



Appeal Decision

Site visit made on 28 October 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/G5750/W/25/3371099

156 High Street North, East Ham, Newham, London E6 2HT

- 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 Sandringham Land Ltd against the decision of the Council of the London Borough of Newham.
 - The application Ref is 24/00753/FUL.
 - The development proposed is rear extensions to lower ground, ground, 1st and 2nd floors, loft conversion with construction of rear loft dormer and 3no front elevation roof windows. Creating 2No additional residential units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. With their appeal submission, the appellant provided an amended drawing of the proposed lower ground, ground and first floors (drawing no. 156HSN/PL/004 Revision C). The drawings show a small alteration to the layout and location of the kitchen area in Flat A. This change was in response to the Council's concerns regarding the daylight received by the kitchen area. The Council has had the opportunity to comment on these amended drawings. I have therefore considered amended drawings. I am therefore satisfied that no party has been prejudiced by my approach.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host building and the surrounding area;
 - The effect of the proposal on the vitality and viability of East Ham town centre;
 - The effect of the proposal on the living conditions of occupiers of neighbouring properties, with particular regard to daylight and sunlight, outlook and privacy; and
 - Whether the proposal would provide adequate living conditions for future occupiers, with particular regard to daylight and sunlight, outlook, natural ventilation, privacy and external amenity space.

Reasons

Character and appearance

4. The appeal property is a three-storey mid-terrace building, with retail at the ground floor and basement levels and residential accommodation on the upper floors. The property falls within East Ham town centre, and the properties on High Street North predominantly consist of retail units with residential accommodation above. The properties in the terrace are all three-storey with first-floor bay windows on the front elevation. Most of the properties have one-and-a-half storey outriggers to the rear, and there is also a range of single-storey rear extensions. Overall, the general consistency in terms of the scale, design and traditional aesthetic of the buildings in the terrace gives the area an attractive and cohesive character and appearance.
5. The proposed three-storey extension would have a significantly taller profile than the adjacent outriggers and existing rear extensions in the terrace. The greater scale would be even more accentuated by the extension's deep rear projection, flat roofed appearance and the proliferation of windows and balconies on the first and second floors would combine to form an uncharacteristic three-storey block. This would be visible from Lathom Road and, to a lesser extent, Clements Road, from which the proposal's considerable bulk, mass and awkward design would sit uncomfortably in the existing terrace.
6. 170 High Street North (No 170) is also a mid-terrace property, however the photographs provided appear to show that other properties in that terrace already had larger flat-roof extensions. Furthermore, the extension at No 170 only has very limited visibility from the street as a result of the property's position in the middle of the terrace and the presence of large rear extensions at the properties at either end of the terrace. The properties at 140 and 200-202 High Street North are end-of-terrace properties and not mid-terrace like the appeal site. Moreover, full details of these examples have not been provided and for the reasons given I am not persuaded that these examples are directly comparable to the appeal proposal, which has been determined on its own merits.
7. Overall, the proposed development would harm the character and appearance of the host building and the surrounding area. The proposal would therefore conflict with Policies S6, SP1, SP3 and SP8 of the Newham Local Plan 2018 (NLP) and Policies D1, D3, D4 and D8 of the London Plan (2021) (LP), insofar as they require developments to be of a high-quality design, to respect the positive elements and distinctive features of the borough, and to integrate and be cohesive with the local context.
8. The Council also cites a conflict with NLP Policy SP2, which relates to Healthy Neighbourhoods. However, this policy does not explicitly refer to extensions to buildings or their effect on the character and appearance of the area. As such the proposal would not conflict with NLP Policy SP2 in this matter.

East Ham town centre

9. The appeal site is located within East Ham town centre. NLP Policy INF5 designates the town centre as a Major Centre, and INF5(2)(c) seeks to ensure that the Major Centre meets borough-wide and local need including through growth of floorspace. Whilst development plan policies do not preclude, and in some cases

encourage, housing development in East Ham town centre, the proposal would result in the loss of retail floorspace.

10. Even if the external freezer and back-of-house areas are not considered to be a functional part of a particular shop, they do still form part of the retail unit. The loss of the freezer, back-of-house areas and the small part of the front-of-house area would amount to a substantial reduction in retail floorspace at the appeal site. The remaining retail floorspace, including the basement area, would be modest and as such would limit the future use of the unit and associated employment opportunities. Although the appellant suggests that there is demand for smaller retail units, no substantive evidence has been provided to demonstrate that there is such a demand.
11. For these reasons, the proposal would cause harm to the vitality and viability of the East Ham town centre. The proposal would therefore conflict with NLP Policies S1, S6, SP6, SP7 and INF5 and LP Policies SD6, SD7 and E9, insofar as they seek to protect the vitality and viability of town centres, a diverse retail sector, and local employment opportunities.

