



Appeal Decision

Site visit made on 6 January 2020

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/A5270/D/19/3239120

8 The Corner, Grange Road, Ealing W5 3PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr H Jeer against the decision of the Council of the London Borough of Ealing.
 - The application Ref 192664HH, dated 14 June 2019, was refused by notice dated 23 August 2019.
 - The development proposed is a single-storey rear/side infill extension; and alteration to front elevation involving replacing metal railing on balcony with glazed balustrade.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development contained on the Council's decision notice, rather than that contained on the application form, because it more clearly describes what is proposed.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the living conditions of nearby occupiers, with particular regard to outlook.

Reasons

4. The appeal building is a 3-storey dwelling at the western end of a short terrace on the southern side of Grange Road, close to its junction with Grange Park. There is a similar short terrace facing onto Grange Park, separate from and to the rear of the appeal terrace. Together these terraces form an L-shaped infill development at the corner of these two streets, which dates from the mid-late 20th century.
5. All four of the dwellings in the terrace containing the appeal building include integral garages and areas of hardstanding to the front, with decorative metal balconies at first floor level. To the rear of these dwellings are small private garden areas. The rear garden of the appeal building has a somewhat irregular shape. This is caused, according to the appellant's statement¹, by a past part

¹ Paragraph 5.7 of the appellant's Statement

- 2-storey and part 3-storey extension on its western side, part of which projects a short distance from the main rear elevation of the terrace.
6. There is no dispute between the parties regarding the proposed glazed balustrade to the front balcony of the property.
 7. The proposed rear/side infill extension would be flat-roofed and single storey, some 3.0 metres high and extending some 4.5 metres from the main rear elevation of the terrace, along the rear garden boundary between Nos 7 and 8.
 8. The garden at No 7 is some 6.4 metres in length² and rectangular in shape; it is framed by timber panel fences some 2.0 metres high on each side, which mark the boundaries with the next door properties, Nos 6 and 8.
 9. The ground at the end of the garden is somewhat lower than by the dwelling and is marked by the side elevation of a single storey rear extension to the northernmost dwelling of the Grange Park terrace, No 4. This extends well over halfway across the width of the garden and rises to around 3.0 metres above the (lower) ground level; part of the rear and side elevations of the Grange Park terrace are visible above and to the side of this. A lower timber panel fence forms the remainder of the boundary between No 7 and No 4.
 10. The garden's small size, together with the scale and position of the Grange Park terrace and the various boundary structures, means the garden has a somewhat enclosed character with a limited outlook, at present.
 11. The proposed development would extend more than two-thirds of the way down the western boundary of the garden, at a height of around 3.0 metres, which is significantly higher than the current fence. The scale, massing and position of the proposed extension would, therefore, be overbearing and would appreciably increase the sense of enclosure of the garden.
 12. Consequently, the proposal would adversely affect the outlook from the single, rear ground floor habitable room at No 7, and from much of the garden. The narrow width of the garden means that the position of the habitable room, towards the eastern side of the dwelling and away from the proposed extension, would not significantly reduce this harm.
 13. I note that no objections to the proposal were received from the occupiers of No 7. I also note the other extensions referred to by the appellant in the area³, which are somewhat different in design and size to the appeal proposal. None of these points cause me to reach a different conclusion with regard to the harm that the appeal development would cause, as set out above.
 14. Reference is also made to a potential permitted development⁴ 'fallback' position for a somewhat smaller extension. However, the appellant has not provided details, such as the size or position of the potential 'fallback' proposal, or the part of the GPDO that would mean that it would be permitted development. Consequently, I am not satisfied that this is a genuine 'fallback' position, and I give it very limited and non-determinative weight.

² Paragraph 2, Page 5 of the Council's officer report

³ At Nos 1 and 4 The Corner.

⁴ Permitted Development under the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended (the GPDO)

15. For these reasons the proposed development would adversely affect the living conditions of nearby occupiers, with particular regard to outlook. It would therefore conflict with Policy 7B (Design Amenity) of the Ealing Development Management Development Plan Document December 2013, Policy 7.6 (Architecture) of the London Plan March 2016, and with paragraph 127 (f) of the National Planning Policy Framework 2019, in this regard.

Conclusion

16. For the reasons given above, and taking into account all matters raised, I conclude that the appeal should be dismissed.

Andrew Parkin

INSPECTOR