



Appeal Decision

Site visit made on 14 April 2026 by S Wilson LL.B. MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2026

Appeal Ref: APP/G5750/C/24/3348834

482 Green Street, London E13 9DB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Abu Babaz (Pan Centre and Vape Shop) against an enforcement notice issued by the Council of the London Borough of Newham.
 - The notice was issued on 16 July 2024.
 - The breach of planning control as alleged in the notice is without planning permission the erection of an extension to the front of the property.
 - The requirements of the notice are to:
 - 1) Demolish the front extension (as shown in the approximate location edged in blue on the plan attached to the enforcement notice, and as shown edged in yellow on the photograph attached to the enforcement notice).
 - 2) On completion of step 1, remove all materials and debris from the site.
 - The period for compliance with the requirements is three months after the notice takes effect.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended).
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Decision

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

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. A revised National Planning Policy Framework (the Framework) was published December 2024. Having regard to the main issues in this appeal, it has not been necessary to invite submissions from the parties on the revisions that have been made to the Framework. The decision is based on the current Framework.

Reasons for the Recommendation

Ground (a) – Main Issues

4. The main issues are:
 - Whether the operational development accords with national and development plan policies which seek to consolidate commercial uses to within the identified Town and Local Centres; and

- The effect of the structure on the character and appearance of the surrounding area.

Consolidation of commercial uses within identified Town and Local Centres

5. The appeal site is a two-storey building situated on the western side of Green Street, comprising a two-storey terraced building with a shop at ground floor. The appeal site is outside of an identified town or local centre.
6. The development at the appeal site consists of a front extension to the shopfront. It comprises a rectangular shaped raised platform, side and front timber half height walls, clear see through walling above the timber walls and a retractable shutter attached to the shop front. There is synthetic grass type flooring. I note that the development I observed on site does not strictly match the plans submitted with the appeal. On the evidence before me it appears that the roof structure has been replaced with a retractable roof system and that the side walls have been replaced with clear see through material.
7. My observations on site combined with the plans submitted with the appeal demonstrate that the unauthorised development has added a sizeable amount of additional floor space to the overall retail capacity of the premises. The resultant premises are capable of being utilised to serve and accommodate customers, store goods or display goods to members of the public.
8. By reason of the increased floorspace, the retail use is likely to compete with and divert business from other premises offering similar services or goods that are within designated town and local centres. It would be likely to result in a reduction in patronage and turnover of such premises within designated town and local centres. It would also likely reduce foot fall to those locations, due to consumers procuring services or goods at the appeal site instead of travelling to a designated centre. The incremental effect of these types of development would be likely to have a detrimental effect on the strategic commercial centres.
9. Consequently, the unauthorised development fails to accord with national and development plan policies which seek to consolidate commercial uses to within the identified Town and Local Centres, and it has a harmful effect upon their vitality and viability. Consequently, the unauthorised development conflicts with Policies SP1, SP2, S6, SP7, J1, INF5 of the Newham Local Plan (2018) (the Local Plan) and Policy SD6 of the London Plan (2021) insofar as they seek to focus and support the provision of commercial activity towards town and local centres in order to maintain a robust retail core, consolidate commercial uses within their boundaries, to strengthen, promote and enhance their vitality and viability and, to not undermine them and reduce trade leakage, amongst other things.

Furthermore, the development conflicts with the Framework, insofar as it aims to support the role that town centres play at the heart of local communities by defining a network and hierarchy of town centres to promote their long-term vitality and viability.

Character and Appearance

10. The development is constructed with half height, grey painted timber, side, and front walls, what appears to be green synthetic grass for flooring, clear see-through material above the timber to the sides and a roller shutter. The development

extends outwards enclosing the area in front of the shop. The character of the local area is mainly residential interspersed with some commercial shop fronts to what appear to be previously residential houses. There is a wide footway, and Green Street presents a wide and open street with long vistas from one end to the other.

11. The low quality materials taken together with the uncharacteristic form and protrusion from the shopfront jar against the open local character, drawing attention to the low quality, harmful development.
12. Consequently, the development has an adverse effect on the character and appearance of the area. Accordingly, the development conflicts with The London Plan (2021) Policies D1 and D4, the Local Plan Policies S6, SP1, SP3 and SP8, insofar as they seek high quality design that recognises local character, integrates with, and improves the public realm and visual amenity through high quality urban design. Similarly, the development conflicts with the Framework insofar as it also seeks the creation of high quality, beautiful buildings, and places.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed, and the enforcement notice is upheld. Planning permission is refused in respect of the development on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

L McKay

INSPECTOR