



Appeal Decision

Site visit made on 24 August 2026

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2026

Appeal Ref: APP/E5900/C/25/3364213

102 White Horse Lane, London, E1 4LR

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Stepney Laundry & Dry Cleaners Ltd against an enforcement notice issued by the Council of the London Borough of Tower Hamlets.
 - The notice was issued on 31 March 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the addition of a flue to the rear of the premises.
 - The requirements of the notice are to: Remove the flue at the rear of the site.
 - The period for compliance with the requirement is: Three (3) months from the date the notice takes effect.
 - 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.

Procedural Matters

2. It was apparent from my site visit that the flue shown on the photograph appended to the notice has been extended and altered, or replaced with a different one, since the notice was issued. However, my determination of the appeal and the application for planning permission, which is deemed to have been made, is limited to the matters alleged in the notice at the date of its issue. The alterations made to the flue go beyond the scope of the matters covered by the notice, and as such, I am unable to consider them as part of this appeal.

The appeal on ground (a) and the deemed planning application

3. An appeal on ground (a) is made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted.

Main Issues

4. The main issues, having regard to the Council's reasons for issuing the notice, are the effect of the development on air quality and the effect upon occupiers, visitors and customers of nearby residential and commercial premises resulting from the discharge of odour and fumes from the flue.

Reasons

5. The appeal site comprises a laundrette and dry cleaners, located within a parade of ground floor commercial premises with residential flats above. The flats are

accessed along a first-floor external rear corridor. They have windows and doors to the front and rear as well as small balconies to the front.

6. The ground floor premises project further back than the upper floors. The flue in question extends along the flat roof of the laundrette and directs warm air from the tumble dryers, down the rear wall of that unit. However, this then inevitably naturally rises upwards, past the windows, doors and external corridor of the flats above. This has resulted in occupiers of residential properties above having to keep their windows and doors closed to avoid the odour and fumes. Adjacent business owners have also raised concerns regarding the effects of odour and fumes on themselves, their staff and customers.
7. At the time of my visit a revised extraction system was in place, with a longer flue and a boxed vent located much lower down the building, which I acknowledge may or may not be an improvement upon the previous system that I am currently considering. The vent was expelling warm air, and whilst I was able to detect an odour, it was that of clean laundry (washing detergent or softener) as opposed to anything particularly offensive or unpleasant. Nevertheless, an odour was apparent.
8. I have not been provided with any technical details of the flue or with any professional assessments of the omissions released from it. Although the vapour from the tumble dryers maybe predominantly water, it may also contain traces of washing products and fibres of material/fluff, and I have not been provided with details of any filter system to mitigate this. Nor have any details of any chemicals used in relation to the dry-cleaning element of the business, which would usually require an environmental permit, been provided. The onus is on the appellant to undertake and submit the relevant assessments to support their development.
9. The Council's statement advises that the site is within an area of poor air quality with high nitrogen dioxide concentrations. However, as the equipment used within the laundrette is most likely to be powered by electric as opposed to other fuels, it is unclear how this is relevant to the development. Although I have had regard to Policies SI1 of the London Plan (2021) and Policies S.ES1 and D.ES2 of the Tower Hamlets Local Plan 2031 (2020) (the Local Plan), these relate primarily to transport and large construction site impacts on air quality, and I do not therefore consider these policies to be directly relevant in this case.
10. The development is however contrary to Policy D.DH8 of the Local Plan, which requires new development to protect the amenity of occupiers of existing buildings by, amongst other things, not creating unacceptable levels of odour, noise, fumes or dust pollution.

Other Matters

11. In addition to the above, concerns have been raised regarding the appearance of the development. However, as the flue is located to the rear of the building, and is viewed in context with other flues, vents, air conditioning units and metal shutters, associated with the adjacent ground floor commercial premises, I agree with the main parties that it does not result in harm to the character and appearance of the area.

12. I acknowledge the need for a flue in connection with the operation of the permitted business use, but the effects of the associated external equipment required must be fully assessed and where necessary mitigated.

Conclusion

13. For the reasons given above, I conclude that the appeal should not succeed. I will uphold the 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.

R Bartlett

INSPECTOR