



Appeal Decision

Site visit made on 9 March 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2021

Appeal Ref: APP/A5270/D/20/3255030
27 Brunswick Road, Ealing, London W5 1BB

- 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 Mr & Mrs Anthony & Mary Lazarides against the decision of the Council of the London Borough of Ealing.
- The application Ref 200862PALHE, dated 17 February 2020, was refused by notice dated 7 April 2020.
- The development proposed is a single storey rear extension.

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 a single storey rear extension at 27 Brunswick Road, Ealing, London W5 1BB in accordance with the application 200862PALHE made on 17 February 2020, and the details submitted with it including plan Nos 20/27/BRE/101/A, 20/27/BRE/102 and 20/27/BRE/103/A1 pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2).

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 1, Class A, Part A.4(7) 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. My determination of this appeal has been made on the same basis.

Main Issue

3. The main issue is the effect of the proposal on the amenity of the occupiers of 25 and 29 Brunswick Road with particular regard to light and outlook.

Reasons

4. The appeal site includes a mid-terraced dwelling with an existing single-storey rear projection. This has a stepped footprint, with the section closest to the boundary with 25 Brunswick Road of slightly reduced depth. The proposed extension would increase the maximum depth of the rear projection to around 6m from the main two-storey part of the appeal dwelling.

5. However, both 25 and 29 Brunswick Road have existing rear projections. The proposed extension would be of greater depth, and its upper section would be visible from the neighbouring windows and gardens. Nevertheless, its depth beyond the rear of the neighbouring dwellings would not be substantial. The development would also have a flat roof of fairly modest height above the existing boundary fencing which would help to minimise its overall scale, and the central glazed lantern would add little to the impression of bulk or mass. Moreover, the extension would be set in appreciably from the boundaries of the site, and this would further reduce the visual impact of the proposal as seen from neighbouring sites.
6. The projection to the rear of No 29 is a conservatory, but glazing to its closest side already faces the solid wall of the existing projection to the appeal dwelling at close proximity, and the set in of the extension means that the additional depth proposed would not be readily visible from these openings. Considerable levels of outlook would also remain from the windows and glazing to the rear of both Nos 25 and 29, including towards open land beyond their rear boundaries.
7. Given these factors, I am satisfied that the modest height and depth of the development that would be visible from neighbouring dwellings would not cause a significant increase in enclosure, and that occupiers of Nos 25 and 29 would still enjoy a reasonably open aspect to their rear. The proposal would not therefore be overbearing or result in a harmful loss of outlook. Notwithstanding the orientation of the rear of these dwellings broadly towards the north, these factors would similarly minimise potential for overshadowing and I do not find that the development would cause any significant loss of light.
8. The dwelling has been previously extended, and I note concerns raised by an interested party that the proposal would result in near doubling of its footprint and overdevelopment. However, the size of the dwelling in itself is not an indicator that there would be harm to neighbouring amenity, and matters of character do not fall to me to determine under the provisions of the GPDO described above.

Conclusion

9. For the reasons given above, I find that the proposal would not cause unacceptable harm to the amenity of neighbouring occupiers. I therefore conclude that the appeal should be allowed and prior approval should be granted.

Conditions

10. Any planning permission granted under Article 3(1) and Schedule 2, Part 1, Class A is subject to conditions in sections A.3 and A.4. These include a requirement for the exterior materials to be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse. In addition, the formal decision includes within it reference to the approved plans.

J Bowyer

INSPECTOR