

Appeal Decision

Site visit made on 23 January 2017

by Thomas Shields MA DipURP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 February 2017

Appeal Ref: APP/A5270/C/16/3156696

81 Orchard Avenue, Southall, UB1 1LQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mrs Gurdev Lall against an enforcement notice issued by the Council of the London Borough of Ealing.
 - The notice was issued on 29 July 2016.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a single storey extension to the front elevation of the property.
 - The requirements of the notice are:
 - a. Remove the single storey front extension in its entirety
 - b. Restore the front elevation of the property to its previous condition prior to the breach alleged in this notice occurring.
 - c. Remove all resulting debris
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The appeal on ground (a)

2. I consider the main issue in this appeal is the effect of the extension on the character and appearance of the area.
 3. The prevailing character of Orchard Avenue is derived from the uniformity in the terraces of traditionally constructed two storey dwelling houses along both sides of the street. No. 81 Orchard Avenue is such a mid-terrace house located on the south side of the street to the west of Beachcroft Avenue. It sits within a small group of houses (Nos. 77 to 83) which largely retain their original design and appearance, being constructed in red brick and tile with decorative brick detailing and stucco to front elevations. A key architectural feature common to these houses is the prominent and vertical alignment of the attractive ground and first floor bay window under a projecting roof gable. The symmetry of design and detailing in the front elevations of these houses enhances the overall character and appearance the street scene.
 4. The appeal extension extends across the full width of the front of the house and incorporates a fully enclosed and partly glazed porch element located between the side of the ground floor bay window and the side boundary wall
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with No. 83. The mono-pitched roof of the extension projects forward over and beyond the bay window.

5. Contrary to the appellant's views, I consider that the extension is overly large and inappropriately dominates the previously open front elevation. Due to the side elevation of the new enclosed porch together with the overhang of the mono-pitch roof, it substantially encloses and conceals the architectural detailing of the building and the attractive bay window. Additionally, it introduces a horizontal division to the front elevation which inappropriately cuts across the otherwise prominent vertical alignment of the ground and first floor bay windows and roof gable. As such, it is substantially at odds with the prevailing character and symmetry of the host building and this small group of houses. It also markedly conflicts with the Council's planning guidance in respect of front extensions in its SPD⁴¹. Overall, I find that it results in significant harm to the character and appearance of the host dwelling and the street scene.
6. I acknowledge that some other houses in the street have open storm porches, but they do not mask or conceal the features of their front elevations in the same way that this extension does. I have also noted the appellant's references and photographs of other properties in the area. However, they are not representative of the prevailing character of this part of Orchard Avenue I have described. Hence, they do not set a precedent or provide positive support for allowing the extension subject of the appeal.
7. While I acknowledge the appellant's submitted list of signatures and letters in support of the appeal, they do not reduce or mitigate the significant harm I have identified or lead me a different conclusion.
8. To conclude; the extension results in significant harm to the character and appearance of the host dwelling and the local area. It thereby conflicts with Policies 7.4 and 7B of the Ealing Development Management Plan DPD (2013) and Policies 7.4 and 7.6 of the London Plan.
9. The appeal on ground (a) therefore fails.

Thomas Shields

INSPECTOR

¹ Supplementary Planning Document for Residential Extensions (2004)