



Appeal Decision

Site visit made on 8 August 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24TH August 2023

Appeal Ref: APP/A5270/D/23/3320528

2 Alacross Road, Ealing, W5 4HS

- 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 N Allsop against the decision of the Council of the London Borough of Ealing.
 - The application Ref 230093HH, dated 10 January 2023, was refused by notice dated 6 March 2023.
 - The development proposed is erection of single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 1 Alacross Road, with particular reference to outlook.

Reasons

3. The appeal site comprises a two storey, mid terraced property, set within a curved part of the terrace.
4. The proposed extension would infill the area between the existing 2 storey outrigger and the side boundary with 1 Alacross Road. The extension would also extend beyond the existing outrigger by between around 2m – 3.46m. It would however extend beyond the main wall of the existing dwellinghouse by about 8.2m.
5. The proposed extension would be sited on the boundary with 1 Alacross Road. The flank wall would have a height of 2m, with a pitched roof sloping up away from the boundary to a height of approximately 3.1m.
6. The boundary between the appeal site and 1 Alacross Road currently comprises of fence panels which vary between about 1.75 – 2m in height. The flank wall of the extension would extend along almost the entire side garden boundary of No 1. Whilst the flank wall along the boundary would be 2m in height, the sloping roof would reach a height of 3.1m, in close proximity to the boundary.
7. The rear elevation of No 1 is splayed at a slight angle to the rear of the appeal property. Its shallow rear garden is already dominated by its own two-storey outrigger, with area immediately to the rear of the main wall of the dwelling

being narrow and enclosed by the flank elevation of the outrigger and the side boundary with the appeal property.

8. The proposed extension, due to a combination of its height, disproportionate depth and its positioning on the boundary, would be very apparent when viewed from windows on the side elevation of the outrigger of No 1 and also from its rear garden. In my view, the extension would lead to an additional sense of enclosure and an overbearing effect, which would be harmful to the living conditions of the occupiers of the 1 Alacross Road.
9. I acknowledge the appellant's comments that a 2m high boundary fence, wall or other means of enclosure could be constructed along the boundary with No 1. However, the proposed extension would rise to a height of 3.1m close to the boundary and I consider that the development would have a greater impact on the outlook from No 1 compared to a 2m high boundary enclosure.
10. The Council do not specifically allege loss of light and given the effect the existing two storey outrigger already has on the amount of light received to the rear of No 1, I agree that the proposed extension would be unlikely to result in any serious additional loss of light. However, this consideration does not outweigh the harm that I have identified above in relation to outlook.
11. The appellant has a highlighted through ariel images, two storey and single storey rear projections to dwellings in Alacross Road, including at Nos 1 and 6. Whilst noted, I have limited details of the background to these examples. In any case, I have dealt with the proposal on its own merits.
12. Accordingly, the development would conflict with Policy 7B of the Ealing Development Management Development Plan Document (2013) (DPD) and Policies D3 and D6 of The London Plan (2021)(LP) and the National Planning Policy Framework (2021). These policies collectively seek, amongst other things, to deliver appropriate outlook, and provide a high standard of amenity for users and adjacent uses.
13. I note the Council also refer to Policy 7.4 of the DPD and Policy D4 of the LP in their refusal reason. These policies seek to ensure development is of a good quality design which complements the local character of an area. As they do not refer to living conditions, they are of limited relevance to this matter.

Conclusion

14. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR