The Planning Inspectorate

Appeal Decision

Site visit made on 24 March 2021

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 26th March 2021

Appeal Ref: APP/G5750/H/20/3247088
31 Woodgrange Road, Forest Gate, London E7 8BA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Mark Byrne on behalf of Tahir Group against the decision of the Council of the London Borough of Newham.
- The application Ref 19/03436/ADV, dated 12 December 2019, was refused by notice dated 29 January 2020.
- The advertisement proposed is described as *'retention of KFC fascia lettering externally illuminated by way of downward facing trough lighting (across width of letters only) and installation of internally illuminated projecting sign'*.

Decision

1. The appeal is dismissed.

Background and Main Issue

2. The Local Planning Authority issued a split decision; with express consent refused for the 'downward facing trough lighting' element. I have therefore focussed my considerations on this. For clarity, parts of the proposal that the Council approved remain unaffected.

3. The main issue is the effect of the development on the visual amenity of the locality; including the Forest Gate Town Centre Conservation Area.

Reasons

4. The appeal site comprises a KFC hot food takeaway and restaurant on the ground floor. The shop front contains historic features such as plain pilaster on either side with corbel or console brackets above. Whilst the glazing element on the ground floor appears to have been updated; with a non-original door for example, it contains architectural features such as clerestory and fanlight glazing. Above this is the fascia element on the shop frontage which is split into three main elements: two bands of grey aluminium panels and a wood effect fascia where the KFC lettering is and there is a projecting internally illuminated sign, as shown on drawing 3029/G210 Revision D.

5. The immediate street scene comprises a number of similarly style shop frontages on the western side of Woodgrange Road. On the opposite side of the road are generally more modern buildings with less architecturally detailed frontages. Both the appeal site and a large part of the surrounding shopping street form part of the Forest Gate Conservation Area. The significance of this part of the conservation area derives from the relatively traditional late

1800s/early 20th Century styled shop frontages which include that found at the appeal site.

6. Consent is sought for a downward facing trough light located on a bracket set onto the cornice. This would present itself as a rectangular form of box situated above the three KFC letters as shown on the submitted drawings. This would interrupt the funnelled style cornice and be an uncharacteristic addition set just above part of the fascia. This would be a visual intrusion not only to the appeal building by contrasting with the wider frontage alongside the western side of Woodgrange Road, but also the architectural style of the shopping parade. This would be a jarring visual interruption to the wider parade, which would fail to preserve or enhance the character or appearance of the Forest Gate Conservation Area, and similarly have an adverse impact on the visual amenity of the area.

7. I note the Appellant's observation that consent was approved in 2006 at the appeal site for a downward facing trough light, albeit to be hidden behind the existing cornice (LPA ref 06/01296/ADV)[1]. Whilst I do not have the full details of that proposal, it is clear that the proposal here does not show a similar design or placing - with the trough light to be affixed on bracket and obscuring about 1.5 metres of the funnelled style cornice above the fascia.

8. My attention has also been drawn to a photograph of a downward trough light at No. 37 Woodgrange Road within the Appellant's *Appeal Statement*. I saw at my site inspection that this is no longer in place. However, it is clear from that photograph the cornice element above the fascia is considerably thinner and less articulated than that at No 31. I do not, therefore, find that this example provides justification for the harm to visual amenity I have found would arise from the proposal.

9. I note the points made in respect of the lighting found on the frontage of 'Papa's Chicken' at No 39. Neither main party has provided detailed evidence as to how that situation arose. In any case, this does not provide justification for the harm identified in this case.

10. The National Planning Policy Framework (the Framework), at Paragraph 132, provides that advertisements should be subject to control only in the interests of amenity and public safety. I have taken into account policies SP1, SP3, SP5 and SP8 of the Newham Development Plan 2018 which amongst other aims seek to ensure high quality design and conserve and enhance designated heritage assets and so are material in this case in terms of amenity considerations. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

11. For the reasons given above, I conclude that the display of the *retention of KFC fascia lettering externally illuminated by way of downward facing trough lighting (across width of letters only)* would be detrimental to the interests of amenity. The appeal is therefore dismissed.

Cullum J A Parker

INSPECTOR

[1] See Appellant's *Appeal Statement* dated February 2019, paragraph 6.15