



Appeal Decision

Site visit made on 5 December 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28TH December 2023

Appeal Ref: APP/A5270/D/23/3331686

38 Summit Road, Northolt, Middlesex, UB5 5HL

- 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 Lawrence Adjei against the decision of the Council of the London Borough of Ealing.
 - The application Ref 233387HH, dated 18 August 2023, was refused by notice dated 12 October 2023.
 - The proposed development is the demolition of existing ground floor rear extension and construction of 3m depth double storey rear extension with hipped tiled roof with additional side facing windows.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Building works were in progress when I visited, and the erection of a ground floor rear extension was well advanced. On enquiry, the appellant confirmed that he wished to continue with the current appeal.

Main issues

3. The main issues are the effects of the proposed development (a) on the character and appearance of the host property and its surroundings, and (b) on the living conditions of neighbouring residents at No 36 with particular reference to visual impact.

Reasons

Character and appearance

4. The appeal property is sited at the end of a small terrace of dwellings in a street of distinct suburban characteristics. The extension would be built to the rear and the Council consider that, on account of its scale, it would fail to appear subordinate to the host property, and consequently would constitute an incongruous and dominant addition.
 5. I do not see matters in those terms. Although a fairly substantial addition, the extension's design has been well thought out, particularly with regards to its proportions and roof design. From the public realm, the extension would not be particularly apparent in the gap between the appeal property and No 40, and the roof at the front would retain its present form.
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6. I do not therefore share the Council's view on design and conclude that the proposed development would not unacceptably harm the character and appearance of the host property and its surroundings. Accordingly, there is no material conflict with those aspects of the Council's Development Management Development Plan Document policies 7.4 & 7B and policies D1 and D4 of the London Plan directed to ensure that the design and scale of new development respects local character.

Living conditions

7. Although the appellant says the extension's wall would be inset from the side boundary shared with No 36, the plans indicate that this would be minimal. To all intents and purposes, a two-storey extension would be built virtually on the boundary with No 36 projecting about 3m or so from the appeal property's rear elevation.
8. To my mind, making full allowance for the past effects of the ground floor extension replaced, the extension, in view of its height and bulk, would be perceived as a dominating and oppressive structure when viewed from those parts of No 36's garden closest to the house. I note that the appellant suggests that the neighbouring garden is sizeable, but to my mind it is of a fairly narrow width and the proposed extension would overpower those parts, nearest the house, most likely to be regularly used.
9. I conclude that the proposed development would harm neighbouring living conditions at No 36 by reason of adverse visual impact. Accordingly, a clear conflict arises with those provisions of the Council's Development Management Development Plan Document policy 7B and policies D1, D4 & D6 of the London Plan directed to protect residential amenities.

Other matters

10. All other matters raised in the representations have been taken into account, including the appellant's reference to a similar form of development at No 44, a few doors away. However, as the appellant acknowledges, this extension appears to have been in place for a considerable length time, and no planning history has been found for it. Its presence does not justify a repetition.
11. I have also noted that the proposal drew no objection from No 36. However, this is not decisive in my considerations, and I have dealt with the appeal, as required, on its planning merits.
12. No other matter is of such strength or significance as to outweigh the considerations that led me to my overall conclusions.

Overall conclusions

13. I find for the appellant on the first main issue, that of the effect of the development on the character and appearance of the host property and its surroundings. However, I find against him on the second main issue, that of its effect on neighbouring living conditions. This is sufficient reason to dismiss the appeal.

G Powys Jones

INSPECTOR

