



Appeal Decision

Site visit made on 25 May 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2021

Appeal Ref: APP/A5270/D/21/3269570

27 St Albans Avenue, Chiswick W4 5LL

- 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 James Salmon against the decision of the Council of the London Borough of Ealing.
 - The application Ref 205050HH, dated 8 December 2020, was refused by notice dated 3 February 2021.
 - The development proposed is a first-floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor rear extension at 27 St Albans Avenue, Chiswick W4 5LL in accordance with the terms of application Ref 205050HH, dated 8 December 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 202001-P00-001, 202001-P02-100 and 202001-P01-100.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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 Matters

3. The ground floor extension and Juliet balcony elements of this proposal have already been approved in a prior application to the Council. Therefore, the focus of this appeal will be the effects of the first-floor rear extension.
4. Since the determination of this application a new London Plan (2021) has been adopted. New policies have superseded the previous policies, and appeals must be assessed against the current development plan. Both the Council and the appellant have been given the opportunity to consider the relevant new policies for this appeal.

Main Issues

5. The main issues in the appeal are the effect of the proposed first-floor rear extension on:
 - the character and appearance of the host dwelling and the surrounding area; and
 - the living conditions of the occupiers of 29 St Albans Avenue, with particular regard to outlook and whether there would be an overbearing impact.

Reasons for the Recommendation

Character and Appearance

6. The appeal site is situated to the rear of a semi-detached property. The rear of the properties on this street have a variety of extensions, at both ground-floor and first-floor level. There are also a number of roof extensions, including on the host dwelling, which increases the scale of these properties. Overall, the rear elevations of properties on this street have a varying character in terms of built pattern, and an inconsistent appearance in terms of scale.
7. The proposal would extend the property beyond the building line with the directly neighbouring properties at first floor level. There are, however, numerous examples of two-storey rear projections, which may be extensions or original features, along the street that extend a similar distance to that of the proposed development and are of a similar bulk and mass.
8. The proposal would extend from the existing two-storey extension, which is slightly set in and has a lower ridge line than the original property. The host dwelling also has a dormer extension. Therefore, the proposal would appear clearly subordinate and within the scale of the host dwelling. There are numerous rear and roof extensions on this street, so the proposal would be an appropriate scale for the surrounding area and would thus be in-keeping with the prevailing pattern of development in the area.
9. Overall, the first-floor extension would not harm the character or appearance of the host dwelling or surrounding area. It would therefore be compliant with Policy 7.4 of the Ealing Development Management Development Plan Document (2013), which aims to protect the building pattern and scale of the local area. It would also conform with Policies D1 and D4 of the London Plan (2021), which together aim to ensure good quality design that corresponds with an areas character.

Living Conditions

10. The appeal site has an existing rear extension that is close to the boundary with 29 St Albans Avenue. No.29 has a rear extension at ground-floor level, that extends to a similar distance.
11. There is a first-floor window in No.29 that would be impacted by the proposed extension. However, this window would remain primarily looking out to the rear garden space of this dwelling rather than to the proposal. Although potentially breaching the 45-degree splay from this neighbouring window, it would only be marginal and of just a small part of the proposed extension. Therefore, it would not cause any substantial harm to outlook or an overbearing impact to this

first-floor window. The existing ground-floor extension at No.29 protrudes to almost the same distance as the proposed development and therefore ensures the proposal would not have a substantial impact on outlook or cause overbearing to any ground-floor rear windows or rear garden space of No.29.

12. For these reasons, the first-floor extension would not cause unacceptable harm to the living conditions of No.29 and would therefore conform with Policy 7B of the Ealing Development Management Development Plan Document (2013), which aims to achieve a high standard of amenity for adjacent users. It would also be compliant with Policy D6 of the London Plan (2021), which seeks to protect the amenity of surrounding housing, including outside spaces.

Conditions

13. The standard time condition has been recommended for reasons of certainty. For the same reason, conditions regarding plans and materials have been recommended, as well as to ensure an appropriate level of design that protects the character and appearance of the dwelling.

Conclusion and Recommendation

14. For the reasons given above and having had regard for the Development Plan when it is considered as a whole, I recommend that the appeal is allowed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR