



Appeal Decision

Site visit made on 28 May 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/A5270/C/23/3323762

64 Clarence Street, Southall, Middlesex UB2 5BN

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mrs Parmdip Kaur Naring against an enforcement notice issued by the Council of the London Borough of Ealing.
 - The enforcement notice was issued on 4 May 2023.
 - The breach of planning control as alleged in the notice is without planning permission: The erection of a first-floor rear extension.
 - The requirements of the notice are:
 1. Demolish the first-floor rear extension;
 2. Remove all resulting materials, rubbish and debris from the land.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Ground (a) and the Deemed Planning Application

Main Issues

2. The main issues in the appeal are the effects of the development on:
 - The character and appearance of the existing building and area; and
 - The living conditions of the existing occupiers of 66 Clarence Street, with particular regard to outlook, light and overshadowing.

Reasons

Character and appearance

3. The site relates to a two-storey mid-terraced Victorian property currently in use as two separate flats, located in a residential area. Whilst there is some variation in materials, properties in the terrace comprise relatively consistent design, scale and proportions with front bay windows and original two storey back additions which are paired with the neighbouring property. These

traditional features provide rhythm and symmetry to the terrace and area generally.

4. The Council's Supplementary Planning Document SPD4 Residential extensions (SPD) states that two-storey rear extensions should appear subordinate to the original house, and that rear extensions should respect the original form of the house and be a logical addition to the shape of the house.
5. The original two storey back addition at the appeal site, is paired and symmetrical to the neighbours back addition at No 66 Clarence Street. As outlined above, this is a distinctive and traditional feature of all the Victorian properties in the terrace. However, the unauthorised extension, projecting beyond the original two-storey back addition at first floor level, fails to be subordinate to the original property and unbalances the symmetry of the paired original back additions at Nos 64 and 66.
6. The incongruous rearward projection of the extension is accentuated by its visibility from a number of neighbouring properties. Therefore, despite the development being located to the rear of the property and away from any public vantage points, the effect of the scheme is overly dominant and diminishes unacceptably the character, appearance, and integrity of this building with consequent harm to the character and appearance of the terrace. This harm would not be overcome by simply rendering and painting the extension to match the main house, since it is the position, scale and size of the extension which is particularly discordant.
7. I therefore conclude that the development harms the character and appearance of the host dwelling and area, in conflict with Policy D3 of the London Plan, 2021 (London Plan) and Policies 7.4 and 7B of the London Borough of Ealing Development Management Development Plan Document, 2013 (DMDP). In combination, these require that development proposals ensure a positive visual impact, as a result of good architecture and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape.

The living conditions of the occupiers of 66 Clarence Street, with particular regard to outlook, light and overshadowing.

8. The SPD also advises that two-storey rear extensions can be contentious and can pose problems due to the potential impact on neighbouring properties. The SPD also advises that two storey rear extensions, if possible, should be set back from boundaries shared with neighbouring properties to minimise the potential impact.
9. The adjoining property at No 66 has a window in the rear elevation at first floor level close to the appeal development. With regard to outlook, the height and scale of the first-floor rear extension built along the boundary with the neighbouring property at No 66, results in a visually intrusive and unneighbourly form of development for occupiers of this neighbouring property. Indeed, the outlook from the first-floor window of No 66 is restricted by this extension resulting in an increased sense of enclosure for the occupiers of this neighbouring property.
10. Due to the orientation of the buildings in the terrace, and the depth of the extension, I am satisfied that the extension does not result in any

demonstrable overshadowing or loss of daylight or sunlight to neighbouring occupiers of No 66.

11. Therefore, whilst I find no harm in relation to loss of daylight, sunlight and overshadowing, the development fails to provide acceptable living conditions for occupiers of 66 Clarence Street with regard to outlook. Accordingly, the development is contrary to Policy D3 of the London Plan and Policy 7B of the DMDP. Amongst other things, these state that new development must achieve a high standard of amenity for adjacent users and should deliver appropriate outlook.

Conclusion

12. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

R Satheesan

INSPECTOR