



Appeal Decision

Site visit made on 19 August 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2025

Appeal Ref: APP/G5750/W/25/3365671

63 Skelton Road, Forest Gate, Newham, London E7 9NL

- 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 Haseeb Godil against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/02483/FUL.
 - The development proposed is rear basement extension, erection of single storey rear / side extension and installation of rear access stairs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located within the wider vicinity of the Spotted Dog Public House, a Grade II listed building. Both the Council and the appellant have concluded that the proposed development would not affect the setting of this heritage asset. Having regard to the separation distance and the absence of any functional or visual relationship between the two sites, I concur with this assessment.
3. The property has undergone several extensions and alterations, including a ground floor rear extension to the outrigger, a rear dormer roof extension, and the installation of an external staircase to the rear and side elevations. There are no planning records associated with these works. However, the Council has granted a Certificate of Lawfulness (Ref: 15/01263/CLE) for the existing use of the property as two self-contained flats. Any matters relating to enforcement or the lawfulness of any operational development at the appeal site fall outside the scope of this appeal and are a matter between the Council and the appellant.

Main Issues

4. The main issues are:
 - whether or not the development would provide suitable living conditions for future occupiers, with regard to outlook, privacy and access to private outdoor amenity space;
 - the effect of the proposal upon the character and appearance of the surrounding area; and
 - the effect of the development on the living conditions of neighbouring occupiers, with particular reference to the privacy of No. 65 Skelton Road.

Reasons

Living Conditions – future occupiers

5. The appeal site relates to a terraced property, which features an outrigger and has been subdivided into two separate dwelling units, one on each floor. The appellant has confirmed that the two separate units are occupied by two related families.
6. The proposed rear access stairs would provide external access to the enlarged basement area and the first-floor dwelling. It would also facilitate the entry of natural light via the associated lightwell. However, the staircase would be positioned directly in front of the kitchen and dining room windows at ground floor level, thereby obstructing outlook and reducing the quality of natural light to these habitable spaces. In addition, one of the ground floor bedrooms would rely solely on a lightwell for its window provision. As a result, the outlook from these rooms would be significantly constrained, leading to a poor standard of amenity.
7. The use of the proposed rear access staircase would result in increased foot traffic in close proximity to the ground floor flat, leading to a loss of privacy for its occupiers. The staircase would enable direct views into the kitchen and dining areas through rear-facing windows. Given the limited space available and the staircase's positioning, it is unlikely that any effective screening could be implemented to safeguard the privacy of current or future occupiers. While internal measures such as curtains could be used, these would significantly reduce the availability of natural light to these rooms, thereby compounding the adverse impact on residential amenity.
8. While rear extensions are common along the street, the appeal site already features a substantial rear extension that significantly limits the available outdoor amenity space. This space is currently shared between two residential units and would be further reduced by the construction and use of the proposed external staircase. The resulting outdoor area would feel increasingly cramped and confined, offering limited scope for meaningful amenity use. The constrained layout would likely result in overcrowded and inadequate living conditions, especially regarding space for everyday domestic activities such as outdoor seating and recreation.
9. In reaching this view, I have considered that the proposed development would provide additional internal residential space for the current occupiers of the appeal site, which is likely to alleviate existing overcrowding. However, the proposal must be assessed in terms of its enduring effects and long-term impact, including its implications for future occupiers. Notwithstanding the current needs of the existing residents, I am not satisfied that these considerations outweigh these identified harms arising from the development.
10. In conclusion, the proposed development would not provide suitable living conditions for future occupiers, with regard to outlook, privacy and access to private outdoor amenity space. It would not result in high quality living accommodation, contrary to Policies SP1 and SP3 of the Newham Local Plan 2018 (NLP). Accordingly, the proposal would also conflict with the relevant provisions of the London Plan 2021 (LP).

