



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/24/3339224

5 East Avenue, Southall, Ealing, UB1 2AQ

- 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 H Singh against the decision of the Council of the London Borough of Ealing.
 - The application Ref 235066HH, dated 20 December 2023, was refused by notice dated 9 February 2024.
 - The development proposed is single storey, part two storey extension; alteration of roof from hip to gable end, rear roof extension, installation of two roof lights to front roofslope.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the Council's description of development in the above banner heading as it describes the full scope of the works. It differs from the appellant's description of development on the planning application form which describes the development as 'proposal of part first floor rear extension'. I am advised that the additional works included in the Council's description of development are the same as those approved under an existing prior approval for a 6 metre deep single storey rear extension (LPA ref. 234349PALHE) and that the hip-to-gable alteration with a rear roof dormer extension benefits from a Lawful Development Certificate under LPA ref. 234544CPL. The roof extensions and single storey rear extension were under construction and appeared well advanced at the time of my site visit. The permitted schemes are therefore a relevant matter that I refer to below.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the host dwelling and area; and
 - the effect of the proposed development on the living conditions of the occupiers of 7 East Avenue, with particular reference to outlook and light.

Reasons

Character and appearance

4. The appeal concerns a two storey, end of terrace dwelling, located in a road comprising of properties of a similar scale and appearance.
5. The single storey extension has a depth of 6 metres and extends across the full width of the dwelling. Its flat roof design ensures that the extension does not overly dominate or significantly detract from the original rear elevation of the dwelling. The extension benefits from permission under prior approval application ref. 234349PALHE which is a material fallback position. I therefore conclude that the single storey rear extension is acceptable.
6. Similarly, the hip to gable extension and large rear dormer which is under construction benefit from a Lawful Development Certificate as described above. There are other examples along East Avenue of hip to gable extensions and large rear dormers, including at the adjacent dwelling, 3 East Avenue. I therefore find this aspect of the proposal to be acceptable in terms of its effect on the character and appearance of the host dwelling and area.
7. The proposed first floor rear extension would have a depth of 3.3m and a width of 3.7m. The proposed extension would extend across much of the width of the dwelling, with its flank wall directly adjacent to the window serving 'bedroom 1'. In my view, the combination of the excessive width, depth and height of the extension would result in it appearing cramped in relation to the original features of the dwelling and as such, it would represent a bulky, disproportionate addition which would fail to be subordinate to the scale of the host dwelling.
8. The extension would have a hipped roof which would tie in with the vertical face of the rear roof extension that is under construction. The hipped roof form of the first floor extension would fail to be well integrated or harmonise with the rear roof extension, resulting it being read as a highly dominant, bulky and incongruous addition to the dwelling which would significantly detract from its character and appearance. Furthermore, due to the gap between the appeal property and 3 East Avenue, views of the proposed first floor rear extension would be obtainable from East Avenue, where it would be harmful to the character and appearance of the area as a result of its bulky and incongruous appearance.
9. I therefore conclude that the proposed first floor rear extension would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Accordingly, it fails to comply with Policies D3 and D4 of the London Plan (2021) (LP) and Policies 7.4 and 7.B of the Ealing Development Management Development Plan Document (2013) (DPD). Amongst other matters, these policies refer to the design of extensions to buildings meeting identified design standards and complementing the building pattern, scale, materials and detailing of the surrounding area. The proposal would also be contrary to the Council's design guidance set out in Supplementary Planning Document 4 'Residential Extensions' (SPD4) which requires extensions to appear subordinate to the original house.

Living Conditions

10. Due to the positioning of the single storey rear extension along the boundary with 7 East Avenue, together with its depth of 6m and height of 2.9m, it is likely to have resulted in an increased sense of enclosure and some reduction in light to rear windows and the narrow rear garden of No 7. However, the single storey rear extension is the same as that proposed under the prior approval application referenced above which I have found to be a material fallback position.
11. The proposed first floor extension would be set in from the boundary with 7 East Avenue by around 1.3m. However, despite this set back and acknowledging its hipped roof design, I consider that the proposed first floor extension would lead to a further sense of enclosure to the rear windows and the rear garden of No 7 as a result of its combined height, depth and positioning. Furthermore, having regard to the orientation of the extension to the west of No 7, it would be likely to result in an additional loss of light to the rear windows and the area of the garden immediately to the rear of the dwelling.
12. I am aware that the occupiers of No 7 raised no objections to the appeal proposal, however, I consider that the proposed first floor rear extension would be likely to have a significant harmful effect on the living conditions of existing and future occupiers of 7 East Avenue with particular reference to outlook and light.
13. Accordingly, the development would conflict with Policy 7B of the DPD and Policies D3 and D6 of LP and SDP4 insofar as these policies and guidance collectively seek, amongst other things, to deliver appropriate outlook and to provide a high standard of amenity for users and adjacent uses.

Other Matters

14. The appellant has drawn my attention to other residential extensions that have been approved by the Council in the area. Aerial images have been provided for extensions to Nos 5, 7 and 9 Carlisle Gardens however from the information provided, these extensions appear to be of a different design to the appeal proposal. I acknowledge that the examples at Nos 10 & 12 West Avenue and at 18 West Avenue are for large extensions, however they are also of a different design and appearance to the appeal proposal and are therefore of limited relevance.
15. With regard to the approved extensions at 23 East Avenue, whilst I recognise that there are some similarities in terms of the rear dormer and the two storey rear extension, the development at No 23 also included a two storey side extension which enabled the rear extension to be more offset from the rear dormer and to appear less cramped in relation to the original rear elevation of the dwelling. Also, whilst I have had regard to this decision, I am required to determine the appeal on its own merits.

Conclusion

16. 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