
Appeal Decision

Site visit made on 18 February 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th March 2025

Appeal Ref: APP/G5750/W/24/3352618

91 Woodgrange Road, Forest Gate, London E7 0EP

- 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 Karun Chhokar of Arbery Limited against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/00923/FUL.
 - The development proposed is described on the Planning Appeal Form as “Construction of a rooftop extension to provide a 3-bed 4-person residential unit (Application site is within Forest Gate Town Centre Conservation Area)”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Government published its Housing Delivery Test (HDT) results alongside the publication of a revised National Planning Policy Framework (The Framework) in December 2024. Both main parties were given the opportunity to comment on any relevant implications for the appeal. I have had regard to the comments made in reaching my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building, with due regard to the Forest Gate Town Centre Conservation Area.

Reasons

4. The appeal proposal relates to a 4-storey building which is part of a larger development, and which appeared to be complete at the time of my visit. The site is within the busy commercial area of Forest Gate and is within part of the town centre characterised by buildings up to 3-storeys high of a traditional design, although a number of these have been significantly altered. There are a number of taller buildings in the wider town centre, but they are some distance from the appeal site and do not set an immediate context for it.
5. The host building at 4-storeys high is significantly taller than the neighbouring buildings on this side of Woodgrange Road, which are predominantly up to 2 storeys high. Although the streetscape on the opposite side of Woodgrange Road is more substantial, this is typified by buildings of 2 and 3 storeys. Within this context, the existing host building is a particularly prominent feature within the streetscape.

6. The addition of a further storey would unacceptably exacerbate the prominence of the building, leading to an obtrusive feature in an otherwise relatively modest streetscape. The proposal would also project above the cornice detail of the host building, which is a strong and interesting feature terminating the height of the front elevation. Furthermore, the design of the windows and openings on the front elevation would not complement those of the lower storeys, and would add to the incongruous appearance of the building. Due to its scale and design, the proposal would not appear as being subordinate to the host building. The set-back of the front and rear elevations of the proposal would do little to mitigate for this harm.
7. The submitted plans indicate that a planning application has been submitted for a building on an adjoining site which would be the same height as the extant appeal building. However, it has not been confirmed if this application has been approved. In any event, although the development of the neighbouring site may introduce a further building of a significant height, the appeal proposal would still project above this which would lead to an incongruous and jarring character.
8. The appeal site is within the Forest Gate Town Centre Conservation Area (CA) which is of a linear character focussed on the commercial area. There are a variety of buildings of differing periods and scales within the CA, but it is predominantly of a Victorian architectural character which contributes to its importance as a designated heritage asset.
9. The appeal site is in part of the CA which has a predominantly traditional Victorian character and buildings of a human scale. Although the buildings within the part of the streetscape containing the appeal site have been substantially altered, their limited scale and original form is still apparent behind clumsy commercial frontages. The modern host building is a particularly prominent feature within this context, although its pleasant if understated design and use of traditional materials goes some way to mitigating this prominence. However, for the reasons stated previously, the increased height and poor design of the appeal proposal would lead to an overly prominent and incongruous feature within the streetscape, leading to significant harm to the character and appearance of the CA.
10. I conclude that the proposal would lead to significant harm to the character and appearance of the host building, and would fail to preserve or enhance the character and appearance of the CA.
11. I am mindful of the benefits of the proposal. It would add to the supply and mix of housing in an area with excellent access to services. However, the benefits arising from a single dwelling would be limited, even allowing for the Council's housing land supply and delivery. I have concluded that the proposal would lead to significant harm to the character and appearance of the host building and would fail to preserve or enhance the character and appearance of the CA. Whilst the harm to the significance of the CA would be less than substantial, I attach great weight to the conservation of this designated heritage asset in accordance with the Framework. There are no public or other benefits that would outweigh the identified harm to this heritage asset.
12. The proposal would therefore be contrary to the design, place-making and heritage requirements of Policies D3 and D4 of the London Plan 2021; and Policies S6, SP1, SP3 and H1 of the Newham Local Plan 2018. The proposal would also be contrary to the Framework with regards to achieving well-designed places as well

as conserving and enhancing the historic environment. The proposal would also be contrary to the advice of the Forest Gate Town Centre Conservation Area Character Appraisal and Management Proposals 2009 with regards to being sensitive to the scale of its context.

13. Policy D1 of the London Plan is not relevant to this main issue as it relates to the preparation of area assessments and development plans. Policy SP8 of the Local Plan is also not relevant as this relates to neighbourly development and no harm has been identified in respect of neighbours of the site.

Conclusion

14. The HDT 2023 indicates that the consequence for the Council is 'presumption', and I have had regard to the appellant's comments on this matter and the recently amended Framework. However, I have found that the policies of the Framework that protect designated heritage assets provide a strong reason to dismiss the appeal. In accordance with Footnote 7 of the Framework, the tilted balance of Paragraph 11(d) of the Framework is therefore not engaged.
15. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

David Cross

INSPECTOR