Character and Appearance

11. The area surrounding the appeal site is characterised by rows of terraced residential houses, each with modest rear gardens that commonly feature some form of rear extension. Although there is variation in the form, scale, massing, and architectural style of these additions, the material palette remains broadly consistent across properties. Most extensions utilise traditional materials such as brick and tile, with metal elements generally limited to minor features like railings. Despite the spatial limitations imposed by the modest garden plots, these extensions contribute to a coherent and distinctly residential rear character. The presence of vegetation in some gardens adds a pleasant visual balance and softens the built environment.
12. The appeal site reflects the typical characteristics of properties in the surrounding area, notably featuring buff-coloured facing brickwork that aligns with the prevailing material palette. While the rear elevation benefits from a moderate degree of screening, it is not comprehensive. In particular, the rear of the property remains visible from certain vantage points, particularly to passing traffic along Wyatt Road. This visibility introduces a degree of public exposure that may influence the perception of any proposed alterations or additions.
13. The proposed development includes the installation of a substantial external staircase that the plans indicate would span the full width of the rear elevation of the appeal property. This structure is intended to provide external access to the basement, ground floor, and first floor levels. Notably, the plans also indicate the creation of a new flat-roofed terrace at first-floor level. This structure as a whole would be constructed from blank painted steel, introducing a significant amount of a distinctly utilitarian material that would contrast sharply with the traditional palette of brick and tile typically found on both the host building and surrounding properties. Although the staircase would be limited in height to the first floor, it would become highly prominent in views from the public realm due to its visibility from Wyatt Road. The combination of its scale, materiality, and elevated position would disrupt the established visual rhythm and material coherence of the rear façades in the area, thereby undermining the prevailing character and appearance of the locality.
14. While an external staircase currently exists at the appeal site, it is positioned along the side elevation of the property and differs significantly in location and scale from the proposed development. Its discreet placement and more modest design results in a comparatively lower impact on the character and appearance of the locality. Therefore, it does not establish a meaningful precedent in terms of visual prominence or spatial relationship to the public realm.
15. Similarly, the appellant has made general references to other metal staircases within the area, suggesting that other examples exist with potentially greater impacts on amenity. However, there is limited evidence before me regarding these other cases, specifically their location, size or similarity to the development. As I am not aware of the circumstances of those cases, I can only give them limited weight. In any event, I must consider the appeal scheme on its own merits and in the context of the current policy regime.
16. In reaching this view, I have considered the intended use of the staircase, which the appellant has described as an emergency escape route, for occasional access

related to maintenance and for domestic activities, such as drying laundry. Nonetheless, the extensive use of metal and the overall scale, means that the structure would still appear as a prominent and discordant feature which would be out of keeping with, and harmful to, the appearance of the property and the wider terrace.

17. In conclusion, the proposal would have harm the character and appearance of the surrounding area. It would not enhance the positive elements of the borough or reinforce positive local distinctiveness, contrary to Policy SP1 and SP3 of the NLP. Accordingly, the proposal would also conflict with the relevant provisions of the LP.

Living Conditions – 65 Skelton Road

18. The plans indicate that the external staircase and associated roof terrace would be positioned directly adjacent to the boundary shared with No. 65 Skelton Road. This siting would introduce a direct and elevated overlooking viewpoint into the rear garden of this neighbouring property. The proximity and height of the staircase and terrace would also likely enable views into the first-floor rear windows of No. 65. Regardless of how frequently the staircase and terrace are used, it is likely that the proposed development would still compromise the privacy of neighbouring occupiers both within their home and in their private outdoor space.
19. In their appeal statement, the appellant has referred to the use of a protective balustrade and side screen for the staircase to address any privacy concerns. However, these measures are not detailed or illustrated in the submitted drawings. In the absence of clear and precise design information, it is not possible to assess whether such interventions would adequately mitigate the identified harm. Moreover, this alteration could also result in material alterations to the layout of the proposal, potentially prejudicing interested parties who have not had the opportunity to provide comments. The Procedural Guide¹ states that the appeal process should not be used to evolve a scheme. Accordingly, I am not persuaded that these suggested mitigation measures are sufficiently robust or detailed to render the development acceptable in planning terms.
20. In conclusion, the proposed development would have a harmful effect on the living conditions of neighbouring occupiers, with particular reference to the privacy of No. 65 Skelton Road. It would not result in high quality development by failing to minimise overlooking and loss of privacy, contrary to Policies SP1 and SP8 of the NLP. Accordingly, the proposal would also conflict with the relevant provisions of the LP.
21. The Council also alleges a conflict with the London Borough of Newham Altering and Extending Your Home SPD (2018). However, my attention has not been drawn to any words in it that are relevant to this issue. This document has therefore not been determinative with regard to this main issue.

Other Matters

22. The proposal would generate modest economic benefits through its construction phase. It would also provide functional improvements for the occupiers of the appeal site, particularly by increasing the amount of usable space for both housing units. It would also provide better access to the rear garden, particularly for the

¹ Paragraph 16: Procedural Guide – Planning Appeals – England

upper floor flat. However, given the limited scale of the proposed development, these benefits are relatively minor in planning terms. Accordingly, they do not outweigh the harm identified under the main issue or the resulting conflict with the development plan.

Conclusion

23. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR