
Appeal Decision

Site visit made on 10 June 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th July 2025

Appeal Ref: APP/U5930/W/24/3355045

304 Grove Green Road, Leytonstone, Waltham Forest E11 4EA

- 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 MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr L Twersky against the decision of Waltham Forest London Borough Council.
 - The application Ref is 242041.
 - The development proposed is change of the basement shop to a flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Article 3(1) and Schedule 2, Part 3, Class MA, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") provides for a permitted development right for the change of use of a building falling within use class E (Commercial, Business and Service) to class C3 (Dwellinghouses). This is subject to limitations and conditions, as set out in subsequent paragraphs of Class MA.
3. Paragraph W of the GPDO details the information that is required as part of the procedure for applications for prior approval under Part 3. Section W (2) states that the application must be accompanied by a floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses.
4. In this instance the existing and proposed elevations indicate that the front elevation of the building would remain unaltered; and that the ground floor of the front elevation is fitted with a large shop window. Further, the Analysis of site layout for Sunlight and Daylight prepared by Morgan Light Assessor (August 2024), submitted in support of the proposal, was based on the large shop window being retained.
5. However, at the time of my site visit the front elevation of the building did not reflect the plans before me and the ground floor of the front elevation had been altered. The shop window was replaced by two small windows with the remainder of the opening finished in facing brick.

6. Further, in light of the external alterations to the building I cannot be certain that the Prior Approval granted under application 240832 for the change of use of 304 Grove Green Road from Class E to C3 has not been implemented.
7. Due to the inaccuracy of the submitted plans, and possibly the supporting information, there is insufficient evidence to establish whether the proposed development complies with the conditions, limitations, or restrictions specified in paragraphs MA.1, MA.2 and MA.3 of the GPDO.

Conclusion

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

C Livingstone

INSPECTOR