



Appeal Decision

Site visit made on 27 June 2025

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th of July 2025

Appeal Ref: APP/W5780/W/24/3351525

728-730 Chigwell Road, Woodford Green IG8 8AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Pankaj Pansotra against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 0800/24.
 - The development proposed is replacement mixed use building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, I have had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the Woodford Bridge Conservation Area, with particular regard to the significance of non-designated heritage asset, nos 728-730 Chigwell Road, and protected trees; and
 - Whether the proposal would provide adequate living conditions for future occupants with particular regard to site layout.

Reasons

Character and appearance

Locally Listed Building & Conservation Area

4. The appeal property comprises two commercial units at ground floor level, basement storage and a two-bedroom flat on the first floor. At time of my site visit, one ground floor commercial unit was in active use, and the remainder of the building was vacant and unoccupied.
5. The site is within a parade of shops and services which extends along Chigwell Road. There are dwellings to the rear and beyond the shopping parade to the north-west. Therefore, the surrounding area comprises a mix of commercial and residential uses.

6. The appeal site is within the Woodford Bridge Conservation Area (CA) and forms a part of its historic core. The CA covers the historic hamlet of Woodford Bridge and is centred on the former greens located along Chigwell Road which originated as an early forest track. The significance of the CA is derived from the rural character of its historic core, and its buildings which provide an appreciation of the development and expansion of the area over time.
7. The appeal property dates to the early eighteenth century with additions in the nineteenth century. No 728 has a nineteenth century brick frontage, first floor sash windows and a traditional ground floor shopfront, albeit concealed by modern signage and security grille. To the rear are weatherboard clad, timber framed extensions which create a double-pile plan with a catslide roof. No 730 is a flat-roofed modern shop infill alongside the historic frontage. The appeal property is locally listed for its architectural and historic interest and is therefore a non-designated heritage asset.
8. The heritage statement (HS) provides a detailed assessment of the building and concludes that the front portion of no 728 is not of any architectural remark or particular aesthetic value, without ornamentation externally, with few late-century fittings or elements of decorative treatments having survived internally. The HS indicates no 728 is of low and very low intrinsic heritage interest and significance. The HS concludes that no 730, with its early 20th-century, utilitarian, flat-roofed shop extension and modern shopfront and signage, is of little or no intrinsic heritage significance.
9. The appeal property has been substantially altered and does not retain most of its original features, diminishing its intrinsic heritage significance. Nonetheless, the HS identifies the survival of some historic fabric within the appeal property. For example, at no 728 the HS identifies original features such as the plain staircase, an internal cornice, and first-floor windows and their architraves. At no 730, the HS notes features including a central chimneybreast, section of timber-framed first-floor rear elevation, loft access door, elements of the roof structure, and staircase.
10. The HS provides a critique of the appeal property's assessment against the local listing criteria and concludes that the justification for the inclusion of the appeal property is questionable. Nonetheless, the appeal property is afforded protection by Policy LP33 of the Redbridge Local Plan 2018 (RLP), which supports development proposals for Locally Listed Buildings that preserve the building, its setting, or features of special architectural or historic interest it possesses and requires the conservation of heritage assets be prioritised when considering the overall impact of development proposals upon their significance and importance.
11. The appeal property is in a visually prominent location, visible within the street scene of the shopping parade and on the approach to the roundabout junction from Chigwell Road and Manor Road. The appeal property is viewed within the context of adjoining locally listed buildings, nos 732 and 734, and therefore forms a part of a row of buildings with 18th-century origins, historically extended and used as shops. Through its historic context and group value, the appeal property makes a positive contribution to the CA's character.
12. The proposal seeks demolition of the appeal property and erection of a replacement building. The HS identifies parts of the appeal property as being of

very poor condition which, along with very low ceiling heights in some areas, affects the ability to bring the building into full use.

