



Appeal Decision

Site visit made on 1 July 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2025

Appeal Ref: APP/G5750/W/25/3361730

125 Green Street, Forest Gate, Newham, London E7 8JF

- 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 Cafe Green against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/02185/FUL.
 - The development proposed is an external veranda to the rear of the restaurant.
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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 the area, and
 - the living conditions of neighbouring residential occupiers with regard to noise and disturbance.

Reasons

Character and appearance

3. The appeal site is a mid-terrace commercial property which is situated within a parade that consists of a range of retail and commercial uses. The surrounding area comprises mainly of terraced housing set at the edge of the footway or a short distance back from it and formed predominantly of brick and render walling material. This built form contributes to a close-knit, busy commercial character.
4. The proposed veranda would be situated to the rear of the site and have an open form that would not cover the existing rear elevation. It would be a modest structure in terms of its size and would replace a previous extension that was subject to enforcement action. The proposal would however make use of timber panels that would not reflect the materials on the host or surrounding buildings. It would be seen from Halley Road where it would appear as an incongruous addition that would be visually harmful.
5. I therefore conclude that the proposal would have an unacceptable adverse effect on the character and appearance of the area. As such, it would be contrary to Policies SP1, SP3 and SP8 of the Newham Local Plan 2018 (Local Plan) and Policies D1 and D4 of The London Plan, which seek, amongst other matters, high quality development. It would also be contrary to Paragraph 135 of the National

Planning Policy Framework (Framework) which seeks development that is sympathetic to local character.

Living conditions

6. The proposed veranda would provide an outdoor seating area that would be used by the existing Café/Restaurant premises. The appellant has set out that the rear outdoor area has been used for a significant period of time, but there is no substantive evidence before me on the lawfulness of the use of this outdoor space. I also note, contrary to the Appellant's contention, that there have been previous noise complaints at the premises.
7. Nevertheless, even if the outdoor space has been used lawfully as an outdoor area by the Café/Restaurant, the proposal, by virtue of it providing a covered space, would facilitate its more regular use, particularly in inclement weather. Given the location of the structure to the rear, closer to residential properties on Halley Road, and its open form, its use would have a harmful impact on neighbouring residential occupiers from talking, the playing of music and other activities that would be most acutely felt late in the evening.
8. Accordingly, I conclude that the proposed development would have an unacceptable harmful impact on the living conditions of neighbouring residential occupiers with regard to noise and disturbance. As such, it would conflict with Policy SP8 of the Local Plan, Policy D1 of The London Plan and Paragraph 135 of the Framework, which seek, amongst other matters, to avoid unacceptable exposure to noise and disturbance.

Other Matters

9. The benefits of an outdoor space have been set out, and the support that this proposal would provide to a local business. These benefits would not however outweigh the harm that I have identified in relation to the main issues.
10. The appellant has set out that outdoor seating is commonplace for restaurants, but I have not been made aware of any specific examples like the proposal, which would be to the rear of the property and set close to residential properties on a neighbouring street.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR