



Appeal Decision

Site visit made on 23 October 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2024

Appeal Ref: APP/A5270/W/23/3331882

75 Brunswick Road, Ealing W5 1AQ

- 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 Dr Mohamed Alzarad against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 230715FUL.
 - The development proposed is described as: 'Expansion of rear extension and joining the outbuilding. The GP Practise in need of staff room for the increased number of patients.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: i) The effect of the proposal on the character and appearance of the area, and ii) the effect of the proposal on the living conditions of the occupiers of 77 Brunswick Road.

Reasons

Character and appearance

3. The appeal property comprises a two-storey, semi-detached medical practice. The surrounding area is predominantly residential. Some of the adjoining properties incorporate ground floor rear extensions, which are in a range of scales and designs.
4. The proposed rear extension would extend off the existing rear extension to the appeal property and would also connect with and incorporate a detached outbuilding within its rear garden. Whilst the proposed extension would increase the depth of the existing extension by about 2.2m, the remainder of the proposed extension would broadly reflect the existing depth of the outbuilding. Despite the proposed increase in footprint, the appeal property would retain a sizeable rear garden.
5. Also, the proposed rear extension reflects the single storey forms and heights of the existing extension and outbuilding. The external finishes for the proposed extension would match the appeal property.
6. Accordingly, the proposed rear extension would be of an acceptable appearance, and subordinate and proportionate in scale to the appeal property.

7. For the above reasons, the proposed extension would assimilate with the appeal property and would not be uncharacteristic for the area, given the range of rear extensions nearby.
8. Consequently, the proposal would not harm the character and appearance of the area. This accords with the aims of Policies D3, D4 and D6 of the London Plan (2021), Policies 7.4, 7B and 7D of the Ealing Development Management DPD (2013) ('DPD'). Amongst other matters, these policies require that new development is of appropriate design and detailing having regard to the surrounding context.

Living conditions

9. The adjoining semi-detached dwelling is 77 Brunswick Road (No. 77). The ground floor rear accommodation of this property is served by a set of glazed patio doors. The existing extension at the appeal property already extends appreciably along the shared boundary with No. 77. The remainder of this boundary comprises low fencing.
10. Cumulatively, the existing and proposed extensions would extend approximately 7m beyond the rear elevation of No. 77. However, because of the separation of the proposed extension from the rear of No. 77, there is unlikely to be any significant loss of daylight or overshadowing to this neighbouring property.
11. Nevertheless, because of its continuous height of just under 3m, and siting along the shared boundary, the elongated side elevation of the existing and proposed extensions would create an increased sense of enclosure and a dominant feature in views from the rear ground floor accommodation and garden of No.77.
12. Therefore, the proposed rear extension would be detrimental to the living conditions of the occupiers of No. 77 with regard to outlook. This would be contrary to Policy D4 of the London Plan (2021) and Policy 7B of the DPD. Amongst other things, these policies require that new developments are of good design and achieve a high standard of amenity for users and adjacent uses, which includes securing positive visual impact.
13. The Council's second reason for refusal also refers to Policy 7.4 of the DPD. This Policy mainly relates to local character and therefore is not directly relevant to living conditions.

Other Matters

14. I am aware of the appellant's desire to extend the medical practice and provide additional space to meet its needs. However, this reason does not persuade me to find the scheme acceptable having regard to the harm identified above.
15. It would appear that had the proposed rear extension been set back by about 1m from the shared boundary with No. 77, this would have been acceptable to the Council. Nevertheless, such a scheme is different to the proposal before me. As such, the Council's implied support for an alternative scheme does not alter my findings in respect of the second main issue.

Conclusion

16. I have found that the proposed extension would not harm the character and appearance of the appeal property or area. However, because of its siting and overall depth, the proposed extension would harm the living conditions of neighbours. For this reason and conflict with the development plan, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR