



Appeal Decision

Site visit made on 11 February 2025

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2025

Appeal Ref: APP/A5270/W/24/3351307

2B Harrow View Road, Ealing, London W5 1LZ

- 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 Mr Michael Ellard against the decision of Ealing Council.
 - The application Ref is 241235FUL.
 - The development proposed is Erection of roof extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As part of the appeal before me, amended plans have been received to the proposal detailing an enclosure surrounding the external staircase. These plans have not been formally consulted upon by the Council and therefore the local residents would be prejudiced by me taking these into account as part of my assessment.

Main Issues

3. The main issues of the proposal are the effect upon:
 - The character and appearance of the local area; and
 - The living conditions of adjacent occupants by way of sense of overbearing to the garden, and overlooking and loss of privacy.

Reasons

Character and appearance

4. The neighbourhood area of Pitshanger Lane forms a local suburb serving its community. Parades of shops at ground floor level line both sides of the street and perpendicular terraces of houses lead from Pitshanger Lane where the character is distinctly residential.
5. The appeal site is located behind the dwelling of 2A Harrow View Road and accessed via a narrow pedestrian lane adjacent that also provides access to a number of residential flats that form part of the shops along Pitshanger Lane. The appeal building is a flat roofed commercial office occupied by a local legal firm. The building has some architectural interest derived from its attractive curved windows and mellow tones of London stock brick. It is attached to the rear by a former pottery building to which the council explain has planning permission for residential

conversion. This building is accessed from a short lane behind the site off Selby Road.

6. The ground floor of the appeal building is entirely laid out as an office space with the basement in full working order containing a kitchenette and central table used for staff breakouts and meeting space. A mansard extension erected from matching brick and slate roof is proposed to provide additional office space at first floor level accessed via an external staircase to the north side of the building,
7. In terms of the wider character of the area, it is mixed retail, commercial and residential, as too is the urban grain. To one side of Pitshanger Lane in a continuous block is a large scale parade of ground floor shops with soft terracotta tones to the very decorated upper floors of the three storey parade, most likely Victorian in period. There is further character change with the more arts and crafts inspired parade of shops on the opposite side at Kenmure Mansions with clay mansard roofs and large Georgian style windows. Although there are modern houses located along Harrow View Road, it is markedly more Edwardian in character with houses built in pairs and sharing significant symmetry, a generous width and wide fenestration. Number 2A is unusual within the street scene as it resembles a more contemporary aesthetic.
8. In terms of the appeal sites' immediate context, it is nestled between the outriggers and yards of the parade of shops adjacent that front onto Pitshanger Lane and 2A Harrow View Road, with glimpsed views of the building through the gap between Number 82 Pitshanger Lane and Number 2A Harrow View Road, across the back yards. The location is unusual coupled with the residential accesses to flats along the rear of the commercial units as the back yards of the original shops have been mostly expanded into. The appeal site adds to the built-up quality of the immediate area although it appears as a low level and discrete part of the urban fabric. Its flat roof also corresponds with other flat roofs seen in close quarters.
9. Taking into account the mansard style roof, it would appear proportionately as high as the ground floor level. The sloped angle of the gable ends of the roof would be steep and the large flat roof would overall create a top-heavy box style extension to the building. The use of brick material to the cheeks would also add to its bulk, and therefore its scale would be further pronounced as a consequence.
10. Although the established character of the local area contains a variety of ages of buildings and architectural styles and mansard roofs are seen locally, in this particular context, a mansard roof would appear out of context adjacent to the flat roofs. The height of the proposal would not appear subordinate to the host building. The appeal building is different in character and scale to the adjacent back of the parade. Any further rear extensions here are taken in context to their specific circumstances where the pattern of building is a regular rhythm. This is not the same as the proposal before me with its low-level scale and tight space as it is a set piece in this location. To add a first-floor extension to the footprint of the building would close in this confined space leading to an adverse sense of overcrowding to the urban grain. Overall, it would not respond positively to its context.
11. The appellant refers to the Ealing Character Study that places Pitshanger as a 'neighbourhood centre' where they suggest building intensification can be

supported. Be that as it may, in this particular environment, the proposal would not enhance local context in accordance with policy guidance.

12. Therefore, to conclude on this main issue, the proposal would not align with the broad spatial vision for Ealing set out within policy 1.1 and 1.2 of the Ealing Development Core Strategy, or protect local character and distinctiveness in compliance with policies 7.4 and 7B of the Ealing Development Management Development Plan 2013 as well as the good design aims of the National Planning Policy Framework and policies D3 and D4 of the London Plan.

Living conditions

13. The rear garden of Number 2A Harrow View Road is shorter than its adjacent neighbours and backs onto the appeal site with a brick wall and fence above separates the two sites. Given the proposed height of the mansard at around 2.5m according to the appellant, the scale and massing in close range to the back of the garden would have an overbearing impact on the garden area leading to adverse living conditions of the occupants.
14. The use of the external staircase could not be reasonably controlled by way of condition and would be available for staff and clients to circulate as well as could be used for external recreational space for staff to sit out on given there is restricted outdoor space. The comings and goings would however be through the day during office hours. Nevertheless, its height and location overlooking the rear garden, the neighbours would experience a degree of overlooking and a loss of privacy from within their garden.
15. I could see that a first-floor window of 72 Pitshanger Lane looks across the flat roof of the outrigger below and across the flat roof of the appeal site. The plans before me indicate this window serves a bedroom. This is a habitable space for the occupants who are afforded an unimpeded outlook from this window. The outlook for the occupants would be changed with a line of sight towards a solid brick wall of the extension over two metres in height and the full width of the footprint. The degree of change that would occur to their outlook would lead to an adverse effect upon the living conditions of the occupants.
16. I note the appellant queries separation distance and impacts arising with regards to other flats in close quarters along the rear of Pitshanger Lane. However, the precise details of their circumstances are not before me to comment upon.
17. To conclude on this main issue, the living conditions of local residents would not be safeguarded in accordance with policy 7B of the Ealing Development Management DPD. I find no direct relevance to Policies D3 and D6 of the London Plan as these do not relate to living conditions in this regard.

Other Matters

18. The areas that are not in contention between the parties include highway safety and effect on some other neighbour's living conditions. These are neutral in the overall scale of things and neither weighs for or against the proposal.

Balance and Conclusion

19. I understand the importance to the appellant to expand their business. However, there is limited information before me to comment upon the imperative business

need for an extra floor, or significant details concerning the functionality of the space. I appreciate the outcome of the appeal will nevertheless be disappointing to the appellant.

20. I have considered all matters that have been raised and conclude that the proposal would conflict with the development plan as a whole and there are no other material considerations which lead me to determine the appeal otherwise than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR