



Appeal Decision

Site visit made on 27 March 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2025

Appeal Ref: APP/A5270/W/24/3355221

32A Northfield Avenue, West Ealing, London W13 9RL

- 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 Jeff Pope against the decision of the Council of the London Borough of Ealing.
- The application reference is 241031FUL.
- The development proposed is the retention of the existing shop, and the extension and conversion of residential accommodation into two flat units.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Jeff Pope against the Council of the London Borough of Ealing. This application is the subject of a separate Decision.

Preliminary and Procedural Matters

3. The description of development in the banner heading above is taken, as is usual practice, from the planning application form, though as I will explain in a moment I have modified it slightly. It was also stated in Section E of the appeal form that the description of development had not changed from that stated on the application form. However, the appellant had submitted revised drawings to the Council before the planning application was determined, amending the scheme.
4. The principal changes were that a new self-contained flat originally proposed at second-floor level was combined into an existing (though reconfigured) flat on the first floor, and a proposed extension lengthening the rear outrigger and first-floor level was omitted. There were also consequential changes to the proposed fenestration and rooflights. The Council used a revised description of the development on its decision notice:

“Retention of ground floor shop; alterations to shop front; installation of two front door to front elevation; conversion of part ground floor, first floor and second floor into three self-contained flats with provision of cycle storage and refuse storage; single storey side/rear (wraparound) extension (following demolition of existing rear addition); alterations to first floor rear elevation involving removal of door and staircase; rear roof extension; rear outrigger roof extension; installation of two rooflights to front roofslope.”
5. While that description is considerably more comprehensive than the original one, it is also not entirely accurate in that it still refers to the scheme including three self-contained flats rather than two. However, it is clear from its officer report that the

Council correctly assessed the proposed development as including two flats, based on the revised plans; I have considered this appeal on the same basis, and for the banner heading above have amended the wording so that it refers to two flats rather than three.

Main Issues

6. The main issues are:

- The effect of the proposed development on the character and appearance of the area; and
- Whether the scheme would provide acceptable living conditions for future residents, with particular regard to the adequacy of living space, outdoor amenity space, and outlook.

Reasons

Character and appearance

7. The appeal property is a two-storey terraced building in a suburban commercial centre, with a two-storey rear outrigger; both parts of the building have pitched roofs, that of the outrigger being shared with No 30 next door and set at a lower level than that of the main terrace block. The ground floor unit (No 32 Northfield Avenue) is occupied by a barber's shop, which has staff facilities in the outrigger part). No 32A is a self-contained flat on the first floor, accessed by an external steel staircase from the rear yard which is entered from the rear lane between Balfour Road and Salisbury Road.
8. There are several elements to the proposed development. A single-storey extension at ground level would wrap around the existing outrigger in an L-shape, infilling most of the rear yard, and an L-shaped dormer extension would be constructed at on the main rear roof slope and above the outrigger.
9. The Council's 2004 *Residential Extensions* Supplementary Planning Document ("the SPD") advises that dormer windows "should not take up the entire area of a roof slope", and that they "should not wrap around two roof slopes or exceed the height of the existing roof ridge"; it also says that dormer windows should be set at least 0.5m down from the roof ridge, 0.5m in from the roof sides or edges, and 0.5m above the eaves. This guidance is in place to ensure that dormers do not appear unduly obtrusive or dominant.
10. The proposed dormer would wrap around both the main roof slope and the rear outrigger pitch at the rear of the appeal property, occupying almost the entire roof area of both. It would be built to the height of – rather than set down from – the main roof ridge, and would rise above the ridge of the outrigger by a considerable amount. It would not be set in from the roof sides or edges, or above the eaves, by anything close to the distances recommended in the SPD. It would totally disregard the advice in the SPD, and would be a bulky, cumbersome, and intrusive addition to the appeal property, clearly visible in public views from Balfour Road to the north of the site. It would be detrimental to the appearance of the appeal property.
11. The appellant suggests that the rear roof slopes of the properties along this stretch of Northfield Avenue are varied, with some extended through box dormers. However, as far as I could see (both during my site visit, and from the photographs

provided by the appellant) there is only one other box dormer within the same block¹, and that is not L-shaped, not as large, and not as prominent as that proposed here would be. The appellant also referred to dormers above outriggers being “a common form of development” in the area, though the information provided was not adequate for me to be able to determine the extent to which other examples may (or may not) be comparable to this appeal scheme. In any event, the fact that similar dormers may already exist in the surrounding area is not in itself a reason to allow unacceptable development. I have considered this appeal proposal on its own merits and find that it would cause harm as described above.

12. I conclude that the proposed development would be harmful to the character and appearance of the host property. It would therefore conflict with Policy 7.4 of the 2013 Ealing Development Management DPD (“the DM DPD”), and with Policy D4 of the London Plan 2021. Together, and among other things, these policies seek to ensure that development exhibits a high standard of design, including by complementing existing local character in respect of scale and detailing.

Living conditions

13. As well as the external works described in the preceding section, the proposed development would involve the internal reconfiguration of the building. The ground floor extension, incorporating most of the ground floor part of the outrigger, would accommodate a new one-bedroom two-person flat. The existing external staircase to the upper flat would be removed and an internal access created from a new front door on Northfield Avenue. The upper flat would be reconfigured at first-floor level, and enlarged with the addition of a second bedroom and bathroom within the loft extension, making it a two-bedroom four-person flat.
14. Policy D6 of the London Plan 2021 requires a minimum of 5m² of private outdoor space for a dwelling for one or two people, with an extra 1m² for each additional occupier. It also requires that that space should have a minimum depth and width of 1.5m. The appeal property’s existing rear yard would be greatly reduced in size as a result of the construction of the ground floor extension. The ground floor flat would have exclusive access to the remaining rear yard but, while I have not been given details of the precise measurements of that space, visual comparison with the scale bar on the submitted drawings suggests that it would not meet the 1.5m depth requirement. In any case, much of that space would be given over to the storage of bicycles, and refuse and recycling bins; the combination of these factors mean that it would be of little practical use as an amenity space.
15. The upper flat would have no private amenity space whatsoever. The appellant has argued that “the existing situation for the extended first floor flat would remain unchanged”, but that is evidently not the case. At present, not only does the external staircase landing provide a small area which can (and clearly is) used for sitting outside, it also appears that the occupier of the upper flat enjoys at least some use of the shared rear yard. The proposed enlargement of the flat would be accompanied by the total removal of any amenity space to serve it.
16. Turning to outlook, the windows serving the combined kitchen and living area of the ground floor flat would open onto the shallow retained part of the rear yard. Occupiers of that room would have a poor outlook, straight onto the boundary fence a very short distance away and across the refuse and recycling bin storage area.

¹ 30—42 Northfield Avenue; the existing box dormer appears to be at No 36.

The situation would be no better in respect of the ground floor flat's bedroom; its window would open onto a very constrained "lightwell" type space, immediately next to the window serving the toilet in the staff area of the reconfigured retail unit, and overlooked from the kitchen window of the first-floor flat.

17. Although the decision notice referred to internal living space within the first reason for refusal, the ground-floor flat would have gross internal area ("GIA") of just over 50m², and the first- and second-floor flat would have a GIA of around 96m². Both would exceed the relevant minimum internal space standard required by Policy D6 of the London Plan 2021. However, that the development would be acceptable in this respect would not negate its other very considerable shortcomings in respect of living conditions.
18. I conclude that, because of its insufficient outdoor amenity space for both flats, and the very poor outlook from the habitable rooms of the ground floor flat, the proposed development would not provide acceptable living conditions for future residents. It would therefore conflict with Policies 7A and 7B of the DM DPD, and Policies D3, D4 and D6 of the London Plan 2021. Together, and among other things, these policies seek to ensure that development is well-designed, and that residential development has comfortable and functional layouts which provide a high standard of amenity for occupiers.

Other Matter

19. The appellant criticised aspects of the Council's handling of the planning application. These matters are addressed in the associated costs Decision.

Conclusion

20. For the reasons given above the appeal should be dismissed.

M Cryan

Inspector