



Appeal Decision

Site visit made on 10 September 2024

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2024

Appeal Ref: APP/A5270/W/24/3342606

12a Spikes Bridge Road, Ealing, Southall UB1 2AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Wize Management Ltd against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 234646FUL.
 - The development proposed is single story rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's statement refers to paragraphs 128 and 130 of the National Planning Policy Framework (the Framework). That version of the Framework has since been updated by a new version being issued in December 2023. However, the contents of paragraphs 133 and 135 of the new version are the same as paragraphs 128 and 130 of the old version. The policy approach in that respect therefore has not changed and I have referred to the new paragraph numbering accordingly.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the host building and the surrounding area; and
 - living conditions of the occupiers of 10 Spikes Bridge Road (No 10) with regard to outlook and light.

Reasons

4. The appeal relates to a two-storey end of terrace house in a predominantly residential area. Spikes Bridge Road is characterised by a mix of two-storey semi-detached and terraced properties with front gardens or driveways and modestly sized rear gardens. The appeal property is joined to No 10 on the east. There is a passageway between the appeal site and 14 Spikes Bridge Road (No 14) which leads to an existing garage of the appeal property in the rear.

Character and Appearance

5. The proposed extension would span the full width of the appeal property and extend a considerable depth rearward occupying the vast majority of the garden. It would result in a substantial block of development that would visually dominate the host building. Given its scale and bulk, the proposed extension would not be subordinate or complementary to the existing dwelling.
6. The appellant has drawn my attention to an aerial photograph of rear extensions at 16, 18 and 20 Spikes Bridge Road. However, the clear material difference between those extensions and the proposal are their shorter depths. While rear extensions are a common feature of properties in Spikes Bridge Road and the wider area, the scale of the proposed extension would be incongruous with the prevailing character of rear extensions in the area which are more subservient to their host building.
7. For the reasons above, I conclude that the proposed development would harm the character and appearance of the host building and the surrounding area. Accordingly, it would conflict with Policies D3, D4 and D6 of the London Plan (March 2021) (the LP) and Policies 7.4, 7B and 7D of the Ealing Development Management Development Plan Document (December 2013) (the EDMDPD). Together, these policies, amongst other matters, require development to respond to the existing character of a place, achieve good design and complement existing building patterns. The Council has referred to Policies D4 and D6 of the LP. However, these policies respectively relate to design analysis and review and housing quality standards which are not determinative on this main issue.
8. It would also not comply with Supplementary Planning Document 4 - Residential Extensions which requires rear extensions to be subordinate to the original dwelling and the design objectives of the Framework.

Living Conditions

9. The appeal property adjoins No 10 which benefits from an infill extension positioned along the shared boundary with the appeal site. There is a birdcage-like structure attached to the infill extension near the shared boundary with the appeal site. There is an opening to a habitable room on the ground floor of the rear elevation of No 10 next to the wire structure.
10. The proposed extension would extend well beyond the rear elevation of No 10 and markedly above the boundary fence. Given the height and depth of the extension, it would unacceptably dominate the outlook from the rear facing opening of No 10, creating an increased sense of enclosure. This would also result in overshadowing to the property and thereby loss of light to it.
11. The appellant suggests that No 10 would not be enclosed because 8 Spikes Bridge Road (No 8) does not have existing rear extensions. However, an increased sense of enclosure would still be experienced by No 10 due to the proposal's expanse along the shared boundary regardless of the existing openness of No 8. Furthermore, the current circumstances of No 8's built form cannot be guaranteed to remain unchanged in the future.
12. I do not agree with the appellant that the impact would be mitigated by the relatively large size of the rear gardens as the area most directly affected is immediately to the rear elevation of No 10.

13. For the reasons above, I conclude that the proposed development would unacceptably harm the living conditions of No 10 with regard to outlook and light. Hence, it would conflict with Policy 7B of the EDMDPD insofar as it requires development to achieve a high standard of amenity for adjacent occupiers, ensuring good levels of daylight and sunlight. The Council has referred to Policy D4 of the LP and Policy 7.4 of the EDMDPD. However, these policies respectively relate to design analysis and review and local character so are not determinative on this main issue.

Other Matters

14. I note the extension would fulfil a family's need for additional space, but little weight can be attached to such personal circumstances.
15. Compliance with the development plan in relation to the privacy of occupiers of neighbouring properties will weigh neither in favour or against the proposal and is therefore considered neutral.
16. The appellant asserts that the proposal achieves high quality design in accordance with paragraphs 133 and 135 of the Framework. However, the same paragraphs also require development to be sympathetic to local character and achieve a high standard of amenity.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

U P Han

INSPECTOR