

Appeal Decision

Site visit made on 28 July 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15TH August 2023

Appeal Ref: APP/A5270/D/23/3321389

67 Wadham Gardens, Greenford, UB6 0BU

- 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 Tsan Pui Pang against the decision of the Council of the London Borough of Ealing.
 - The application Ref 225240HH, dated 9 December 2022, was refused by notice dated 31 March 2023.
 - The development proposed is erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 67 Wadham Gardens, Greenford, UB6 0BU in accordance with the terms of the application, Ref 225240HH, dated 9 December 2022, and the plans submitted with it.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area; and secondly, the effect of the proposed extension on the living conditions of occupiers of 65 and 69 Wadham Gardens with respect to outlook, light and visual amenity.

Procedural matter

3. Although the refusal notice refers to the effect of the proposed extension on 67 Waldegrave Road it is clear from the evidence, including my site visit, that the potentially most affected property is the adjoining neighbour at 65 Wadham Gardens. I have therefore considered the effect of the proposed extension on the living conditions of occupiers of this dwelling.

Reasons

4. The appeal dwelling is a traditional end of terrace house in a street of similar dwellings arranged in short terraces. The terraces originally ended in a hipped roof but at the appeal dwelling a hip to gable alteration has taken place and a dormer inserted on the rear elevation. No 67 is separated from the adjacent
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terrace by pedestrian accesses serving each dwelling. To the rear, the dwelling has been extended through two single storey additions. The first is the width of the dwelling, some 4.1m deep and has a mono-pitched roof. It is understood to have been in place for some time and to be lawful. The second extension adjoins this, is some 3.3m deep, the width of the dwelling and has a flat roof. It is this later extension that is the subject of the appeal.

5. The Council states in its delegated report that the overall depth of the rear extensions is, variously, "almost 10m", 8.3m and 7.4m. Taking account of all the evidence, including my site visit, I am satisfied that the dimensions set out in paragraph 4. above are correct and that the overall depth of the two extensions is some 7.4m. I note that beyond and attached to the extension is a canopy with a depth of approximately a further 1m.
6. The extension, being to the rear of the dwelling, has no material effect on the street scene of Wadham Gardens or on the appearance of the dwelling when viewed from the street. When seen from the rear it is, overall, a deep addition. However, the stepped roof profile, with the appeal extension being lower than the original extension, breaks up the mass of the combined additions and ensures that the lower appeal extension appears subordinate to the previous extension and the original dwelling. Moreover, the adjacent dwelling, 69 Wadham Gardens, has a similarly deep rear extension and No 61, at the opposite end of the terrace to the appeal dwelling, also appears to have a deep rear addition. In addition, No 65 has a shorter rear extension. Together, these add to the varied character of the area. Although the Council states that the extension at No 69 has not been granted planning permission, it is not suggested that it is unlawful or that it is expected to be removed.
7. It is concluded on the first main issue that the proposed extension would have no materially detrimental effect on the character or appearance of the host dwelling or the surrounding area. In consequence, it would comply with Policies D3, D4 and D5 of the London Plan (LP), 2021, Policies 7.4 and 7B of the Ealing Development Management DPD (DPD), 2013, and the National Planning Policy Framework (NPPF). Taken together and amongst other things these policies expect new development to be of a high quality, sympathetic to local character, visually attractive, practical to use and to optimise the potential of the site as a result of appropriate building pattern and scale.
8. Turning to the effect on the living conditions of neighbouring occupiers, the proposed extension lies close to the boundary with the adjoining dwelling, No 65. This dwelling has a single storey semi-open extension some 4m deep and close to the shared boundary. This extension takes light from the ground floor bay window in that dwelling. The proposed extension would project some 3.3m beyond the extension at No 65. However, owing to the limited further projection, the south facing orientation of the rear of the dwellings and the retained open outlook over its own garden, the proposed extension would not lead to an unacceptable sense of enclosure or have a materially harmful effect on the outlook, light or visual amenity of occupiers at No 65.
9. Although not a reason for refusal, the Council's delegated report suggests that the proposed extension would be overly dominant when seen from No 69. Whilst I accept that it would be clearly visible, the separation between the two dwellings coupled with the similar extension at No 69 would ensure that the

effect was not unacceptable in terms of a sense of enclosure, visual intrusion or loss of outlook.

10. Finally, the Council's delegated report raises concerns regarding the level of outdoor amenity space retained for occupiers of the appeal dwelling. However, I am satisfied that, notwithstanding the presence of a large outbuilding, a sufficient level of useable and well-lit outdoor space would be retained to ensure that the amenity of occupiers of the appeal dwelling was not harmed.
11. It is concluded on the second main issue that the proposed extension would have no materially harmful effect on the living conditions of occupiers of 65 or 69 Wadham Gardens with respect to outlook, light and visual amenity. In consequence, the proposed extension would comply with Policy D3 of the LP, Policy 7B of the DPD and with the NPPF. Taken together, they expect new development to provide a high standard of amenity for existing and future users and in particular deliver appropriate outlook, good levels of daylight and sunlight and achieve indoor and outdoor environments that are comfortable and inviting for people to use.
12. Since the proposed extension is substantially complete, a commencement condition is not necessary. Neither are conditions requiring the development to be carried out in accordance with the approved plans or in matching materials, which has already occurred. The Council has not suggested any other conditions and I agree that none is necessary.
13. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR