



Appeal Decision

Site visit made on 10 January 2025

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/G5750/W/24/3350435

17 East Road, Stratford, Newham, London E15 3QS

- 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 Ms Tamara Wood against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/01228/FUL.
 - The development proposed is the retention of an existing outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of an existing outbuilding at 17 East Road, Stratford, Newham, London E15 3QS in accordance with the terms of the application, Ref 24/01228/FUL, and plan reference number AWER17/2024 Drawing No. 2 dated 17/05/24.

Preliminary Matters

2. The development subject to the appeal has been undertaken. I am therefore considering the appeal retrospectively.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is an end of terrace ground floor flat with rear garden. The development subject to the appeal is a timber outbuilding which has been erected at the foot of the rear garden. The evidence shows how this has replaced a previous, albeit smaller, outbuilding. I observed on my site visit that several of the surrounding properties have similarly sited outbuildings in their rear gardens, which are typically smaller than the outbuilding at the appeal site.
5. The outbuilding is unashamedly functional in appearance, constructed of timber with a felt roof covering. The front elevation has been painted black with timber framed windows. The Council have stated that they have no concerns in relation to the front elevation and I have no reason to form a different view. The Council have outlined that their primary concerns relate to the size, materiality and poor finish of the outbuilding.
6. In terms of its size, the outbuilding is approaching the threshold of what would be considered as a reasonably sized outbuilding for a property and garden of this

size, in this location. It is evidently the largest outbuilding in its immediate surroundings, however a substantial part of the rear garden remains undeveloped and due to its size and siting it is not dominant in terms of the outlook from surrounding residential properties.

7. This is not, however, to say that it is not visible from surrounding residential properties. The evidence shows how parts of the side and rear elevations are visible above the boundary fence, including the felt-clad roof. The rear elevation is clad in a shiplap arrangement which is a common treatment of timber outbuildings and does not cause harm. The other side elevations use MDF boards. Although this is not a traditionally used externally facing material, it has limited visibility in this case and is screened, in part, by existing vegetation. Its use is not visually excessive or prominent and, in this case, does not cause harm.
8. In terms of the roofing felt, the evidence shows this is somewhat irregularly arranged with non-uniform seams and overlaps. The impact, however, in terms of character and appearance is minor. And whilst a more uniform arrangement may be preferable, the current arrangement is not wholly unacceptable. Reference has been made to pieces of felt blowing off the roof. I would assume that such instances relate to rare occasions of strong winds as opposed to a regular occurrence. This would not be a reason to dismiss the appeal.
9. I acknowledge the concerns in relation to the longevity of the building. Such buildings by their very nature inevitably have a limited lifespan and it is generally acted upon by the homeowner whether this be by repair or replacement. This would also not be a reason to dismiss the appeal.
10. I therefore conclude that the development does not have an unacceptable impact on the character and appearance of the area. It therefore complies with Policies SP1, SP3 and SP8 of the Newham Local Plan (2018) and Policies D1 and D4 of the London Plan (2021). Collectively, these policies seek to ensure that developments integrate with the local character of an area having regard to the scale and appearance of the area.
11. The Council have referred to Policies S2 and SP2 of the Newham Local Plan in their decision notice. Policy S2 is a strategic overarching policy and Policy SP2 relates to Healthy Neighbourhoods. It is not clear how either policy is applicable to the development subject to the appeal.

Other Matters

12. I note comments that have been received relating to a commercial use being undertaken. This appeal, however, is for a domestic outbuilding, and I have determined it on this basis.
13. The matter of setting a precedent has been raised. Given that I have concluded that the development is acceptable, I can see no reason why it would lead to harmful developments on other sites in the area.
14. Reference is made to the removal of a tree. This has not been referred to in the Council's reason for refusal of planning permission and I am not aware of the removal of any trees which are subject to preservation orders.

Conditions

15. The development has been undertaken. A condition relating to commencement is therefore not necessary. For the same reason, a condition requiring the development to be carried out in accordance with the approved plan is not necessary.

Conclusion

16. For the reasons given above, and having had regard to all other matters raised, the appeal should be allowed.

A M Nilsson

INSPECTOR