



Appeal Decision

Site visit made on 19 May 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/E5900/W/25/3359872

2 Jebb Street, London, Greater London E3 2TL

- 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 Nolan of John Nolan Discretionary Trust against the decision of the Council of the London Borough of Tower Hamlets.
 - The application reference is Ref PA/24/01625.
 - The development proposed is 'Alterations to No 2 Jebb Street and erection of new dwelling on existing disused garage land.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the living conditions of the occupiers of Nos 4 and 4A Jebb St in respect of their outlook; and
 - the effect of the proposed development on the character and appearance of the area having regard to the Fairfield Road Conservation Area.

Reasons

Living Conditions

3. The appeal site shares a common boundary with the properties to the south at No 4 and 4A Jebb Street. These are flats at first and ground floor levels. There is general consistency in the rear building line of these properties and the appeal property which include single story projections at ground floor level. The adjacent properties have limited yards at the rear providing outside amenity space.
4. The proposed new dwelling would extent to the rear of No 2. It would extend beyond the existing primary rear building line by a significant distance at first floor level, albeit with a partial step back from the boundary with No 4 /4A. This equates to approximately the same depth as the yard areas to the rear of No 4 /4A.
5. Despite the partial approximate 1m set back from the property boundary the new building would appear as a substantial structure with significant massing when viewed from No 4 / 4A. While the hipped roof ridge height would be lower than that of the existing terrace, the parapet height would be consistent with the terrace.

6. However, owing to its considerable height, mass, scale, and positioning along the common boundary, and despite the modest partial setback, the proposed development would result in an excessively long, tall, and overbearing structure that would dominate the outlook from the ground-floor and first-floor windows situated in the rear elevation of Nos. 4 and 4A. While the appellant asserts that the window closest to the appeal site at first floor level is obscure-glazed and serves a bathroom, this assertion is inconsistent with my observations during the site visit evidenced by the location of the soil and waste pipes exiting the bathroom. This particular window would be particularly adversely affected. Furthermore, although the appellant contends that the ground-floor windows are blocked up and not presently in use, I have not been provided with any substantiating evidence to indicate that use could easily be restored.
7. The proposal would harmfully diminish the outlook from these windows, it would be overbearing and oppressive, and the circumstances do not justify a proposal that would make living conditions substantially worse at No 4 / 4A. The restricted length and area of the rear yard to No 4 / 4A would further exacerbate the harm that would arise to the living conditions of the neighbouring occupiers in respect of their outlook with the proposed development in place.
8. Having regard to the orientation of the buildings, with No 4 / 4A being to the general south of the appeal property, the proposal would not result in a significant change in respect of sunlight and daylight available in the house and yard of the adjacent properties compared with the current situation. The proposal would therefore not be harmful in this regard. Similarly, overshadowing would change only minimally and not to any harmful extent. This does not alter my findings in relation to the effect on living conditions.
9. Therefore, the proposed development would result in harm to the living conditions of the occupiers of No 4 / 4A Jebb Street in respect of their outlook and increase in sense of enclosure. Accordingly, the proposal would conflict with Policy D6 of The London Plan (2021) (the London Plan) and Policy D.DH8 of the Tower Hamlets Local Plan 2031 (January 2020) (the Local Plan) which require, amongst other things, that development protects the amenity of existing buildings and their occupants including by ensuring existing rooms have an acceptable outlook and do not result in an unacceptable increase in the sense of enclosure.

Character and Appearance

10. The proposal entails development to the rear of the existing corner property, along with alterations to the original building. The existing property is a two-storey traditional brick building, situated at the end of a terrace on the corner of Jebb Street and Wrexham Road. It currently accommodates a former commercial premises on the ground floor which together with the first floor is in residential use as a three bedroom dwelling.
11. The appeal site is located within the Fairfield Road Conservation Area (the Conservation Area). Accordingly, I have paid particular attention to the importance of preserving or enhancing its character and appearance as a designated heritage asset.
12. The Fairfield Road Conservation Area features a diverse mix of buildings differing in size, age, and function. Its character is shaped by industrial activity near the railway, commercial establishments along Bow Road, and residential terraces

surrounding Grove Hall Park. The area's significance stems from its historical role in Bow's development since the eighteenth century, as well as the architectural quality of its two-storey terraces and key landmarks such as St Mary Bow Church, the former Bryant and May factory, and Bow Garage. In this specific location, the Conservation Area is distinguished by low-rise residential terraces along Wrexham Road and Jebb Street, which exhibit a consistent height of two to three storeys. The façade along Jebb Street contributes to the streetscape with its repetitive and rhythmic architectural composition.

