



Appeal Decision

Site visit made on 19 June 2025

by **Siobhan Watson BA(Hons), MCD, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/G5750/C/23/3328514

71 Green Street, Forest Gate, London, E7 8DA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Mizra Rahman against an enforcement notice issued by the Council of the London Borough of Newham.
 - The notice was issued on 2 August 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission the erection of a front extension.
 - The requirements of the notice are to: 1. Demolish the front extension (as shown in the approximate location edged in blue on the attached plan) and 2. On completion of step 1 to remove all materials and debris from the site.
 - The period for compliance with the requirements is: 3 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Main Issues

2. The main issues are the effect of the front extension on (i) the character and appearance of the area and (ii) the vitality and viability of identified town and local centres.

Character and appearance

3. The appeal site is a shop at the end of a residential terrace in a prominent position on the corner with Henderson Road, a residential street. Further along Green Street, beyond the junction with Henderson Road, there are shops/commercial premises on both sides of the road.
4. The extension has a ramshackle appearance as it is constructed of various bits of timber, including timber usually used for garden decking and also plywood. The roof is covered by a patchwork of felt. It looks like it has been constructed with leftover materials. It is an extremely low quality construction and it is unattractive and out of character with the adjoining brick built Victorian terraced houses. Its projection beyond the building line of the terrace makes it particularly prominent and jarring in the streetscene.
5. I therefore find that the extension harms the character and appearance of the area and it conflicts with Policies D1 and D4 of the London Plan, and Policies S2, SP1, SP3 and SP8 of the London Borough of Newham Local Plan (LP). In combination, these policies seek to protect the character and appearance of an area and to

ensure that development is of a high quality design. It is also contrary to paragraph 135 of the National Planning Policy Framework (the Framework) which seeks to ensure that planning decisions ensure that development is visually attractive using appropriate materials.

Vitality and viability of identified town and local centres

6. London Plan Policies SD6 and E9 encourage the vitality and viability of London's town centres and neighbourhood shopping facilities.
7. LP policies S1, S2, SP6, J1 and INF5 indicate that development will be focused in various designated areas including town and local centres. LP Policy SP6 indicates that town and local centres should be vibrant. LP Policy SP7 supports active frontages to streets to stimulate social activity and interaction.
8. LP Policy INF5 requires that proposals for new out of centre uses of more than 300sqm should demonstrate that they would not result in unacceptable impacts. However, the use at the site is not a new use and it is obvious that the extension is far less than 300sqm so there would be no need for this assessment.
9. There is nothing in the local policies before me or in the Framework, that presumes against the construction of small extensions to existing shops which lie outside of designated commercial areas. I have no substantive evidence that the extension is harming any identified centre.
10. I conclude that the proposed extension does not harm the vitality and viability of identified town and local centres and I find no conflict with the above policies.
11. I note the appeal decision at 696 Romford Road but for the above reasons, I have come to a different conclusion.

Other Matters

12. The appellant has provided floorplans showing the premises as a restaurant. However, these are not relevant to the harm I have found to the character and appearance of the area.

Conclusion

13. I find no harm to the vitality and viability of town and local centres. However, I do find harm to the character and appearance of the area and the development is in conflict with the development plan as a whole.
14. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Siobhan Watson

INSPECTOR