13. The structural inspection report (SIR) details the condition of the building and identifies structural issues including damp and flooding in the basement, posts supporting the ground floor, loose mortar, missing cladding, and woodworm/rot.
14. The SIR makes recommendations for works, such as a range of investigations and checks, replacement of structural members, and underpinning of supporting walls. However, the SIR's recommendations are somewhat ambiguous as, in addition to recommending structural works, it also identifies demolition as necessary to avoid collapse. The extent of necessary demolition works is unclear.
15. The HS indicates that whilst the existing premises are not wholly beyond repair, the extent of the works that would be required to address structural problems and water damage would involve the loss/replacement of a large quantity of the existing fabric. However, the extent of the fabric of the building that would be lost or replaced is not quantified.
16. The HS suggests the appeal property is of insufficient heritage interest to warrant the investment required to achieve a building that meets internal space and energy efficiency standards, and the required investment is not likely to be forthcoming. The HS indicates the former planning permission for three residential units within the building was not implemented for this reason and considers an absence of investment would lead to further deterioration. However, I have not been provided with a viability assessment to demonstrate the appeal property could not secure an on-going use which preserves the building's historic significance.
17. Whilst I acknowledge the poor condition of the building, Policy LP33 provides no circumstances where the loss of a Locally Listed Building would be appropriate.
18. As set out above, the proposal would involve demolition of the appeal property, resulting in the loss of its historic fabric. The proposal would therefore harm the historic and architectural interest of the Locally Listed Building. In addition, the proposal would erode the group value of the row of shop buildings, and would therefore have an adverse impact on the character and appearance of the CA.

Trees

19. To the rear of the site is an ash tree that is the subject of a Tree Preservation Order, and other mature trees protected by virtue of their location within the CA.
20. Since the Council's decision, the appellant has provided an Arboricultural Survey and Arboricultural Impact Assessment which identifies four trees close to the site's boundary. The assessment concludes all proposed buildings would be located outside of root protection areas (RPAs), and canopies of each tree would be retained. The assessment recommends measures, including tree protection fencing and temporary ground protection, to ensure RPAs remain free from disturbance and are protected from contamination and compaction.
21. Subject to implementation of its recommendations, the assessment demonstrates that trees would be protected during construction and would be integrated into the site, post-development. Therefore, the proposal's effects in respect of trees would have a neutral impact on the character and appearance of the CA.

Heritage Balance

22. The proposal would result in the loss of the historic fabric of a Locally Listed Building which makes a positive contribution to the CA based on its historic context and group value. The proposal therefore fails to preserve the significance of the CA. The appellant's evidence confirms that demolition of the existing building would cause less than substantial harm to the significance of the CA.
23. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
24. Paragraph 213 of the Framework goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the proposal would result in harm to the character and appearance of the CA through the loss of a non-designated heritage asset, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
25. Whilst there would be some internal alterations, the design of the proposed building would broadly replicate the scale and form of the existing building. The proposed building would be constructed with yellow stock brick, red clay plain roof tiles, timber painted windows, grey stone parapet copings, and black stained timber cladding to the side elevation. The levels of the main roof ridge, parapet wall, front elevation window and door heads and sills, would be identical to the existing building. The proposed building's materials and external appearance would therefore reflect the building it replaces.
26. The proposed replacement building would include a Victorian-style shopfront to no 730 to provide period shopfronts across the ground floor, with timber advertising fascias and painted lettering. Larger, matching windows would be provided at no 730's first floor. An area of lettering on the brickwork would be reinstated across the front elevation. The proposed building would therefore reflect the original architectural style of the existing building, and the design would be harmonious with the character of the CA. Through the replacement of some unsympathetic modern features, the design of the proposed dwelling would have a modest positive effect on the CA's character and appearance.
27. In addition, the proposal would provide three new dwellings, two commercial units of greater functional quality, and would be of greater energy efficiency than the existing building. Reflecting the relatively small scale of the proposal, these social, economic, and environmental benefits carry modest positive weight in the scheme's favour.
28. The proposal would deliver a range of public benefits. However, the scale of such benefits is not sufficient to outweigh the harm to the CA's significance, to which I must afford great weight. Therefore, I conclude that the proposal would fail to preserve the character or appearance of the CA and would not satisfy the requirements of the Act.