Living conditions of neighbouring residents

12. The proposed extension would project a considerable distance beyond the main rear elevations of the adjoining properties. However, 152 and 154 High Street North are situated to the south of the appeal site and therefore the extension would not cause any significant reduction in daylight or sunlight to the rear windows at these properties. The side-facing window in the outrigger at 152 High Street North (No 152), identified as window 4 in the appellant's Daylight & Sunlight Assessment (DSA), faces to the north and would also not receive any reduction in daylight or sunlight.
13. The nearest rear window at 154 High Street North (No 154) (window 6 in the DSA) is stated to serve a stairwell and therefore, while the extension would project beyond this window and would angle in front of the window at its furthest extent, the extension would not cause a harmful reduction in outlook from this window. Furthermore, the distance between the furthest rear windows at No 154 (windows 5 and 7 in the DSA) and the extension would be sufficient to prevent any undue loss of outlook from these windows.
14. The outrigger at 158 High Street North has a door and small window on its rear elevation, so the side-facing window in the outrigger (window 11 in the DSA) is unlikely to be the sole source of daylight for the room it serves. As such the proposed extension would not cause a harmful reduction in daylight or sunlight to, or outlook from, this window. The windows at 160 High Street North would have a sufficient separation to the extension to prevent any significant loss of daylight or sunlight.
15. However, it is unknown which room is served by the first-floor rear window at 158 High Street North (window 10 in the DSA). Should this room be a habitable room then, due to its orientation, proximity and length, the proposed extension would cause a considerable reduction in outlook from this window, creating an unacceptable overbearing effect and sense of enclosure. Furthermore, the DSA shows that there would be a significant reduction in daylight received by this window and that it would fall below the levels for 'good daylight'.

16. The proposed side windows in the extension would face towards the side-facing window and garden area at the rear of No 158. However, these two of these windows would serve a hallway and the other four would be secondary windows serving bedrooms. A condition could require these windows to be obscure glazed to prevent any overlooking of No 158. Similarly, a condition requiring obscure-glazed panels to the sides of the terraces for Flat C on the second and third floors would prevent views of neighbouring properties and the garden area at No 158.
17. However, as the room served by the first-floor rear window at No 158 is unknown I must take a precautionary approach. Consequently, because of the effect on daylight, sunlight and outlook I have identified associated with No 158, the proposal would cause harm to the living conditions of the occupiers of No 158. The proposal would therefore conflict with NLP Policies S6, SP1, SP2, SP3, SP8 and H1, and LP Policies D3 and D6, insofar as they require development to provide high quality accommodation which minimises overlooking and loss of privacy and delivers appropriate outlook, daylight and sunlight to surrounding housing.
18. The Council also cites conflicts with LP Policies D1 and D14. Policy D1 relates to London's form, character and capacity for growth, however it does not refer to the effect of a development on the living conditions of neighbouring residents. Policy D14 relates to noise, however the Council did not raise any objections on the grounds of noise and based on the evidence before me I have no reason to disagree. For these reasons, the proposal would not conflict with LP Policies D1 or D14.

Living conditions of future occupiers

19. The kitchen/living/dining area for Flat A would be situated on the lower ground floor, with sliding doors opening onto the courtyard area. Although the courtyard area is below ground level, the kitchen/living/dining area would be single-aspect, and that the kitchen would be furthest from the sliding doors, the light received by the kitchen would also be supplemented by a rooflight, which would ensure that the kitchen area would receive adequate daylight. Furthermore, the kitchen area would not be a great distance from the sliding doors and thus would receive sufficient natural ventilation.
20. However, the sliding doors would look out into the small submerged courtyard, resulting in a significant lack of outlook from the kitchen/living/dining area to the detriment of future occupiers. Moreover, the courtyard area would be considerably overlooked by users of the terraces on the first and second floors. Furthermore, the terrace for Flat B is only accessible through one of the bedrooms, which would restrict the occupier of the second bedroom from accessing the only external amenity space for Flat B.
21. The proposal would therefore fail to provide adequate living conditions for future occupiers of Flat A through a lack of outlook from the kitchen/living/dining area and overlooking of the courtyard area, and Flat B through a lack of accessibility to the terrace. The proposal would therefore conflict with NLP Policies S1, SP1, SP2, SP3, SP8 and H1, and LP Policies GG4, D3 and D6, insofar as they require development to provide high quality housing which provides appropriate outlook, privacy and amenity space.

Planning Balance and Conclusion

22. The provision of two additional residential units in an accessible location would make a small contribution to the existing supply. Economic advantages would also arise from the construction and occupation of a new house, although these would be limited by the scale of the scheme. I therefore attach moderate weight to the benefits of the scheme, which would not outweigh the harms identified above.
23. I therefore conclude that the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is dismissed.

D Ellis

INSPECTOR