



Appeal Decision

Site visit made on 11 February 2020

by M Seaton DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 May 2020

Appeal Ref: APP/W5780/W/19/3241531
430-432 Green Lane, Ilford, IG3 9LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Erdal Targay against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3396/19, dated 8 August 2019, was refused by notice dated 1 November 2019.
 - The development is a single storey front extension.
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Procedural Matter

1. The development the subject of this appeal was already in situ at the time of my visit. The appellant has described the proposal as a *retrospective planning application for retention of front extension and cantilever*, whilst the Council has simplified this to a *single storey front extension* on the Notice of Decision. Whilst the appellant's description of development may be factually correct, the act of retention is not defined as development in section 55 of the Town and Country Planning Act 1990. I have therefore assessed the appeal on the basis of the description of development as set out above.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building and the area.

Reasons

4. The appeal site is set on the southern side of Green Lane close to the junction with Audley Gardens. The appeal property is comprised of a two-storey terraced building which is occupied by a commercial unit on the ground floor with residential accommodation above. The immediate vicinity of the appeal site is of mixed character with two-storey development accommodating ground floor commercial and retail premises located along Green Lane, but the wider area predominantly residential in character.
5. The appellant has highlighted that the extension as built is set on land within the freehold of the appeal property, that it covers an area of 26.1 m² and does not encroach on highway land. The extension is cited by the appellant as contributing towards the success of the business with additional security and a

secure display of fresh produce. The Council has made no submissions disputing these points but has identified the structure to be unlawful and the subject of a separate Enforcement investigation (LPA. Ref. E0605/18).

6. I have carefully considered the visual impact of the extension in the context of both the host building and the street scene. The pre-existing property already extended forward of the established building line of the neighbouring residential terrace, with the extension and integral canopy extending a further combined 2.6 metres forward of the existing property, with the retractable awning further still over the pavement. The metal structure also incorporates metal roller shutters across the majority of the front and side elevations of the structure to secure the fresh produce when the unit would be closed.
7. In the context of the host property, the extension does not integrate with the form, style or materials used on the existing property but appears as an unrelated and obtrusive bolt-on to the front of the property, masking the appearance of the pre-existing shopfront. Whilst the visual impact of the structure would inevitably be lessened during periods when the premises and metal shutters are open, even in these circumstances the permanence of the structure would result in a visually harmful addition to the street scene, the impact of which would be significantly and adversely exacerbated when the shutters are down. The development does not have a positive impact on the community environment and represents a poor quality of design.
8. I have noted the references to other similar developments in the vicinity of the appeal site, and in particular those that I observed at 339-341 & 351 Green Lane. However, from the evidence before me, it would appear that these structures are not in themselves lawful and therefore do not set any kind of precedent in support of the form of development at the appeal site.
9. The appellant contends that the use of roller shutters within the design is a direct means of combatting anti-social behaviour and burglaries, and that the inclusion within the scheme is vital in safeguarding the business. However, whilst I have not been provided with any evidence or corroboration to suggest that the appeal property is a particular focus of anti-social behaviour or burglaries, I do not accept that the use of roller shutters is the sole means of deterrent or that the incorporation of such a measure provides any justification for the scale and form of the extension as a whole.
10. For the reasons as set out, the development has an adverse effect on the character and appearance of the host building and the area. The development conflicts with Policies LP26 and LP28 of The Redbridge Local Plan 2015 – 2030, adopted March 2018 (the Local Plan), which seek to promote a high quality of design that reflects the local character of the area and makes a positive architectural and urban design contribution, with shopfronts expected to respect the overall character and appearance of the building and the street scene.

Other Matters

11. I have had regard to the concerns of the neighbouring occupier to the appeal property regarding the effect of the development on living conditions, and in particular with regard to noise and sunlight. I am mindful that the contended source of the noise disturbance are existing air conditioning units which do not fall within the remit of this planning appeal. However, as a consequence of my

conclusions on the main issue matters related to living conditions have not in any event proved to be determinative and I have not therefore been required to draw any conclusions on the impact on living conditions in my decision-making.

Conclusion

12. For the reasons given above, the appeal is dismissed.

Martin Seaton

INSPECTOR