



Appeal Decision

Site visit made on 21 July 2022 by N Unwin BSc (Hons) MSc

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th August 2022

Appeal Ref: APP/A5270/D/22/3298071

93 Laughton Road, Ealing, Northolt UB5 5LW

- 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 Ahmed Salah against the decision of the Council of the London Borough of Ealing.
 - The application Ref 220516HH, dated 9 February 2022, was refused by notice dated 20 April 2022.
 - The development proposed is described as 'Extension of property into the rear garden a total of 4 metres at ground floor level and 3 metres at first floor level'.
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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.

Main Issues

3. The main issues to be considered are i) the effect of the proposal on the character and appearance of the host property and the surrounding area; and ii) the effect of the proposal on the living conditions of the occupiers of No. 91 Laughton Road (No. 91), with particular regard to daylight and outlook, and Nos. 37 – 53 Compton Crescent (Nos. 37 – 53), with particular regard to levels of sunlight.

Reasons for the Recommendation

Character and Appearance

4. The area surrounding the appeal site is residential in character with the street scene formed mostly of terraced and semi-detached two storey dwellings. The appeal property forms the end dwelling of a linear terrace along Laughton Road. The terrace is formed of two storey pitched roof dwellings of largely similar materials, understated design, and of a well-proportioned modest scale giving this section of the street scene an attractive uniform character.
5. The rear elevations of these dwellings are predominantly screened from the public realm and appear mostly unaltered and retain the attractive simplicity in design and scale of the front elevations. The alterations to the rear elevations that I saw at my site visit were single storey and subservient to the host dwelling, so as to retain their original character.

6. Like the others in the row, the appeal property is simple in design and well-proportioned making a positive contribution to the street scene both in isolation and as part of the wider terrace. There is a single storey flat roofed extension along the entire width of the rear elevation, however due to its relatively small scale it is subservient to the host dwelling and does not detract from its original character and form.
7. The proposal would involve a two storey gable and a single storey flat roof rear extension across the full width of the host dwelling. The two storey element would utilise a pitched roof on the left side and a flat roof to the right, extending beyond the existing rear ground floor wall by approximately three metres. The eaves of the proposed two storey extension would match that of the host dwelling. A flat roofed single storey element would project beyond this by around one metre.
8. Due to the location of the proposal to the rear of the host dwelling, it would be predominantly screened from the public realm with only glimpsed views from Irving Avenue and Compton Crescent. As such, the proposal would not have a wider adverse impact on the character and appearance of the surrounding area. Due to its flat roof form spanning the width of the dwelling, the ground floor extension would create an unduly horizontal feature, which would be at odds with the modest proportions of the existing dwelling. Overall, the scale of the proposal would result in an overly dominant development which would not be subordinate to the host dwelling, eroding its simple and modest character.
9. Whilst I have concluded that the proposed development would not have an adverse impact on the character and appearance of the surrounding area, it would cause material harm to the character and appearance of the host property. Accordingly, I find that the proposal would conflict with the objectives of Policies D1, D3 and D4 of The London Plan (2021) and Policies 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) which broadly seek to ensure that new development is in keeping with the character and appearance of the host dwelling.

Living Conditions

10. The appeal property adjoins No. 91, a two storey dwelling of a similar scale. There is no variation between the rear building line of No. 91 and the main body of the appeal property. There is a door and two ground floor windows and two first floor windows within the rear elevation of No. 91.
11. The proposed two storey extension would adjoin the shared boundary with No. 91, extending beyond its rear elevation. Due to the two storey height of the proposal, the expanse of unbroken wall and its proximity to the shared boundary, it would increase the sense of enclosure when viewed from No. 91's windows and the rear garden area immediately behind the dwelling. It would have an overbearing impact which would be detrimental to the living conditions of the occupants of No. 91.
12. The ground and first floor windows within the rear elevation of No. 91 adjacent to the common boundary with the appeal property do not serve habitable rooms. The levels of daylight reaching the other ground and first floor windows serving habitable rooms would be unlikely to be significantly reduced, due to their separation distance from the extension's side wall. Nevertheless, due to the two storey height of the proposal and its proximity to the shared boundary

with No. 91, it would reduce levels of daylight in the area immediately behind No. 91, creating a gloomy corner of garden adjacent to No. 91's rear door which would make that area much less pleasant to use. Therefore, the proposal would have an unacceptable impact on the living conditions of No. 91's occupiers.

13. The northern boundary of the appeal site adjoins the open area to the rear of Nos. 37 – 53, a three storey apartment block. It is acknowledged that the proposal would result in a loss of sunlight to part of the open area adjoining Nos. 37 – 53, due to its proposed location to the south. Nonetheless, due to the limited length of the side wall, the area of additional shadow and the loss of sunlight would be limited to a small area close to the end gable of the proposal, with an extensive area closer to the block unaffected. Therefore, the open area would continue to receive adequate levels of sunlight and the proposal would not have an unacceptable impact on the living conditions of the occupiers of Nos. 37 – 53.
14. Based on the above, I conclude that the proposed development would cause material harm to the living conditions of the occupiers of No. 91 Laughton Road, with particular regard to loss of daylight and harm to outlook. Accordingly, I find that the proposal would conflict with the objectives of Policy D3 of The London Plan (2021) and Policy 7B of the Ealing Development Management Development Plan Document (2013) which broadly require the provision of a good outlook and adequate levels of daylight for neighbouring residents.

Other Matters

15. The appellant has referred me to the extensions at Nos. 96 and 98 Laughton Road. However, I have not been supplied with any further details of those developments and cannot be certain that the balance of considerations in those cases was the same as the case before me. In any event, the presence of these developments does not outweigh the harm I have identified in relation to the character and appearance of the host dwelling and the living conditions of the occupiers of No. 91 and Nos. 37 – 53.
16. The appellant has also referred me to the extension at No. 95 Laughton Road (No. 95). Although this extension involved a two storey element, this only extended across approximately half the width of the rear elevation and did not continue to the boundary with the adjoining property. Consequently, the extension at No. 95 is not directly comparable to this appeal.
17. Whilst the proposal would replace an existing extension that has been poorly constructed, that benefit could also be achieved by an alternative scheme which would cause less harm to the dwelling's character and appearance and to the living conditions of No. 91's occupiers. I therefore give that consideration no weight in my assessment of the appeal.

Conclusion and Recommendation

18. The proposal would conflict with the development plan, read as a whole, and there are no material considerations of sufficient weight to justify a decision other than one in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

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

Sarah Housden

INSPECTOR