to a survey conducted by Deloitte which highlights that 57% of consumers are more likely to spend money at a business that offers locally produced products. However, it is not known how this relates to the proposal before me and therefore I give it little weight in this appeal.
10. It is also noted that the appeal proposal follows advice from the Council at the pre-application stage and a previous planning application¹ which was refused planning permission. Whilst these design changes may have been welcomed by the Council, the current proposal was still refused planning permission and I have therefore considered the proposal on its own merits.

Conclusion

11. Therefore, for the reasons given above and having had regard to all other matters raised, the development would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR

¹ 20/01412/FUL (the previous planning application)