



Appeal Decision

Site visit made on 12 December 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2025

Appeal Ref: APP/E5900/W/25/3373403

504 Roman Road, Tower Hamlets, London E3 5LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr David Ilan of Wellhill Estates Ltd against the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00717.
 - The development proposed is the change of use from Use Class (E) to one bedroom studio flat at rear (C3).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from Use Class (E) to one bedroom studio flat at rear (C3) at 504 Roman Road, Tower Hamlets, London E3 5LU in accordance with the terms of the application, Ref PA/25/00717, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings PL100 REV A, PL104 REV A, PL105 REV A, and PL106 REV A.
 - 3) The development hereby permitted shall not be occupied until the cycle storage and bin storage facilities have been provided in accordance with the details shown on drawing PL104 REV A, and thereafter retained for those purposes.
 - 4) The external materials of the development hereby permitted shall match those used in the existing building.

Applications for costs

2. An application for an award of costs was made by Mr David Ilan of Wellhill Estates Ltd against the Council of the London Borough of Tower Hamlets. This application is the subject of a separate Decision.

Procedural Matters

3. The Decision Notice issued by the Council dated 1 October 2025 has no legal effect as the Council's jurisdiction to determine the planning application for the appeal development fell away when the appeal was lodged on 22 September 2025. However, the Decision Notice and the accompanying Delegated Planning Decision Report are material considerations indicating that the Council would have

granted the appeal scheme planning permission had it been able to do so. In defining my main issues below, I have had regard to the Council's assessment of what it lists as the decisive issues in that report.

4. The ground floor of the appeal building currently comprises a Class E business unit at the front and a self-contained residential flat to the rear, which was occupied at the time of my site visit. The layout of that flat is different to the one shown on the proposed drawings and the proposed alterations to the window and door openings in the rear wall have not been carried out. Therefore, I have assessed the effects of the appeal scheme based on the proposed drawings as opposed to what I observed at my visit. I have referred to it as a 'proposal' in this decision.
5. In determining this appeal, I have had regard to my statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main Issues

6. The main issues in this appeal are:
 - Whether the scale of the retained ground floor business space would be acceptable having regard to the location of the appeal site within the Roman Road East District Centre.
 - Whether the proposal would preserve or enhance the character or appearance of the Medway Conservation Area (MCA).
 - Whether future occupants would be provided with suitable living conditions, with particular regard to internal living space and access to light.
 - The effect of the proposal on the living conditions of the occupiers of nearby properties.
 - Whether cycle parking provision and the storage of waste and recycling facilities would be adequate.

Reasons

Ground floor business space

7. The proposed development would sub-divide the ground floor Class E business unit, resulting in the loss of business floorspace and a smaller retained business unit. I have had regard to the evidence before me, including the Delegated Planning Decision Report, the allowed appeal at the nearby Number 550 Roman Road¹, and my observations at my site visit. Taking them all into account, I am satisfied that the size and scale of the retained ground floor business unit would remain conducive to supporting the role and function of the Primary Frontage of the designated Roman Road East District Centre, and the loss of business floorspace would not materially alter the nature of the business unit, its future viability and the wider functionality of the host shopping area.
8. Consequently, the proposed development would accord with the criteria in Policy D.TC2 of the Tower Hamlets Local Plan 2031, Adopted January 2020 ("the THLP")

¹ APP/E5900/W/25/3367330

against which proposals for a reduction in retail floorspace within District Centres and Primary Frontages should be assessed. As such, it would not conflict with THLP Policy S.TC1, insofar as it requires development to support the role and function of the Roman Road East District Centre as a vibrant hub containing a wide range of shops, services and employment.

The MCA

9. The MCA encompasses several relatively narrow streets laid out in a grid-like pattern that are lined predominantly by long rows of terraced buildings, built to generally consistent sizes and traditional period styles. They are mostly in residential uses but with a sizeable proportion of commercial buildings focussed along Roman Road with ground floor shop style units. The character and appearance of the MCA appear to be mainly derived from the relationship between those relatively consistent rows of terraced buildings and the street pattern in the area. Those characteristics are likely to reflect the rapid expansion of this area of the city, most likely during the nineteenth century.
10. The building which contains the appeal premises is one of those period style terraced properties that makes a positive contribution to the character and appearance of the MCA, and thus its significance as a designated heritage asset. The appearance of the ground floor retail unit fronting Roman Road would remain largely unchanged as shown on the drawings and in the Heritage Impact Statement. The proposed use of the rear part of the building, including the replacement and reconfiguration of the existing door and window in the building's rear wall would amount to small scale alterations to the building's external appearance that would preserve the character and appearance of the MCA. Consequently, the proposed development would cause no harm to the significance of the MCA as a designated heritage asset, consistent with THLP Policies S.DH1 and S.DH3, and Policies D4 and HC1 of the London Plan 2021 ("the TLP").

Living conditions

11. Noise from normal domestic activities at the proposed residential flat would not be harmful to the living conditions of the occupiers of nearby properties. The proposed residential unit would not have a dual aspect and part of its ceiling would be fractionally under the policy standard for height. However, the evidence indicates that its internal floor area and outdoor amenity space would meet established space standards. The internal layout would be of a practical size and shape and would ensure that good access to light is provided through the relatively wide south facing window, whilst maintaining a good standard of privacy.
12. For those reasons, I share the Council's assessment that the proposed development would provide suitable living conditions for its occupiers and would cause no harm to the living conditions of the occupiers of nearby properties. Consequently, the appeal proposal would comply with THLP Policies D.H3 and D.DH8, and TLP Policy D6 insofar as they require development to provide appropriate living conditions for future occupiers and avoid harm to the living conditions of occupiers of nearby properties.

Cycle parking provision and storage of waste and recycling.

13. The proposed cycle parking provision and the facilities for the storage of waste and recycling would be adequate given the scale of the proposed residential unit.

In those respects, the proposal would comply with bicycle parking standards and provide sufficient accessible storage of waste and recycling, consistent with THLP Policies D.TR3 and D.MW3.

Conditions

14. The Council's Decision Notice lists the conditions it would have imposed had it been able to determine the planning application and grant permission. I have considered them in accordance with the tests for imposing conditions set out in the National Planning Policy Framework and the Planning Practice Guidance. Where necessary, I have amended the wording of the suggested conditions to ensure compliance with those tests.
15. A condition specifying the approved plans is necessary in the interests of certainty of the planning permission granted. A condition requiring the provision and retention of the approved cycle storage, and recycling and waste storage facilities is necessary to ensure satisfactory servicing of the development and to encourage sustainable travel.
16. A condition requiring materials to match those of the existing building is necessary to ensure the approved alterations to the rear wall of the building have a satisfactory visual appearance. However, as the replacement window frame and door would be plastic like the existing units it would be unreasonable and unnecessary to require joinery details for them. Furthermore, as the existing rear wall is finished in white painted render, which would largely be retained around those replacement windows and doors, it would be unreasonable and unnecessary to control details such as the mortar colour or the brick bond.
17. The building operations associated with the proposed development would be expected to involve small scale works. There is nothing of substance to indicate they would be likely to involve piling, excavation or demolition of any real significance. As such, it would be unreasonable and unnecessary to control working hours or impose limits on the levels of noise and vibration created by those works.

Conclusion

18. For the reasons given above, I conclude that the appeal proposal is consistent with the development plan as a whole. The appeal should be allowed.

G Sylvester

INSPECTOR