



Appeal Decision

Site visit made on 14 November 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th December 2023

APP/A5270/D/23/3326388

53 Townsend Road, Southall, UB1 1HB

- 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 Alfred Selvanayagam against the decision of the Council of the London Borough of Ealing.
 - The application Ref 231528HH, dated 19 April 2023, was refused by notice dated 20 June 2023.
 - The development proposed is retention of a single storey rear/side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, I saw that the development of the extension was substantially complete. I also note that the application has been submitted retrospectively. I have dealt with the appeal on that basis.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the site and surrounding area; and,
 - the living conditions of occupiers of 51 Townsend Road, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site relates to a mid-terraced 2 storey house. Houses in the area have 2 storey rear projecting wings joined to those of neighbouring properties with a shared roof ridge below that of their main roofs. Many of these rear outriggers have single storey extensions and all the rear gardens that I could see also had outbuildings at the back. These developments have reduced the size of rear gardens such that small built up gardens have become the established pattern of development in the area. Nonetheless, the appeal site outbuilding is larger, with its building line extending further into the garden, than most others. Consequently, the remaining garden is smaller than many others nearby.

5. The appellant has referred to the Council's acknowledgement that neighbouring properties have substantial development in their back gardens, and I note that No 55 has a rear extension which extends further back than the appeal development and its remaining garden is a similar size. However, the Council also states that there is no planning history for these developments.
6. Policy 7.4 of the Ealing Development Management Development Plan Document (2013) (DMDPD) states that development should complement the local building pattern in terms of site coverage by buildings and spaces between them. The reduction in garden space arising from the full width rear extension, in combination with the large outbuilding, has led to the appeal site appearing cramped, overdeveloped and out of keeping with the established pattern of development, despite it being characterised by small, developed, rear gardens.
7. Although the development is not visible from the street, it would be seen from the rear of houses on West End Road which backs on to Townsend Road. Overall, I conclude on this main issue that the development has caused unacceptable harm to the character and appearance of the area and as such conflicts with Policies D3 and D4 of the London Plan (2021) and Policies 7.4 and 7B of the DMDPD which require development to respond positively to local distinctiveness. The proposal would also conflict with Policy DAA of Ealing's Local Plan – Initial Proposals (Regulation 18) (2022) (Draft LP) which requires development to have a positive visual impact. The Draft LP is an emerging plan and as such, having regard to paragraph 48 of the National Planning Policy Framework (2023), I accord it limited weight.

Living conditions

8. The development is on the boundary with No 51 and is significantly higher than the existing boundary wall between the 2 houses. The nearest windows on No 51 are small, obscured glazed and set away from the extension side wall. From these windows there will be little effect on outlook. Whilst the side wall is visible from the garden, views of it will be peripheral and there is enough space beyond it to allow relatively unimpeded views towards the rear of the garden. There is a single storey extension on No 49 which projects from its 2 storey outrigger. However, that extension is set in, away from the side boundary with No 51. As a result, there will be no undue sense of enclosure from the extension walls either side of its rear garden. Overall, I conclude on this main issue that the outlook from No 51 has not been affected by the development to an unacceptable degree and, in this regard, it accords with policy 7B of the DMDPD and policy DAA of the draft LP which require development to achieve a high level of amenity and avoid adverse effects on neighbours, respectively.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR