



Appeal Decision

Site visit made on 8 October 2020

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/W5780/W/20/3248779

241-245 High Street, South Woodford, London E18 2PB

- 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 R Talukder against the decision of London Borough of Redbridge.
 - The application Ref 4250/19, dated 3 November 2019, was refused by notice dated 13 January 2020.
 - The development proposed is decking area to shopfront for occasional outdoor seating as means of enclosure with a disabled access ramp (retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of South Woodford Conservation Area (CA); and the impact on the amenity of occupiers of upper floor flats.

Preliminary Matters

3. I observed during my site visit that the proposed development has been substantially completed thus allowing me a fuller appreciation of the effect on the appeal property and surrounding South Woodford CA.
4. I note that there is a difference between the description in the application form and that used by the Council in its decision notice. I have considered the appeal on the basis of the description shown in the Council's decision notice, similar to that used on the appeal form.

Reasons

5. The appeal property is a groundfloor restaurant unit, which forms part of the Victorian shopping parade at Nos. 221-249 High Road. It is generally well preserved, particularly the front elevation above ground floor level. Shop fronts are more modern but none extend beyond the original building line. I note that parts of the paving in front of the parade are used by customers sitting out. This is under a retractable canopy or enclosed by moveable pole/barriers. The appeal property sits in a prominent location on the corner with Derby Road.

6. The proposed raised timber decking has been laid and painted grey. Seating on the decking is enclosed by timber posts and canvas advertisement sheets. The decking spans the width of the appeal property and extends approximately 2.5m out over the paving, making it clearly visible as well as partially obscuring the shop front behind.
7. Grey painted timber is not a material common to the appeal property or the Victorian parade, and not used in the existing shop access ramps that I saw. High Road is a key approach to the CA from the north, and the shopping parade, in red brick with original building line maintained, is a mature and pleasant feature making a positive contribution to the character and appearance of the CA.
8. Having regard to this and, as the decking area is not diminutive in scale and protrudes well beyond the existing building frontage on a prominent corner, I consider that the appeal development alters the character and appearance of the shopfront, the appeal property, and the parade, by introducing an unsympathetic street feature, thus causing harm.
9. Therefore, the proposal conflicts with policies LP26, LP28 and LP33 of the Redbridge Local Plan (2018). Among other things, these require a high standard of design that respects local context, including heritage assets, and maintains or improves the appearance of the locality or street scene. Similarly, creating high quality buildings and places is fundamental to sustainable development as set out in the National Planning Policy Framework 2019.
10. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is of considerable weight and importance. This is reflected in the NPPF at paragraph 193 which states that great weight should be given to the asset's conservation irrespective of the degree of harm. Having regard to the above, I conclude the proposal would not preserve the character or appearance of South Woodford CA.
11. In terms of potential noise and disturbance, the amenity of occupiers of upper floor flats can be protected from undue impact by the imposition of a condition limiting hours of operation of an outdoor seating area, so as to accord with policy LP12 of the Local Plan.

Other Matters

12. The appellant has provided a press release regarding support for outdoor dining during the current emergency period. I have taken this into account. There are temporary provisions for placing moveable tables and chairs on private forecourts. Therefore, this does not change my conclusions on the specific harm I have identified arising from the appeal proposal.

Conclusion

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

Euan FS Pearson

INSPECTOR