



Appeal Decision

Site visit made on 30 July 2025

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/A5270/W/25/3365339

6 Longridge Lane, Southall, Ealing UB1 3JH

- 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 J Thandi against the decision of the Council of the London Borough of Ealing.
 - The application reference is 244352FUL.
 - The development proposed is a single storey rear extension (no. 6) and proposed new 3 bedroom dwelling on side of no. 6.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice states only that the application has been refused, but with no reasons for refusal cited. However, the Council's Officer Report (OR) clearly sets out two reasons for refusal. The appellant has addressed these in their Statement of Case and the Council have had the opportunity to respond but have declined to do so. I am therefore satisfied that the reasons set out in the OR are accurate and no party has been unfairly prejudiced in my determining the appeal on this basis.
3. The Council have referred to Policy G5 of Ealing's draft Local Plan 2024 (ELP) in one of their reasons for refusal. I am required to consider this appeal on the basis of the development plan and national policy which are in place at the time of my decision. I have not been informed that the ELP has been recently adopted, and therefore policies contained within it may be subject to further change, which limits the weight to be attached to them. The London Plan 2021 and the Ealing Development Management Development Plan Document 2013 (DPD) therefore constitute the development plan for the purposes of the appeal. I have determined the appeal on this basis.
4. On my site visit I observed extensive building works being undertaken at the appeal site, although it was not clear if these works are directly associated with the appeal proposal. The application was not made retrospectively. I have therefore dealt with the appeal on the basis that planning permission is being sought for a single storey rear extension and a 3-bedroom dwelling on side of 6 Longridge Lane, which is reflected in the description of development, and in accordance with the drawings submitted.

Main Issues

5. The main issues are:

- The effect of the development on the character and appearance of the appeal site and its surroundings; and
- Whether the proposed development makes adequate provision for Biodiversity Net Gain (BNG) and carbon reductions.

Reasons

Character and appearance

6. 6 Longridge Lane (No. 6) is a modestly proportioned end terrace property located within a row of properties at the head of Longridge Lane. The properties at either end of the terrace have lower ridges than those of the main terrace. No. 6 is positioned facing the side elevation of 8 Longridge Lane.
7. The OR notes that the proposed single storey rear extension would be acceptable, and I have no reason to disagree. Therefore, my deliberations are confined to the proposed 3-bedroomed dwelling to the side of the appeal property.
8. The appeal scheme would represent a substantial addition to the property. The proposed dwelling be almost as wide as the existing dwelling at No. 6, with no set back from its front elevation. It would appear as a continuation of the terrace; however it would serve to unbalance its symmetry as a whole. Whilst this would not be perceptible when viewed from Longridge Lane it would be highly evident from the rear of properties on Dormers Rise, those accessing the car park of the nearby block of flats and also would be visible from Baird Avenue.
9. The front corner of the proposed dwelling would be very close to the boundary on the corner of the avenue. The change in levels between Baird Avenue and the appeal site would mean that the side elevation of the proposed dwelling, would appear as an unduly overbearing and dominant feature when viewed from the street beyond, particularly given the overall length of the side elevations of the proposal.
10. Although the proposed plans indicate that screening vegetation would be planted there would be little remaining space to plant anything which would provide meaningful screening. It would therefore not represent a high quality of design and, the proposed dwelling would, in my view, appear as an unsympathetic extension to the host property and detract from the coherence of the terrace. Whilst the detailed design of the proposed dwelling would reflect that of the surrounding area, this matter alone would not overcome the harm that I have found above.
11. For these reasons, therefore, the proposal would cause harm to the character and appearance of the appeal property, and which would also adversely affect the character and appearance of the surrounding area. It would conflict with London Plan Policies D3 and D4 and DPD Policies 7B and 7.4. Amongst other things, these policies require the design of development to be of a high quality, appropriate in scale and building pattern and appropriate to its context.

