



Appeal Decision

Site visit made on 26 November 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 01 December 2020

Appeal Ref: APP/W5780/W/20/3255046
718 Eastern Avenue, Ilford IG2 6PE

- 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 Andrei Ionescu against the decision of the London Borough of Redbridge.
 - The application Ref 4489/19, dated 20 November 2019, was refused by notice dated 6 March 2020.
 - The development proposed is described as "Retrospective application for open structure to shop frontage with timber posts supporting lean to felted roof with 1m high low level plastic side and front panels - for use of selling fruit and vegetables ancillary to A1 shop use".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The open structure has already been erected on the site.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. No 718 Eastern Avenue is a shop which forms part of a row of commercial properties comprising two storey buildings which have been extended at the front by single storey structures with flat roofs.
5. There are open spaces in front of each of the extensions with no physical barriers between these and the adjoining pavement, though it is clear where the private land stops and the pavement begins.
6. The commercial properties include shops, a post office and other businesses, all of which have their individual signs above their extensions. On my site visit, I saw that three of the businesses have awnings which extend out over at least part of the open spaces in front of them and mostly up to approximately a half of it. However, they do not disrupt the positive and distinctive feeling of openness provided by the spaces in front of the premises, allowing views from one commercial unit to the others, even though the spaces are used for the display of goods for sale.

7. The appeal proposal relates to a wooden structure with a height of some 2.8 metres at the eaves and approximately 3 meters at its highest point. It has a depth of approximately 4 metres and takes up the whole of the open space in front of the existing shop. It has front and side panels of about 1 metre high with open areas above and extending to the roof canopy.
8. The awnings to adjoining properties are retractable, but even if they are not retracted, they have no sides to them and they do not interrupt the view of other adjoining commercial premises or the common building line provided by the single storey extensions to the terraced commercial row.
9. The appeal structure extends further than the existing awnings and to the edge of the open space and is a more intrusive and dominant feature in the street scene. It adversely affects the overall feeling of spaciousness in front of the existing row of businesses and does not allow an uninterrupted view of all the commercial undertakings and matters for sale, to the significant detriment of the pedestrian and shopper experience. In addition, it fails to respect the common building line to the existing properties in this area, thereby departing significantly from the design consistency afforded to the pattern of development in the locality.
10. I appreciate that the open land is currently used by other commercial businesses, sometimes in a way which the appellant describes as being untidy and haphazard, but there is no evidence that such uses are permanent. On my site visit, I was able to see that such spaces were used for the storage and display of goods for sale, often in baskets and display racks or as free-standing items. While I appreciate that this gave only a snapshot in time, I was able to see that such displays were far less dominant than the appeal structure and did not totally block the vista of the shop frontages as does the appeal structure.
11. I give very little weight to the suggestion that other adjacent business owners and occupiers might be persuaded to follow suit and to erect their own structures over their open spaces. Indeed, I have no certainty that this would happen. It is therefore necessary that I determine this appeal on the basis of the current context of the site.
12. For the collective reasons outlined above, I conclude that the extension causes significant harm to the character and appearance of the area. It therefore fails to accord with policy LP26 of the Redbridge Local Plan 2018 (LP) which prioritises high quality design which respects the local character of the area, and makes a positive architectural and urban design contribution to its context and location. Furthermore, it does not accord with the National Planning Policy Framework 2019 chapter 12, which stresses the requirement for good design which provides an improvement to local character. While the appellant has referred to LP policy LP28, this refers to advertisements and to shop front design rather than to commercial extensions to their frontages. Consequently, I do not consider that this policy is directly relevant to the appeal development.

Conclusion

13. For the reasons outlined above, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR