



Appeal Decision

Site visit made on 19 March 2026

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2026

Appeal Ref: APP/E5900/W/25/3376381

44A Fairfield Road, Tower Hamlets, London, E3 2QB

- 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 Elizabeth Nolan Trust against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/01525.
 - The development proposed is described as 'extension of shop unit to the front of the property.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal property is situated within the Fairfield Road Conservation Area (CA) and adjacent to the Bow Bus Garage, which is a Grade II listed building. Accordingly, I have applied the duties set out in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require me to have special regard to the desirability of preserving the setting of the listed building and to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
3. Whilst the Council acknowledged the presence of the listed building within its evidence, no assessment of the effect of the development on the setting of the listed building was provided. The main parties were therefore given the opportunity to comment on this during the appeal process. I have considered their responses in my decision.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the host property, and whether the development preserves or enhances the character or appearance of the Fairfield Road CA; and
 - the living conditions of neighbouring occupiers at 44 Fairfield Road (No.44), with regard to outlook.

Reasons

Character and appearance

5. The appeal property relates to a two-storey red brick end of terrace dwelling on Fairfield Road, at the junction with Wrexham Road. The ground floor of the

property is in commercial use, and the first floor is in residential use. The ground floor shop has a ramp access due to differing levels on the site and there is a postal locker situated to the front of the property, along the shared boundary with No.44. The site benefits from planning permission for an additional storey (Ref: PA/22/00398), which has not yet been implemented.

6. The character of the CA is shaped by industrial activity near the railway, commercial establishments along Bow Road, and residential terraces surrounding Grove Hall Park. Its significance derives 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 the Bow Bus Garage.
7. The appeal property has a relatively discrete profile within the street scene, given its small scale in comparison to No.44 and the adjacent Bow Bus Garage. Nevertheless, it provides architectural and aesthetic interest. Despite cars sometimes parking in the forecourt to the front of the shop, its set back from the highway contributes to a sense of openness at the junction. Overall, the appeal site makes a positive contribution to the character and appearance of the CA.
8. The proposed extension would project beyond the established front building line of the terrace. This would be out of keeping with development along the terrace and detract from the sense of openness at the junction between Fairfield Road and Wrexham Road. The extension's projection would be relatively in line with the existing parcel locker; however, this has a much more discrete appearance given its smaller size. Additionally, a moveable parcel locker is not directly comparable to a front extension.
9. Whilst the extension would include traditional detailing, reinstate the dentil band and use smaller glazed sections, its flat roof would fail to relate well to the host property, which comprises a pitched roof. Overall, the resultant development would represent an overly prominent and incongruous addition to the street scene.
10. The appellant has drawn my attention to two appeals whereby the Inspectors concluded that the proposals did not harm the designated and non-designated heritage assets. They contend that these schemes were designed with the same attention to material, detailing and scale as the appeal proposal. The appeal at 2 Jebb Street (Ref: APP/E5900/W/25/3359872) sought alterations to the property and the erection of a new dwelling whilst the appeal at 44a Fairfield Road (APP/E5900/W/22/3305108) sought to create a maisonette above the shop and a new dwelling to the rear. These appeals are therefore not directly comparable to the scheme before me, which seeks permission for a front extension.
11. Overall, for the reasons set out, the proposed extension would be overly prominent and fail to relate well to surrounding development. It would harm the character and appearance of the host property and would fail to preserve the character and appearance of the CA.

Public benefits

12. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and nature of the proposal, the degree of harm to the significance

of the designated heritage asset would be less than substantial. On a scale, it would be at the lower to midpoint of less than substantial harm. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.

13. The proposal would allow for a wider range of goods to be offered for sale, which would have some benefit to the local community. The appellant also outlines how it would allow for the removal of the unattractive shop front, various advertising material, the postal locker, railings around the entrance and parked vehicles on the forecourt, which would benefit pedestrian safety. The concrete forecourt would also be replaced with permeable paving.
14. Paragraph 202 of the Framework states that heritage assets are an irreplaceable resource. Given the scale of the development, the public benefits of the proposal carry limited weight. On the basis that paragraph 212 of the Framework establishes that great weight should be given to the conservation of a heritage asset, I am not satisfied that the benefits would be sufficient to outweigh the degree of harm identified.
15. In summary, the proposal would harm the character and appearance of the host property and fail to preserve the character and appearance of the CA. It would therefore be contrary to Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan (2031) (THLP) and Policy HC1 of the London Plan 2021 (LP). Collectively, amongst other matters, these policies seek to ensure high quality design that safeguards the significance of heritage assets.
16. The Council's refusal reason refers to the proposal being contrary to Policy D4 of the LP. This policy concerns the use of tools for design analysis, design review processes and maintaining design quality through to completion, which I do not find to be relevant to the determination of this appeal.

Living conditions

17. The proposed extension would be positioned close to the shared boundary with No.44. It would also sit higher than the existing wall along the shared boundary and the parcel locker. The sill of the window at semi basement level on the front elevation of No.44 sits at approximately street level, and the top of the window would sit below the roof of the extension. As a result of the positioning of the window at a lower level, and the siting, height and depth of the extension, it would dominate the outlook from the window and create an overbearing sense of enclosure. Whilst I accept that at present the wall and parcel locker would affect the outlook from this window, given the increased height of the extension, the effect on outlook would be more harmful. The proposed green roof would not sufficiently mitigate the harm to outlook.
18. The sill of the window on the upper ground floor level at No.44 would sit at a similar height to the roof of the proposed extension. This, coupled with the size of the window, would ensure that outlook from this window would not be unduly harmed. Given the positioning of the first-floor windows of No.44, their outlook would not be harmed.
19. To conclude, the proposed extension would harm the living conditions of neighbouring occupiers at No.44, with regard to outlook. This would be contrary to

Policy D.DH8 of the THLP. This policy seeks to ensure that development does not harm neighbouring amenity.

Other Matters

20. The appeal site is situated adjacent to the Bow Bus Garage, which is Grade II listed. The two-storey building has an assertive presence in the street scene with its symmetrical brick façade, gables at either end and double storey height arched entrances. Its significance is largely derived from its history, architectural style and dominating presence in the street scene. The proposed extension would somewhat disrupt views of the garage, when looking towards it from the Grove Hall Park side of Fairfield Road. It would also detract from the sense of openness at the junction of Fairfield Road and Wrexham Road, and in this regard, it would cramp the setting of the listed building. I therefore do not consider that the scheme would preserve or enhance the setting of the listed building. Nonetheless, the Council consider that it would preserve the setting of it. For the purposes of this appeal, I have adopted the Council's stance.
21. The appeal property also adjoins 42-44 Fairfield Road, which are locally listed. Had I found the scheme acceptable with regard to the main issue, I would have sought further views on the effect of the proposed development on the locally listed buildings. However, as I am dismissing the appeal, I have not considered this further.

Conclusion

22. In conclusion, the scheme would harm the character and appearance of the host property and fail to preserve the character and appearance of the CA. It would also harm the living conditions of neighbouring occupiers at No.44, with regard to outlook. The scheme would therefore conflict with the development plan and there are no other material considerations that outweigh this conflict. The appeal is dismissed.

S Burch

INSPECTOR