



Appeal Decision

Site visit made on 21 October 2019 by S Watson BA(Hons) MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/A5270/D/19/3234003

10 Laburnum Grove, Southall, Middlesex, UK UB1 2PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Ms Harpreet Aujla against the decision of the Council of the London Borough of Ealing.
 - The application Ref 191593PALHE, dated 4 April 2019, was refused by notice dated 31 May 2019.
 - The development proposed is described as the demolition of existing secondary 2.4m deep single storey rear 'lean to' canopy addition. Enlargement of existing 3m deep & 3m high (flat roof) single storey rear extension, by increasing its depth on the side boundaries with both neighbouring Nos 9 & 11 from 3m to 6m, and at full width of 5m & maximum flat roof height of 3m.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the demolition of existing secondary 2.4m deep single storey rear 'lean to' canopy addition. Enlargement of existing 3m deep & 3m high (flat roof) single storey rear extension, by increasing its depth on the side boundaries with both neighbouring Nos 9 & 11 from 3m to 6m, and at full width of 5m & maximum flat roof height of 3m at 10 Laburnum Grove, Southall UB1 2PB in accordance with the application Ref 191593PALHE, dated 4 April 2019, and the details submitted with it.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. Therefore, although concerns have been raised regarding the extension being over development and harming the character of

the area, my determination of this appeal has had to be made on the same basis as that set out in the GPDO.

Main Issue

4. The main issue is the effect of the proposed development on the amenity of the adjoining occupiers at No 11 Laburnum Grove.

Reasons for the Recommendation

5. The appeal building is a 2-storey terraced dwelling on the north side of Laburnum Grove, a cul-de-sac. There is an existing single storey rear extension across the width of the host dwelling which I understand, from the information before me, extends approximately 3m. Beyond that is a canopy of a similar depth, which does not appear to have planning permission. Tall rendered boundary walls form the side party boundaries.
6. The neighbouring dwelling to the east of the site, No 11, does not have a rear extension and on the rear elevation are patio doors and a window. The property on the other side of No 11 has a rear extension similar to that at the appeal site. The current outlook from the ground-floor rear windows of No 11 is largely down its long rear garden enclosed by the tall boundary walls.
7. The proposed extension would be of a similar height and scale to the combined existing extension and canopy area at the appeal site. The proposed extension would therefore be visible over the boundary walls from the rear garden and windows of No 11. However, the new extension would be unlikely to have a noticeable impact on the outlook from the rear windows to No 11 or its garden because of its being a similar scale and height to existing development at the site. Moreover, even discounting the canopy, the projection of the extension above the boundary wall would be slight, and as such would not result in a sense of enclosure to the rear of No 11 over and above that which currently exists because of the boundary wall. The proposal would be unlikely to make the rear rooms and garden of No 11 a less pleasant place to use as a result.
8. As the rear of the neighbouring properties faces north, it is likely that the level of direct sunlight that the properties and their rear gardens receive is limited. The limited height of the new extension would be unlikely to have any impact on the levels of daylight or sunlight to the rear of the neighbouring properties.
9. For the reasons set out above, I conclude that the proposed development would not give rise to material harm to the amenity of any adjoining occupiers, including those at No 11 Laburnum Grove. The appeal should therefore be allowed and prior approval granted.

Conclusion and Recommendation

10. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed and prior approval granted.

RC Kirby

INSPECTOR