
Appeal Decision

Site visit made on 31 March 2025

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 13 May 2025

Appeal Ref: APP/G5750/W/24/3356012

126 Osborne Road, Forest Gate, London E7 0PL

- 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 M Iqbal against the decision of the Council of the London Borough of Newham.
 - The application Ref 24/01873/FUL, dated 19 September 2024, was refused by notice dated 11 November 2024.
 - The development proposed is a new dropped kerb and a new electric car charging point
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Decision

1. The appeal is allowed and planning permission is granted for a new dropped kerb and a new electric car charging point at 126 Osborne Road, Forest Gate, London E7 0PL in accordance with the terms of the application, Ref 24/01873/FUL, dated 19 September 2024, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Map; ZAAVIA/126OR/202 Rev B; ZAAVIA/126OR/203 Rev A; ZAAVIA/126OR/204 Rev B; ZAAVIA/126OR/206 Rev A; ZAAVIA/126OR/207 Rev A.
 - 3) No development shall take place until details of the electric vehicle charging point and associated equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.
 - 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing and proposed plants, identify those existing plants to be retained and set out measures for their protection throughout the course of development.
 - 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the character and appearance of the conservation area.

Reasons

3. The appeal relates to this terraced 2 storey house which is located within the Woodgrange Conservation Area. The Woodgrange Estate was built as a Victorian suburb between 1877 and 1892. The houses display a variety of designs and detailing which give a distinctive character. Generally, the frontage areas are generous and add to the area's character.
4. The frontage of the appeal site combines some hard-surfacing and some areas for planting. Part of the frontage has an open boundary and it is evident that it is used for car parking. The proposal would appear to make no change to the sizes of the areas of hard-surfacing and planting, although some changes to the nature of the planted areas are included on the plans, such as the addition of flowering plants and a hedge to one side.
5. The Council objects to the dropped kerb due to their concern that as it reduces greenery of front gardens, reduces space available for on street parking, harms the unity of the street-scene and detracts from the quality, safety and attractiveness of the pedestrian environment. These are matters set out within the Woodgrange Conservation Area Design Guide. However, apart from the addition of plants and the electric charging point, there are no alterations proposed to the sizes of hard-surfacing and planted areas. It is my assumption that, even if the appeal were dismissed, the physical form of the frontage would remain.
6. In this specific context at the appeal site, I consider that the addition of a dropped kerb would add no unacceptable visual alteration to the area and I do not consider that it would give rise to any unacceptable conflict between pedestrians and vehicles. Whilst I can understand the Council's concern at the loss of a front garden area where front boundaries and greenery are lost, that would not be the case here. Indeed, if the indicated additional plants are added to the site, the proposal would represent an improvement to the area.
7. In relation to the loss of a kerbside parking space, I can see that parking does take place on the road, although some houses have off-street spaces. However, I have no evidence to suggest that the loss of one kerbside space would result in unacceptable conditions on the road.
8. Taking these matters together, I consider that the proposal would have no negative effects on the character and appearance of the area and if suitable planting is provided, as indicated on the submitted plans, the proposal would enhance the character and appearance of the conservation area.
9. In relation to conditions, I agree that the standard time limit condition and one which identifies the approved drawings are necessary for the sake of certainty. So that the proposal has an acceptable appearance, I shall include a condition which requires details of the electric charging point to be approved by the local planning authority. As referred to above, in order to secure the additional planting which would enhance the area, I shall include a condition which requires its details to be submitted and approved by the Council, although I shall amend it to suit the nature of this proposal, notwithstanding that the

appellant considers this condition to be unnecessary. A condition requiring the approval of external materials, as suggested by the Council, is not necessary.

Conclusion

10. For the reasons set out above, the appeal is allowed.

T Wood

INSPECTOR