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## Appeal Decision

Site visit made on 3 January 2026

by **A U Ghafoor BSc (Hons) MA MRTPI FCMI fCMgr**

an Inspector appointed by the Secretary of State

Decision date: 28<sup>th</sup> January 2026

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**Appeal Ref: APP/B5480/C/24/3348502**

**143 North Street, Romford RM1 1ED**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the “Act”).
  - The appeal is made by Mr Lakhwinder Lal on behalf of Ldn Motor traders Ltd against an enforcement notice issued by the Council of the London Borough of Havering.
  - The enforcement notice was issued on 10 July 2024.
  - The breach of planning control as alleged is the material change of use of the premises to a mixed use for the sale and display of motor vehicles and use as a hairdresser (*sui generis*).
  - The requirements of the enforcement notice are to: (1) Cease the use of the land, including the building and forecourt, for the display and sale of vehicles; (2) Remove all vehicles stored within the building and front curtilage of the premises. (3) Remove the Heras fencing from the front curtilage, and (4) Remove all debris, rubbish or other materials accumulated as a result of taking steps (1) to (3) above
  - The period for compliance with the requirements is 2 months.
  - The appeal is proceeding on the grounds set out in section 174(2) (a) of the Act.
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### Decision

1. The appeal is dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act.

### Ground (a)

2. For background information, the Council refused planning permission for the change of use from a coffee shop (Class E(a)) to a motor trade and hairdresser (Class E) including alterations to the shop front. The subsequent appeal was dismissed on 8 April 2025<sup>1</sup>. In response to the reasons for refusing the development retrospectively, it seems the Council were concerned about the effect on highway safety, character and appearance and neighbours’ living condition. The reason for issuing the notice focuses on character and appearance, but the recent appeal decision is a relevant consideration.
3. Against that background the **main issue** is the effect of the mixed use on the character and appearance of the street scene.
4. There are five motorised vehicles parked on the forecourt in designated parking spaces, and there is additional parking inside the ground floor unit and to its side. A pedestrian footway is also marked out. The ground floor retail unit has been altered to allow access to view cars. The unit is located on the corner adjacent to a road leading to parking spaces at the rear of properties fronting North Street, has been altered to allow open parking of vehicles. The forecourt display of vehicles creates a visual appearance that looks like many other properties in the area. Given the site’s location in a mixed residential and

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<sup>1</sup> Appeal ref: APP/B5480/W/24/3348081.

commercial context, the parking of vehicles on the forecourt does not cause visual harm to the appearance of the host building or the locality.

5. A fence has been installed around the forecourt excluding the ground floor entrance. The previous Inspector noted the parking area was enclosed by white mesh fencing to the site's northern and southern side boundaries. The submitted plans also showed this fencing partially extending along the site's front boundary with the footway. The appellant maintains that Heras fencing has been present on the site for several years. Be that as it may, I find that the design and type of material used in the current boundary treatment is visually intrusive and utilitarian. The panels and posts allow views in and out of the site, nevertheless, they appear as rudimentary features. The fence is out-of-keeping with the surrounding context, it has a stark appearance and the overall height, colour, texture and forward setting contrasts with the higher design quality of boundary treatments seen at neighbouring sites.
6. The argument is that the site's mixed use is low in scale. It is, in part, accessible via a dropped kerb. I have also considered the representations made by interested parties and, while I concur with the previous Inspector's findings that the mixed use does not have a materially harmful effect on the living conditions of nearby occupiers in terms of noise, disturbance, or parking pressure, I do share their concerns about the potential effect on highway safety. The mixed-use is likely to generate comings and goings to and from the site, and the lack of circulation or manoeuvring space has the potential cause pedestrian/vehicle conflict.
7. I have carefully considered the imposition of conditions to control the mixed-use. For example, requiring electric vehicle charging points, parking management strategy and restricting operating times. The number of vehicles parked on the forecourt could also be subject to a condition and the fence to be painted. However, given the nature of the site's mixed-use combined with the design and layout of the frontage fence, I do not consider planning conditions alone address concerns about the visual impact of the fence and potential effect of the mixed-use on highway safety.
8. Drawing all the above points together, forecourt parking does not have a visually harmful effect and the mixed-use does not cause harm to living conditions of nearby residents. However, on balance, the mixed-use is unacceptable in planning terms because the fence causes visual harm to the street scene and there is potential harm to highway safety. Accordingly, the development conflicts with the main aims and objectives of Policies 26 and 27 to the Havering Local Plan (2021) as a whole, and guidance found in the National Planning Policy Framework (2024) paragraph 135(b)(c)(f) and 139.

### **Overall conclusion**

9. For all the above reasons and having considered all other matters raised, I conclude that the appeal against the enforcement notice should fail.

*A U Ghafoor*

INSPECTOR