13. There is a significant degree of uniformity in the appearance and scale of the dwellings along Jebb Street and Wrexham Road. This uniformity reinforces the attractiveness of the terraces and, along with the interesting architectural detailing, is a key characteristic that informs the significance of the Conservation Area.
14. The proposed new dwelling would front onto Wrexham Road and, being two storeys in height, would be of a scale consistent with the terraces along Jebb Street and Wrexham Road. It would incorporate a two-storey gabled bay facing Wrexham Road, a feature that would reflect design elements present in the existing building and neighbouring terraced dwellings on Jebb Street and Wrexham Road. The design of the proposal which incorporates key architectural elements consistent with the surrounding terraces on Jebb Street and Wrexham Road would be neither intrusive nor detrimental to the character of the surrounding area.
15. I am satisfied that the proposal is of an appropriate scale, with a roof ridge height lower than that of the existing Jebb Street terrace, ensuring it does not appear excessively bulky or disproportionate within its context. Furthermore, I consider that the loss of views of the rear façade of Jebb Street, which has already undergone alterations—including the installation of a dormer window in one property—would not be detrimental to the character or appearance of the Conservation Area.
16. Accordingly, the proposed development would preserve the character and appearance of the Conservation Area and would not harm its significance as a designated heritage asset. It therefore complies with Policies S.DH1 and S.DH3 of the Local Plan, which, among other requirements, stipulate that development must achieve the highest standards of design, be appropriately scaled in relation to its site and context, and preserve or, where appropriate, enhance designated and non-designated heritage assets in a manner proportionate to their significance.

Other Matters

17. The site is located on the opposite side of Wrexham Road from the Grade II listed Bow Garage, whose side elevation directly abuts the footway along that road, with its principal entrance opening onto Fairfield Road. Accordingly, I have placed special emphasis on the importance of preserving the setting of this listed building as a designated heritage asset. The proposed development would have only an indirect relationship with the listed building. Its scale and position would not diminish Bow Garage's presence in the streetscape or affect its architectural or historic significance. Consequently, the proposal would preserve the setting of the listed building as a designated heritage asset.
18. The appeal site is situated to the rear of two locally listed buildings at Nos. 42 and 44 Fairfield Road. These dwellings are striking and imposing, standing significantly

taller than most of the surrounding terraced housing. Their architectural detailing to the front and distinctive elevated entrances on Fairfield Road visually distinguish them from neighbouring properties. The proposed development would be considerably lower in height, ensuring that its scale and massing remain subordinate to these dwellings. While the appeal property forms part of the setting in which the non-designated heritage assets are experienced, the rear elevation of the dwellings is not a defining feature of their heritage significance. The proposed development would not hinder the continued appreciation of the visual appeal of these assets, which is primarily focused on Fairfield Road. It would neither directly nor indirectly alter the key architectural features of the houses, obstruct views of them, nor affect their relationship with the main road. Accordingly, the ability to appreciate the aesthetic value of these dwellings would remain largely unchanged, and the proposed development would not harm their significance.

19. The appellant has brought to my attention the positive security benefits that would stem from the development in terms of removing a potential access for criminals to the rear of properties on Jebb Street via the garage roofs. However, I have determined the appeal on its planning merits and the above matter does not overcome the harm I have identified above.
20. The National Planning Policy Framework (the Framework) supports the efficient use of land to meet housing needs, including a variety of housing types. However, this must be balanced with ensuring safe and healthy living conditions. While the proposal would contribute to housing supply, including a much-needed home, its benefits are outweighed by the significant harm identified to the living conditions of neighbouring residents. I attach modest weight to this benefit which would not outweigh the significant harm I have identified.
21. The appellant highlights that no objections from interested parties have been received in respect of the application or appeal. However, this is not a reason to overcome the harm I have identified above.

Conclusion

22. The proposal does not harm designated or non-designated heritage assets. However, the primary concern is the adverse impact on the living conditions of neighbouring residents. As the proposal conflicts with the development plan as a whole, and material considerations, including the Framework, do not justify a departure from it, the appeal is dismissed.

F P Tinsley

INSPECTOR