Biodiversity Net Gain and carbon reductions

12. Schedule 7A of the Town and Country Planning Act 1990 (as amended) (the Schedule) introduced a statutory framework for BNG. For minor development (subject to some exemptions), this applies for proposals submitted after 2 April 2024. The application is dated 18 November 2024. As such, unless specifically exempt, the proposed development would be subject to the mandatory BNG condition, which requires developers to deliver a BNG of at least 10%.
13. Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) (DMP) sets out the minimum information requirements that should accompany applications that are subject to the BNG requirement.
14. The appellant claims that the proposal is exempt from the regulations as it relates to development which is subject to the de minimis exemption. For the de minimis exemption, the development must not impact on any priority habitat and if there is an impact on other on-site habitat, that impact must be on less than 25 square metres of non-priority habitat and on less than 5 metres of linear habitat. On-site habitat is impacted if it is lost or degraded such that there is a decrease in the biodiversity value of that habitat.
15. The Planning Practice Guidance (PPG) is also clear that it is for the appellant to demonstrate that the on-site habitat would be less than 25 square metres and should provide sufficient evidence to support their justification. Although the application form suggests that the development falls within the de minimis exemption, the application form also states that the site is more than 25 square metres. Moreover, minor development is not a category of exemption set out in paragraph 17 of the Schedule.
16. From evidence before me it is clear the development proposal is not exempt. Therefore, the minimum information requirements set out under Article 7(1A) of the DMP should have been submitted with the application, including but not limited to a plan showing onsite habitat existing on the date of the application. It would not be appropriate to secure this or the details of the required works to achieve the necessary BNG through a condition. Whilst minimisation of greenhouse gas emissions and urban greening provision offered is not unrelated, it remains a different issue to BNG.
17. Given BNG is a statutory requirement, this is a matter of importance and failure to comply is a fundamental flaw of the proposal. As such, insufficient information has been provided and, I am therefore not satisfied that the BNG requirement has been fulfilled.
18. As outlined above the requirement to demonstrate that the proposal would achieve a reduction in carbon emissions is separate to the statutory BNG requirements. Nevertheless, I have no information before me which would satisfy me that the proposal would achieve the levels of carbon reductions required in order to comply with the requirements set out in London Plan Policy SI2 and DPD Policy 5.2.
19. In the absence of an energy assessment or details of energy efficiency measures to be included in the proposal there cannot be any certainty as to whether the proposal would achieve the necessary standards and levels of reduction required by these policies. A condition requiring assessments or measures to be included in

the development would not pass the tests for conditions set out in the National Planning Policy Framework and PPG.

20. I therefore conclude that it has not been adequately demonstrated that the proposal would not conflict with London Plan Policy SI2 and DPD Policy 5.2 which require developments to achieve specified levels of carbon reductions. Furthermore, statutory BNG requirements have not been fulfilled.

Other Matters

21. I note that planning permission¹ for a side extension to the property has been granted. From the information before me this would be significantly different to the appeal scheme in that it would be much narrower, involving a setback on the front elevation and would not incorporate a significant single storey element to the rear that is included in the appeal proposal. Therefore, it would have a different relationship with Baird Avenue. I acknowledge that this forms a realistic fallback position, to which I have had regard in coming to my conclusion. However, my considerations are based solely on the scheme before me. I have determined the appeal on the basis of what is proposed and its consequent effects on the information provided and for the reasons set out above.
22. I note that a dwelling has been built in the gap between 5 Longridge Lane and dwellings on Panhard Place. This differs from the appeal proposal in that it is a detached dwelling with a significant gap between No.5 and its side elevation. It is therefore not an extension of the terrace. From what I could observe on site the characteristics of the space at that end of the terrace also differs markedly from that of the appeal site. Therefore, I cannot draw a direct comparison with the appeal proposal that would weigh in its favour. As such, it is of limited relevance, and I have considered the appeal scheme on its own merits against the specific local development plan policies relevant to this proposal.
23. The site does not fall within a conservation area, the curtilage of a listed building, or a Controlled Parking Zone. These are not factors which weigh in favour of allowing the appeal and do not diminish the harm that I have found on the main issue.
24. The appellant refers to positive pre-application discussions with officers at the Council. However, I am mindful that pre-application discussions are informal and not binding on any future decision the Council may make once a proposal has been subject to the formal planning process. Therefore, this matter does not lead me away from my conclusion on the main issue in this case.
25. I acknowledge the appellant's concerns over the length of time that it took the Council to reach a decision. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.
26. I note that several letters of support from third parties were received at the application stage and one letter was submitted at the appeal stage. The letters of support are made on the basis that the proposal would benefit the local area, the proposal is well designed, would improve the appearance of the site and would provide additional housing in the area. Some of these factors may well be true.

¹ Local Authority reference: 230819HH dated 24 April 2023

However, the potential benefits, do not outweigh or negate the harm identified above.

Planning Balance and Conclusion

27. The proposal would result in the provision of one additional dwelling and would represent an efficient use of land. However, given the scale of the development any contribution towards housing supply or mix would be limited and the weight that this carries in support of the proposal is reduced as a consequence. These factors are not therefore sufficient to outweigh the harm that I have identified above.
28. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise. Therefore, for the reasons set out above the appeal is dismissed.

KL Robbie

INSPECTOR