



Appeal Decision

Site visit made on 15 August 2023

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal Ref: APP/A5270/D/22/3307953

99 Ruislip Road, Greenford, Ealing UB6 9QF

- 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 Shivakumar Gurung (Tamu Samaj UK) against the decision of the Council of the London Borough of Ealing.
 - The application Ref 223249HH, dated 24 July 2022, was refused by notice dated 15 September 2022.
 - The development proposed is a ground floor rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended by the council in its decision letter. I have used the description of development as written on the planning application form.

Main Issues

3. The main issues are the effect of the appeal proposal on i) the living conditions of occupiers of the neighbouring dwelling at 97 Ruislip Road with particular regard to sense of enclosure, daylight and sunlight, and ii) the character and appearance of the area.

Reasons

Living Conditions

4. The appeal site is a single storey detached house, set within a run of 6 similar houses. Of these dwellings, 3 have large single storey full-width rear extensions projecting up to approximately 8m from the original rear elevation. The houses at 97 and 95 Ruislip Road have smaller rear extensions not covering the full width of the houses.
5. On my site visit I was able to see the relationship between the existing large rear extension at 101 Ruislip Road with the appeal site adjacent. Whilst it had a limited effect upon any overbearing to the appeal site's garden, it made the view from the rear elevation adjacent to the boundary feel enclosed. The relationship between the proposed extension and no. 97 Ruislip Road would be very similar. Notwithstanding the set back from the side boundary with 97 Ruislip Road, due to its projection and height, I find that the proposed extension would cause an increased sense of enclosure to the rear windows at 97 Ruislip Road.

6. Given the depth of the proposed extension relative to the position of the rear windows of number 97, particularly the window closest to the appeal site, it is likely that some loss of daylight and sunlight would also be experienced. The appellant's suggestion that there will not be any harmful impact on daylight or sunlight levels to the rear windows of 97 Ruislip Road has not been evidenced.
7. I find therefore that the proposed extension would cause an increased sense of enclosure and a loss of daylight and sunlight to the windows to the rear of 97 Ruislip Road. This runs contrary to the aims of policy 7B of the Ealing Development Management Plan DPD which, amongst other things, requires developments to respect the amenity of occupiers of neighbouring buildings and ensure good levels of daylight and sunlight.

Character and appearance

8. There are extremely limited street views of the rear of this run of houses. From Ruislip Close, the large rear extension to 101 Ruislip Road is highly visible, but beyond that, public views are largely obscured. Given the number and size of the single storey extensions along this row of houses, I consider that they are now a part of the character of the area. Whilst the proposed extension would be large, it would still leave a significant area of garden to the rear, and it would not be readily visible in street views.
9. Due to the prevalence of rear extensions, their form and their depth, the appeal proposal would not be out of character with the immediate area and would be in line with the aims of policies 7.4 and 7B of the Ealing Development Management Plan Development Plan Document 2013 and policies D3, D4 and D5 of the London Plan 2021. These policies, amongst other things, aim to deliver well designed developments, requiring development to respond to local distinctiveness as well as the scale, materials and detailing locally.
10. I have found that the appeal proposal would harm the living conditions of the residential occupiers at 97 Ruislip Road, and the lack of harm to the character and appearance of the area is a neutral consideration that weighs neither for nor against the proposal.

Other Matters

11. I have had regard to other matters raised in objections including the use of the alleyway, overlooking and a potential change of use to a place of worship. As I am dismissing the appeal on one of the main issues for the reasons given above, I have not pursued these matters further.

Conclusion

12. I have found that the appeal proposal would harm the living conditions of the residential occupiers at 97 Ruislip Road. As such it is contrary to the development plan read as a whole. No material considerations, including the more efficient use of land, have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

L Francis

INSPECTOR