



Appeal Decision

Site visit made on 10 December 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal: APP/E5900/W/25/3370996

29 Newlands Quay, Tower Hamlets, London E1W 3QZ

- 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 Mr Finn Neumann against the decision of the Council of the London Borough of Tower Hamlets.
 - The application reference is PA/24/02158.
 - The development proposed is described as ‘the installation of a small Velux window in the bathroom of my property’.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). As the appeal site is outside the Wapping Wall Conservation Area (the CA) the statutory duty under section 72(1) of the Act does not apply. Nonetheless the effect of the proposal on the setting of the CA is a relevant consideration and thus forms part of the main issue.
3. The description in the heading above is taken from the application form. The development description on that form also included an explanation of the need and justification for the proposal. Regard has been had to those details but for brevity they have not been reproduced in the heading above.

Main Issue

4. The main issue is whether the proposal would preserve a Grade II listed building known as “Shadwell Basin Housing, 5-54 (cons) Maynards Quay, 1-62 (cons) Newlands Quay and 1-35 (odd) Peartree Lane” (Ref: 1451936) (the LB), and any of the features of special architectural or historic interest that it possesses, and its effect on the setting of the CA as related to its significance.

Reasons

5. The LB comprises a mix of flats, maisonettes and houses built to the post modernist designs of MacCormac Jamieson Prichard & Wright between 1986 and 1988 for the London Docklands Development Corporation. It incorporates Newlands Quay, Maynards Quay and Peartree Lane developments. Newlands Quay and Maynards Quay comprise adjacent blocks of five storey flats fronting onto two sides of the New Shadwell Basin. These comprise of brown brick, red painted steel panels and doors, with dark blue windows and balconies.

6. The listing description refers to the articulation of these Quays by a rhythm of solid brick and masonry blocks interspersed with sections of glass and red painted cladding, together with blue painted balconies. In addition, the brick façade comprises paired, but separated sections with monopitch roofs that give the impression of split pediments. There is a high degree of uniformity in the placement of windows across these Quays. This includes on the monopitched roofs that are characterised by two roof lights on each pitch, with consistent placement of these on the roof slope.
7. Therefore, insofar as it relates to this appeal, the significance of the LB is primarily derived from the consistency of the window placement across Newlands Quay and Maynards Quay, which is characteristic of its post-modernist design.
8. The proposed velux window would be inserted into the mono-pitch roof to the top floor of the Newlands Quay flat. It would be modest in scale and of materials to match the existing building. This would add a third window opening into the roof pitch, between the existing two roof lights. However, the two existing roof lights form part of a repeating pattern that is consistent across the majority of the Newlands Quay and Maynards Quay roof at that level. As such, the two roof lights contribute to the deliberate design of those roof level openings and the rhythm that these create through consistency in their placement along the two buildings. I acknowledge that there are examples of additional roof lights already having been added at this level within the LB. Nonetheless, the presence of a small number of other windows that detract from the uniformity of window placement across the LB does not justify allowing further harm through the appeal scheme here.
9. The appellant has suggested that the proposal would not harm the LB because it would not be more widely visible. However, I consider that the loss of consistency in window placement would be appreciable from some public and private views. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
10. Despite the harm that would be caused to the LB I find that the proposal would not be detrimental to the setting of the CA in terms of how it contributes to its significance. This is because the proposal would not be a prominent addition in the context of the CA as a whole. Nevertheless, the proposal would fail to preserve the special interest of the LB and I give this harm great weight in the planning balance of this appeal.
11. Paragraph 212 of the National Planning Policy Framework 2024 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
12. Given the scope of the works I find the harm to be at the lower end of less than substantial in this instance but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.

13. I appreciate that the proposal is being sought to improve ventilation in order to address damp issues within the bathroom and that excessive damp can lead to risks to health as well as harm to historic fabric. However, there is no substantive evidence that in the absence of a roof light, damp issues in the bathroom would be so severe as to be harmful to human health. Furthermore, there are likely to be other effective methods of improving ventilation which might reasonably be less harmful to the special interest of the LB. Therefore, this public benefit attracts very little weight. Moreover, any resulting improvement in natural light within the bathroom would be a private benefit and as such is beyond the scope of this test.
14. Consequently, I do not find that the public benefits are sufficient to outweigh the harm that I have identified in this instance. I also note that the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
15. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 210(a) of the Framework and conflict with policies D4 and HC1 of the London Plan (March 2021) and policies S.DH3 and S.DH1 of the Tower Hamlets Local Plan 2031 (January 2020). These seek, among other things, to ensure that proposals achieve good design, conserve the significance of heritage assets and that less than substantial harm to the significance of a heritage asset only occurs where it is outweighed by public benefits.

Other Matter

16. The appellant considers that the Council's approach to determining the original application was procedurally unfair as the opportunity to respond to the Council's concerns was not provided before the application was refused. Nonetheless, that does not alter my consideration of the planning merits of the appeal proposal that is before me.

Conclusion

17. Given the above and considering all other matters raised, the appeal should be dismissed.

Rachel Hall

INSPECTOR