



Appeal Decision

Site visit made on 9 August 2022

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2022

Appeal Ref: APP/H5960/W/22/3297097

85 Northcote Road, London SW11 6PJ

- 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 Carlos Ornelas of Al Gusto against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/5810, dated 22 December 2021, was refused by notice dated 24 March 2022.
 - The development proposed is extension of permitted outside seating area to make use of entire space within private boundary. Installation of composite decking to the entire area. Provision of shelter to all outside seating area with glazed elevations and retractable roof awnings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is a three-storey end of terrace property in a corner location, fronting Northcote Road and Bennerley Road. Northcote Road is an established commercial area, characterised by commercial and retail units at ground floor while Bennerley Road is a residential street. Along Northcote Road there are a number of outdoor seating areas of varying design, extending from the properties onto the pavement. In the area immediate to the appeal site however, only the appeal property has an established outdoor seating area. The rest of this section of terraced properties is characterised by a wide pavement with only fabric awnings protruding from the properties. The absence of clutter in this section of Northcote Road contributes to an open character.
4. The proposal is for alterations and extensions to the existing outdoor seating area and it is noted that some elements would be removable. The permanent structures would be the decked area and the aluminium frame. The decked area would be a dominant protrusion from the original property onto the pavement and the aluminium frame would be of considerable height. Neither would reinforce the existing character and appearance of the area or relate positively to the local environment.
5. My attention has been drawn to the existence of other examples of outdoor seating in the wider area. However, the context of these examples differs in both overall appearance and relationship with the street scene. Unlike the

examples given, this proposal is located in an area where there is an absence of formal outdoor seating areas. The decked area would extend further onto the pavement than the current seating area and would extend further than the existing fabric awnings in this location. The proposal would also result in a permanent decked area on the Bennerley Road frontage, which would be visually intrusive in this prominent corner location.

6. The introduction of the proposal in an otherwise open character would be incongruous and not in keeping with the character and appearance of the immediate area. Even if the seating area were of a high quality design with the use of glazing, owing to the scale and massing of the permanent structures it would draw the eye, detracting from the open character and appearance of the area.
7. I note the support for the proposal from local residents, and that it may add to the overall vitality and vibrancy of this commercial area. While it may be that the Coronavirus Pandemic has changed people's eating habits with an increased preference in eating outdoors, the extension and proposed modifications to the existing outdoor seating area would be to the detriment of the character and appearance of this section of Northcote Road, and would not, as the Appellant suggests, appear as an elegant addition.
8. For the reasons given, the proposal would harm the character and appearance of the area, in conflict with Policy IS3 of the Wandsworth Core Strategy (2016) and Policies DMS1, DMTS9 and DMTS10 of the Wandsworth Development Management Policies Document (2016). Amongst other things, these policies seek development that contributes positively to the local environment, preserves the special shopping character of Northcote Road and shopfronts that relate to the scale, proportion and appearance of the building and respects the character and appearance of the location.

Other Matters

9. I note that the economic environment has been challenging since the pandemic and the proposal would lead to clear benefits to this particular business, allowing year round use of the seating area and supporting economic growth in line with paragraph 81 of the National Planning Policy Framework (2021). However, the precise extent of benefit has not been clearly articulated and, therefore, I give it only limited weight.

Conclusion

10. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

F Harrison

INSPECTOR