



Appeal Decision

Site visit made on 11 June 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH June 2024

Appeal Ref: APP/A5270/D/24/3339307

88 Westbury Avenue, Southall, Ealing, UB1 2XA

- 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 Sarj Dhesi against the decision of the Council of the London Borough of Ealing.
 - The application Ref 234598HH, dated 17 November 2023, was refused by notice dated 26 January 2024.
 - The development proposed is a single storey side extension with associated alterations.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A side extension has been constructed at the property and the appeal is therefore in relation to obtaining retrospective permission for the works together with associated alterations to the existing structure.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal concerns a two storey, end of terrace dwelling. The side extension that has been constructed has filled in a narrow gap that previously existed to the side of the flank wall of the dwelling. The extension is irregular in shape as it follows the alignment of the side boundary rather than the side wall of the house.
5. The planning history of the site has been drawn to my attention. Previous applications include a proposal¹ for a 'single storey side extension to include the demolition of side / rear extension (part retrospective)'. This application was refused and a subsequent appeal² dismissed.
6. The current proposal differs from the previous application as detailed above in several ways, including a change from a staggered roof design to a flat roof including a parapet wall; the removal of two roof lights and installation of sun

¹ LPA ref. 221683HH

² Appeal ref: APP/A5270/D/22/3311181

- pipe; an access between the side extension and the original house; and the blocking off in glass the access from the rear entrance to the side extension.
7. The existing side extension has a staggered roof height which is apparent when viewed from Westbury Avenue and from the adjacent Selby Gardens. The proposed alterations involve replacing this roof form with a flat roof, together with an associated parapet wall. I recognise that this alteration would be an improvement in terms of the removal of the existing incongruous staggered roof design and would also help to screen views of the remaining rooflight and 'sunpipe'. However, the proposed alterations to the roof and the inclusion of a parapet wall would increase the height and bulk of the extension overall, thus increasing its visual prominence from Selby Gardens and the footpath that runs adjacent to it.
 8. The narrow and irregular width of the extension and its associated roof form would remain apparent from adjacent roads where it would appear contrived and incongruous with the pattern of development in the area. Furthermore, the extension would continue to slightly overhang the footpath which further emphasises the confined and contrived appearance and the inappropriate location and siting of the extension.
 9. As with the previous scheme, the extension would not exceed the depth of the existing dwelling which has been extended to the rear. I also acknowledge that the extension would be better connected with the main dwelling and that the access to it from the rear entrance would be blocked off with a glazing panel. However, these are small improvements which do not alter my main findings.
 10. Accordingly, I find that the development fails to comply with Policies D3 and D4 of the London Plan (2021) and Policies 7.4 and 7.B of the Ealing Development Management Development Plan Document (2013). Amongst other matters, these policies require development to be of a high quality design and to enhance local context and to complement the building pattern, scale, materials and detailing of the surrounding area.
 11. Whilst the Council refer to Policy DAA of the emerging Ealing Local Plan in their decision notice, little weight can be afforded to this Policy as it has yet to be the subject of examination.

Other Matters

12. I am aware of the pre-application discussions and correspondence between the appellant and the Council. However, pre-application advice is not binding on the Council nor is advice given by officers prior to the formal determination of the application. Whilst no doubt frustrating for the appellant, this matter does not alter my above findings.

Conclusion

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

J Davis

INSPECTOR