



Appeal Decision

Site visit made on 9 August 2023 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2023

Appeal Ref: APP/A5270/D/23/3316327

9 Currey Road, Ealing, Greenford UB6 0BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr M Majeed and Mrs H Mohamad against the decision of the council of the London Borough of Ealing.
 - The application Ref 225259PALHE, dated 12 December 2022, was refused by notice dated 17 January 2023.
 - The development proposed is for a single storey rear extension.
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Decision

1. The appeal is allowed and prior approval is granted for a single storey rear extension at 9 Currey Road, Ealing, Greenford UB6 0BD in accordance with the terms of the application, Ref 225259PALHE, dated 12 December 2022, subject to the standard conditions set out in paragraph A.3. of Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. It is common ground that the scheme would comply with the requirements of Class A as they relate to the description of permitted development. The crux of the case relates to prior approval matters, specifically those concerning the living conditions of the neighbouring occupiers of 11 Currey Road. This forms the main issue of the appeal, with specific regard to light and outlook.

Reasons for the Recommendation

4. The appeal site is an end of terrace property, which is attached to No 11. There are tall shrubs along the length of the boundary between the appeal site and No 11. No 9 has an existing rear extension which is approximately half the length of that proposed and has a pitched roof.
5. The proposed development would introduce a longer wall along the boundary between the properties, which has the potential to have an impact on light entering the ground floor rear windows, and outdoor space, of No 11. However, the shrubs nearest the house, which would need to be removed to build the extension, are tall and dense and appear to overshadow the neighbouring

property already. The overall effect of the extension in terms of light therefore would be neutral.

6. The outlook of the occupants of No 11 would be altered through the removal of the softer boundary treatment in favour of the solid wall. However, as the existing shrubs are dense, the change to the proposed solid wall of the extension would not be unacceptably harmful. The proposal would also therefore represent a neutral effect on the outlook of the neighbouring occupants.
7. In addition, the side boundary of the appeal site relative to No 11 is at a slight angle which would result in the extension being slightly splayed away from the immediate rear of No 11. This would be a further mitigating factor to the level of harm the proposed extension would give rise to.
8. With this in mind, the appeal scheme would be acceptable under the prior approval matters of Class A, specifically those set out in Paragraph A.4.(9)(b) of the GPDO. I have not been provided with a development plan context for the appeal scheme. The policies of which would not, in any event, have a determinative effect on the outcome of the appeal. Acting as they would as material considerations to the main issues.

Other Matters

9. The proposed extension would not have any windows overlooking the neighbouring properties. The increase in length of the extension would not give rise to any additional overlooking opportunities and would therefore maintain the same level of privacy within No 11 as existing.

Conclusion and Recommendation

10. For the reasons given above I recommend that the appeal should be allowed subject to the standard conditions I have referred to.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representatives' report and on that basis the appeal is allowed.

John Morrison

INSPECTOR