



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: 12 May 2025

Appeal Ref: APP/G5750/W/24/3356544

23 Plashet Grove, East Ham London E6 1AD

- 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 Sajid Imran against the decision of the Council of the London Borough of Newham.
 - The application Ref 24/01624/FUL, dated 29 July 2024, was refused by notice dated 28 October 2024.
 - The development proposed is the installation of extraction flue to the rear to facilitate the change of use from Class E(a) Retail to E(b) Restaurant.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the description of the proposed development as set out by the Council and adopted by the appellant. The appeal relates to the installation of the flue only and not to a change of use of the premises.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal relates to this end of terrace property which has a commercial use at the ground floor. The property is set within the Green Street District Centre which contains a number of commercial premises along Plashet Grove. The property sits at the corner of Plashet Grove and its junction with Washington Road.
5. Washington Road is a short residential road containing mainly 2 storey houses. Due to the slight bend in Washington Road as it approaches Plashet Grove, the rear of the appeal site is immediately visible from this residential road.
6. The proposed extraction flue would emerge from the ground floor roof and extend upwards and past the eaves level of this 3 storey building. The original proposal shows the flue set adjacent to the boundary with Washington Road although the appellant has included an amended scheme which shows it set away from the boundary by 1m. From the submitted documents, it would

appear that the Council's decision is based on the original proposal, although I can see that comments were offered on the revisions.

7. I consider that the proposed flue would be highly visible from the adjacent residential street of Washington Road. It would appear bulky, awkward and would have a negative visual effect. Even if the proposal were to be set in by 1m and its lower section clad and painted, as suggested, I consider that its visual effects would remain considerable and negative due to its effect on the residential area. This would not be materially affected by the presence of the adjacent tree.
8. The appellant has included reference to a number of other flues, some in the area and some not local to the appeal site. From the included documents, I can see that the Council has provided the appellant with comments on some of these other examples. Some are not directly comparable due to their location in less visible areas and others appear to pre-date current planning policies. In addition, from my own assessment of these examples, a number do not represent successful additions to their locality and do not provide support for the appeal scheme; on the contrary, they demonstrate the negative effects that can arise from such schemes.
9. I have taken account of the appellant's comments in relation to the benefits of the scheme, those being the beneficial use of the premises and any additional employment that may arise. However, I consider that these do not outweigh the negative effects that the proposal would have. The appellant includes comments in relation to noise and effects on neighbouring residents. As these matters are not contested by the Council and are not included within the reason for refusal, I shall not seek to address them.
10. For the reasons set out above, the proposal would have an unacceptable visual effect on the locality, contrary to Policies SP1 and SP3 of the London Borough of Newham Local plan (2018) and Policy D3 of The London Plan. This conflict is not outweighed by any other matters. Therefore, the appeal is dismissed.

T Wood

INSPECTOR