



Appeal Decision

Site visit made on 22 September 2021 by M Long

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/A5270/D/21/3274658

9 Mount Pleasant Road, Ealing, London W5 1SG

- 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 J Odedra against the decision of The London Borough of Ealing.
 - The application Ref 211902HH, dated 15 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is a loft conversion.
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Decision

1. The appeal is dismissed.

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. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of the neighbouring occupiers at No 8 and No 10 Mount Pleasant Road with regard to privacy.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is located in a residential area comprised of a variety of housing types, including a large number of semi-detached pairs. The appeal site is a semi-detached dwelling with a hipped roof located on the western side of Mount Pleasant Road. The rear elevation of the appeal property has two modestly-sized and traditional style windows at first floor level. Upon my visit

to the site, I observed construction work that was being undertaken at the rear of the property, however the details of this scheme are not before me. There are a considerable number of roof extensions in the surrounding vicinity, many of which are visible from the rear of the appeal property. This includes a large roof extension with a corner tower feature at neighbouring property No 10, and a large rear dormer window with a Juliet balcony at No 7.

6. The proposed development is a hipped-to-gable roof alteration including a number of rooflights and a rear dormer extension which would incorporate a balcony and glass balustrade. The rear dormer would include a large amount of glazing that would cover almost the entire width of the dwelling and be fitted from floor to ceiling. Due to their height, the proposed dormer and balustrade would be prominent from the rear gardens of the surrounding properties.
7. The large amount of proposed glazing along the rear elevation would appear out of keeping with the host dwelling's existing pattern of fenestration, which is more modest and traditional in form. The proposed glazing and glass balustrade would be distinctly modern in appearance and, while in isolation would show high quality design and material use, would be an incongruous feature in its current context. Given the prominence of the proposed fenestration from the surrounding properties, the proposal would result in harm to the character and appearance of the area.
8. There are a number of examples of roof extensions that incorporate a considerable amount of glazing in the surrounding area, however these are not as large in scale as the proposal and so are not directly comparable. While the roof tower feature at No 10 includes a large amount of glazing on the rear and side elevation, these windows have a reduced width and height in comparison to the appeal scheme and so do not set a precedent for the substantial amount of glazing proposed at roof level. In any event, each scheme must be determined on a case-by-case basis subject to its individual planning merits.
9. The Council has not raised any particular concerns with the scale and massing of the proposed roof extension. Noting that there are other relatively large scale rear dormer windows that are visible from the appeal site, I see no reason to disagree. However, this would not mitigate the harmful effect that arises from the proposed size and style of fenestration at roof level.
10. Given the above, the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to the Ealing Development Management: Development Plan Document (DPD), adopted December 2013. It would conflict with Policy 7.4 which seeks to ensure development complements the scale and materials of existing built areas and Policy 7B which seeks to ensure new development uses external fittings and materials that complement the building and context. There would be further conflict with The London Plan, adopted March 2021, specifically Policy D3 which seeks to ensure development proposals respond to the existing character of a place.

Living Conditions

11. Within the area surrounding the appeal site, properties experience a moderate level of overlooking from first floor windows and windows associated with roof extensions, including Juliet balconies. In the immediate vicinity of the appeal site, No 7 has a large Juliet balcony at roof level and the corner tower feature at No 10 incorporates a substantial amount of glazing.

12. The proposed balcony with glass balustrade would result in a harmful loss of privacy and increased sense of overlooking to the occupiers of the neighbouring properties. While there are large windows at roof level in the surrounding vicinity, the nature of overlooking when using a balcony would be more intrusive than from within a dwelling looking out of a window or Juliet balcony. Moreover, the associated uses of the proposed balcony would likely increase the amount of time an occupier would be in a position to overlook a neighbouring property and would therefore result in unacceptable harm to the living conditions of the neighbouring residents.
13. The corner tower incorporated into the roof extension at No 10 presents an increased level of overlooking to the appeal property. However, even if that resulted in a harmful level of overlooking, its nature, being entirely from the inside, is different to the level of overlooking associated with the outdoor use of the proposed balcony.
14. Although there have been no formal objections from the neighbouring residents, the living conditions of the current and any future residents of these dwellings must be considered.
15. For the above reasons, the proposed development would result in unacceptable harm to the living conditions of the occupiers at No 8 and No 10 Mount Pleasant Road. It would therefore be contrary to the Ealing Development Management DPD, specifically Policy 7A which seeks to ensure development does not erode the amenity of the surrounding area. There would also be conflict with Policy D3 of The London Plan which seeks to ensure development proposals deliver appropriate outlook and privacy.

Other Matters

16. The development would allow for increased accommodation for the appellant's family; however, this is a private benefit and would not outweigh the harm identified above.
17. The appellant has put forward that the proposal would comply with various aspects of the local policies pertinent to the appeal, including high quality architecture, appropriate use of site levels and good levels of daylight and sunlight. While this may be the case, this would not outweigh the harm identified on account of its fenestration and increased sense of overlooking and loss of privacy.
18. The appellant has raised issues relating to the Council's processing of their case and more generally. Nevertheless, these issues are not related to the specific planning merits of the appeal scheme which must be the focus of this recommendation. The appellant suggests that the Council may not have undertaken a site visit, however a visit has been undertaken in association with this appeal and has informed this recommendation.

Conclusion and Recommendation

19. The proposed development would not accord with the development plan, when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR