
Appeal Decision

Site visit made on 3 December 2019

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2020

Appeal Ref: APP/A5270/D/19/3227532

19 Allendale Avenue, Southall UB1 2SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Sukhdev Chana against the decision of the London Borough of Ealing.
 - The application Ref 185900HH, dated 19 December 2018, was refused by notice dated 14 February 2019.
 - The development proposed is a part single (as approved Ref. 18504PALHE), part double storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposed ground floor extension Ref. 185900HH was held by the Council not to require prior approval since it fell within the scope of permitted development rights. At the time of my visit I was able to see that this extension appeared to have been fully constructed.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of the wider area.

Reasons

4. The appeal site is the end property of a terrace comprising 6 dwellings located within an established residential area in Southall. Although the front elevations of most of the properties have changed little, some have been subject to alterations at the rear. No. 19 Allendale Avenue includes a recently constructed ground floor rear extension which covers the width of the dwelling and projects out from the back wall by about 6 metres.
5. The proposal would be a first-floor extension to accommodate an additional bedroom above this rear ground-floor extension. According to the plans the proposed extension would measure just under 3 metres in depth and around 5.5 metres in width. It would be located so that it would be flush with the end of the terrace and set back by around 3 metres back from the rear elevation of the ground floor extension. It would have a flat roof with sloping sides and end.
6. The relevant policies of the London Plan 2016 (LP) and the Council's Development Management: Development Plan Document 2013 (DPD) stipulate

that proposals for dwelling extensions should have regard to scale and visual impact. At about 5.5 metres in width the proposed extension would be around three quarters the width of the existing dwelling. I consider that an extension of this width would be disproportionate in size to the existing dwelling and out of keeping with the local area. In addition, I consider that a pitched roof would be more appropriate for a first-floor extension than one that is flat since it would respect the style of the dwelling's main roof.

7. For the above reasons I conclude that the appeal proposal would harm the character and appearance of the area. Thus, it would be contrary to policies 7.4 and 7B of the DPD which seek to ensure that new development is of a scale that respects the local area and is designed to provide a positive visual impact. It would also be contrary to Policy 7.4B(a) of the LP which seeks to ensure that the design of new development is of a high quality that respects the grain of the urban area. Finally, it would be contrary to Policy 7.6 of the LP which seeks to ensure that the scale and proportions of new development enhances the public realm.

Other Matters

8. I note that the appellant has indicated that he would be happy for me to impose a condition requiring a pitched roof. Since I find that the proposal would be contrary to policy irrespective of the roof design this is not a relevant consideration in my decision. Nevertheless, I believe that a condition requiring the redesign of the roof would amount to a significant change to the original proposal and would therefore potentially prejudice the rights of interested parties who would not have had the opportunity to comment. Consequently, I would not be willing to include such a condition in any event.
9. I acknowledge that the appellant states that the neighbours have supported the proposal. I have not been provided with any copies of correspondence demonstrating support, but I am aware that there have been no letters of objection submitted in respect of the planning application proposal. Nevertheless, in making planning decisions I must have regard to other interests including those of future occupants. Thus, such issues do not alter or outweigh my conclusion on the main issue.
10. I note that the appellant states that there have been other similar extensions constructed nearby. During my visit I did see one first-floor extension to the rear of one of the dwellings on the next row. However, I have considered the proposal before me on its individual planning merits. I do not consider that the existence of other development within the area creates a compelling precedent in the determination of this appeal.
11. I acknowledge that the proposed development would create additional accommodation and floorspace for the appellant and his family. However, the proposal would conflict with the aforementioned development plan policies and that is a matter of overriding concern.

Conclusion

12. For the reasons set out above I consider that, when the development proposal is considered as a whole, the appeal should be dismissed.

William Walton

INSPECTOR

