



Appeal Decision

Site visit made on 27 March 2025

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 April 2025

Appeal Ref: APP/G5750/D/24/3358222

1109 Newham Way, East Ham, London E6 5JJ

- 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 Ahmed Al-Saddy against the decision of the London Borough of Newham Council.
 - The application Ref is 24/01864/HH.
 - The development proposed is the erection of a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor rear extension at 1109 Newham Way, East Ham, London E6 5JJ in accordance with the terms of the application, Ref 24/01864/HH, 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 the following approved plans: LIVARCH/1109NW/103 Issue A, LIVARCH/1109NW/106 Issue A and LIVARCH/1109NW/107 Issue A,
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Procedural Matters

2. Subsequent to the Council's decision, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issue

3. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area

Reasons

4. The appeal dwelling is a two storey mid-terrace house that has been the subject of both a ground floor rear extension with conservatory and a rear dormer roof extension. The terrace of which it forms part, and other terraces on this side of the

A13 demonstrate a wide variety of extensions and alterations to both front and rear. This lends the street a varied appearance, where only the generally continuous building line and two storey height of the properties results in a degree of visual coherence.

5. The proposal is for a first floor rear extension, which would be 1.2 metres wider than the previously and relatively recently approved¹ but unimplemented 3 metres wide first floor rear extension. The proposal would project rearward by 3 metres, the same as the recent approval, but the hipped roof form would be marginally taller and would reach further up the existing roof dormer, slightly above the existing windowsill level.
6. Although the proposal is wider than that previously approved, it does not extend to the full width of the appeal dwelling and would extend rearward to the same extent as the approved extension. As such, although larger than the approved extension, I do not find that the additional bulk of the proposal would appear to be of inappropriate scale that would dominate the appeal dwelling or represent a disproportionate protrusion from the rear elevation. Rather, it would appear as secondary and proportionate in scale when considered in relation to the original house and the existing substantial ground floor extension.
7. Although the roof of the proposal would terminate at a point slightly above the existing roof dormer windowsill level, this would be marginal. Within the context of the roof profile and design for the whole appeal dwelling that would result from the proposal, this would not be to the extent that it would result in a cramped appearance in relation to the windows in the existing dormer.
8. Further, the proposal requires a first floor window opening in the original rear elevation to be narrowed and repositioned slightly to be closer to the boundary with the neighbouring house in the terrace at 1111 Newham Way. I do not find that this is a significant alteration when considering the composition of the rear elevation as a whole, and the proposal would not result in any significant change to the existing architectural hierarchy.
9. Overall, the proposal would appear as a proportionate and subservient addition to the appeal dwelling and to reflect the wide variety of extensions and alterations to other houses in the terrace and in the street more widely. As such, I find that it would not result in a disproportionate rear elevation or present as an ill-fitting pattern of development within the vicinity. Consequently, I find that the proposal accords with the aims of the Newham Altering and Extending your Home SPD (2018) in that it would complement the character and appearance of the original house and the group of buildings of which it forms a part.

Other Matters

10. Other parties have raised concerns with regard to the effect of the proposal on daylight/sunlight and loss of privacy of neighbouring residential occupiers. I find however, that although there would be some loss of daylight and sunlight, this would be marginal and not to the extent that it would result in any significant harm to living conditions. Similarly, I do not find that the windows in the rear of the proposed extension and the adjusted window in the existing first floor elevation would result in any overlooking above that to be expected in a developed

¹ Planning Ref: 22/00194/HH

residential area of this type, and not to the extent that it would result in any significant loss of privacy.

11. Although the Council officer's report indicates that concerns have also been raised with regard to noise that would be created by the proposal, I have no details of the concerns raised. However, given the nature of the proposal as a first floor enclosed extension, I am satisfied that it would not result in noise greater than to be expected when in normal domestic use. If the concerns relate to construction, this is not a planning matter for me to consider directly in this instance and other legislation is overseen by the Council in this regard.
12. For these reasons, the proposal would accord with Policies S6, SP1 and SP3 of the London Borough of Newham Local Plan (2018, policy D3 of the London Plan (2021) and Section 12 of the Framework, which collectively seek development, including extensions, that is of a high design quality, securing integration and coherence with local context.
13. The Council's decision finds that the appeal development is contrary to Policy D4 of the London Plan (2021). However, as this policy relates to policy guidance and design management procedures for London planning authorities, I have not come to this same conclusion

Conditions

14. I have had regard to the conditions suggested by the Council should I be minded to allow the appeal. I find that there are no exceptional reasons to attach the suggested condition limiting permitted development rights. Along with the standard condition relating to the timing of implementation, I have attached conditions to ensure design quality that require compliance with the approved drawings and materials that match existing.

Conclusion

15. For the reasons given and with regard to all other matters raised the appeal is allowed.

Victor Callister

INSPECTOR