29. The proposal would therefore conflict with Policy HC1 of the London Plan 2021 which requires development proposals affecting heritage assets and their settings conserve their significance.
30. In addition, the proposal would fail to comply with RLP Policies LP26 and LP33 which together require proposals conserve and enhance the character and significance of the historic environment and complement the borough's heritage assets and their settings, and preserve Locally Listed Buildings, their settings, and features of special architectural or historic interest.
31. As set out above, I have found that, subject to the recommendations of the Arboricultural Impact Assessment and Survey, the proposal would not have an adverse impact on trees. In this regard, the proposal would not conflict with RLP Policies LP38 and D3 which seek to maximise opportunities for urban greening and maintain tree coverage. In addition, there would be no conflict with London Plan 2021 Policy G8 which supports community gardening and food production.

Living conditions

32. There is an existing gate within the appeal site's rear boundary fence. It is proposed that this gateway would form a communal entrance to access the shared bin and cycle store facilities and the sole access to proposed Flat 1.
33. To the rear of the site is a modern, residential development served by a private road, Rose Tree Mews. The rear site boundary therefore abuts private land and has no direct connectivity with the public highway.
34. The appellant asserts there is lawful access to the site from Rose Tree Mews, which has been in use for more than 10 years. The Statement of Truth confirms that since purchase of the property in 2013 it has benefitted from a rear access door, which was also used by the former owners. Whilst this confirms the existence of the gate, I have been provided no evidence of any easement or private right of way over third-party land.
35. Between the carriageway of Rose Tree Mews and the rear site boundary is a row of dense, mature trees which would obstruct pedestrian movement and the manoeuvring of cycles and bins. No works to remove or reduce tree cover are proposed. Furthermore, access to the gate is obstructed by a close-boarded timber fence which appears to be sited on third-party land. Therefore, access via the existing gate is obstructed by physical features situated beyond the appeal site and outside the appellant's control.
36. The appellant asserts that the access was deemed acceptable in determination of a previous application since the officer report did not identify access as an issue¹. However, the Council suggest this is an error in the previous application that should not be repeated. I do not have full details of the previous scheme before me and must determine the appeal proposal on its merits.
37. In the absence of details of how the site would be accessed over third-party land, I cannot be certain that the development would provide suitable pedestrian access to Flat 1 or accessible bin and cycle storage facilities.

¹ LPA ref: 3835/19

38. The proposal therefore fails to demonstrate that it would achieve a suitable layout, and I cannot be certain the proposal would secure adequate living conditions for future occupants.
39. The proposal would conflict with RLP Policy LP26 which requires development achieve high quality inclusive design to ensure an accessible environment, provide high standards of accommodation for housing in terms of quality and arrangement of external private and external communal amenity space, and provide appropriate facilities for refuse, recycling and servicing.
40. In addition, the proposal would conflict with RLP Policy LP23 and Policy T5 of the London Plan 2021 which together requires proposals include provision of secure, accessible and sheltered cycle parking that is fit for purpose and well-located.

Other Matters

41. The site is within the Zone of Influence (ZOI) of the Epping Forest Special Area of Conservation (SAC). Natural England advise that the SAC is vulnerable to the effects of atmospheric pollution, including from traffic associated with population increase within the ZOI. To mitigate the effects of the development on the SAC, the appellant has submitted a Unilateral Undertaking containing planning obligations to secure financial contributions toward the Council's Strategic Access Management and Monitoring Strategy and Suitable Alternative Natural Greenspace Strategy.
42. Where a proposal is likely to have a significant effect on European sites, Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires the competent authority to carry out an Appropriate Assessment (AA). However, AA is only necessary where the competent authority is minded to give consent for the proposal. Since I am dismissing the appeal for other substantive grounds which result in conflict with the development plan, it is not necessary to address the proposed development's effects on European sites in further detail.

Conclusion

43. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

E Dade

INSPECTOR