



Appeal Decision

Site visit made on 9 September 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/A5270/W/25/3368851

11 The Broadway, Southall, Ealing UB1 1JR

- 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 Jagit Sagoo, Optical World Southall, against the decision of the Council of the London Borough of Ealing.
- The application Ref is 250318FUL.
- The development proposed is described as '2/3 storey rear extension which includes the loft conversion of residential part into 3 self contained flats with associated refuse and cycle stores. Note: This is a car free development.'

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on the living conditions of neighbouring occupants with regard to outlook and light; and
 - whether the development would provide suitable living conditions for future occupants with regard to outdoor amenity space.

Reasons

Character and appearance

3. The application site is located within a mixed use area, the properties that front on to The Broadway mostly comprise of commercial premises on the ground floor with residential flats above. There is some variance in architectural styles in the area, and this is reflected in different roof forms, which include traditional pitched roof buildings and more modern flat roofed commercial developments. The appeal property is a residential flat above a commercial unit at ground floor level. The rear of the property is served by a private access road off South Road, and, from the street, views of the rear elevation are screened by existing development. To the rear, the appeal property has a flat roofed extension at ground floor level with a two storey pitched outrigger which is paired with the outrigger on the neighbouring property. This reflects neighbouring buildings which have also been extended to the rear to varying degrees.
4. The proposal is for the extension of the rear of the building at first floor, second floor and roof level. The second floor and roof level extensions would extend for

several metres from the rear elevation. The proposed external materials would reflect the existing dwelling with the roof level extension appearing as a large box dormer.

5. Even though it would not extend across the full width of the building, the scale and massing of the extension at second floor and roof level would be significantly larger than other extensions within the immediate area. The rear outrigger was designed to appear subservient to the main body of the building. The erection of the flat roofed extension would impact negatively on the balance between the main body of the dwelling and the rear outrigger, resulting in the loss of the existing pitched roof form. Therefore, due to its box like appearance, the development would not reflect the finely balanced proportions and detailing of the original property. While not clearly visible from the public realm, due to its scale and position, the extension would result in overdevelopment of the site and be a prominent and incongruous addition when viewed from neighbouring buildings.
6. It is acknowledged that the proposal incorporates a palette of external materials and some design details to match the existing building. Still, this does not ameliorate the harm I have identified with regard to the overall design and scale of the proposal.
7. For the reasons detailed above the proposed development would have a harmful effect on the character and appearance of the area. Therefore, it conflicts with Policies D3 and D4 of the London Plan 2021 (LonP) and Policies 7.4 and 7B of the Ealing Development Management Development Plan Document 2013 (EDPD) which require that developments deliver good design and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their scale, appearance and shape; and also that extensions to existing buildings should ensure that the resulting development as a whole meets design standards.

Living conditions of neighbouring occupants

8. the high density of development in the area is reflected in minimal spacing between properties. Neighbouring properties at 9 and 13 The Broadway (No 9 and No 13) have rear outriggers and there are existing windows on the rear elevation of both of these properties that would be adjacent to the proposal. The proposed extension would extend for several metres from the rear elevation from a large proportion of the width of the building.
9. The scale and close proximity of the proposed development to the windows on the rear of both No 9 and 13 is such that it is likely that the development would have a dominant and overbearing impact on the occupants of these properties. Further due to the orientation of the host property and the extent of the proposed extension it is likely that it would restrict daylight and sunlight to both neighbouring dwellings.
10. Based on the evidence before me, the layout and orientation of No 11, is such that, coupled with its scale and mass the proposal would be likely to have a harmful impact on the outlook and light to habitable rooms within neighbouring properties No 9 and No 13. Also, there is no substantive evidence before me to demonstrate otherwise. It is acknowledged that the proposed extension would be no wider than the existing outrigger. However, it would be significantly higher and deeper, particularly at second floor and roof level.

11. The development plan does not differentiate between the living conditions of neighbouring occupants in suburban and urban areas, and there are no material considerations that would justify harm to the living conditions of neighbouring occupants in this instance. It is acknowledged that the current occupants of No 9 and No 11 may not have objected to the development. However, this does not outweigh the harm I have identified to the living conditions to both current and future occupants of these properties.
12. For the reasons detailed above the proposal would have a harmful effect on the living conditions of neighbouring occupants with regard to outlook and light. Therefore, it conflicts with Policies D3 and D6 of the LonP and Policy 7B of the EDPD which require that developments deliver appropriate outlook and amenity and should provide sufficient daylight and sunlight to new and surrounding housing.
13. Policy 7.4 of the EDPD relates to the effect of development on local character and is not determinative in my assessment of the effect of the development on the living conditions of neighbouring occupants.

Living conditions of future occupants

14. The appeal site is in a moderately accessible location within a reasonable distance from shops, services and public open space. The existing dwelling is a three bedroom flat with accommodation on the first and second floor. The proposed extensions would allow for the subdivision of the existing dwelling into three separate flats. This would consist of a two bedroom flat on the first floor and second floor and a one bedroom flat at roof level.
15. Following the erection of the extensions a small area of external space would be used as a cycle and refuse storage area. As such none on the proposed flats would have access to external amenity space.
16. Both Policy 7D of the EDPD and Policy D6 of the LonP require that a minimum of 5sqm of outdoor space should be provided for 1-2 person dwellings and an extra 1m should be provided for each additional occupant. This minimum standard applies to both urban and suburban areas. Based on the information before me, including the occupancy capacity of each flat, the proposed development would not provide a sufficient area of private amenity space that would be sufficient to meet the needs of the occupants of the proposed dwellings.
17. Occupants in the resultant dwellings would have no outside space where children can play, or they could sit, relax, socialise, and dry clothes in privacy. As such, the proposal would fail to provide adequate living conditions for future occupants in this regard. While access to nearby public open space could be beneficial to future occupants of the development it would not ameliorate the harm to the living conditions of occupants in having no private outdoor space.
18. The appellant asserts that those living in town centre locations may not prioritise private outdoor space. While this may be the case for some individuals it does not provide suitable justification for the failure to meet minimum external space standards as required by the development plan.
19. For the reasons detailed above the development would fail to provide suitable living conditions for future occupants with regard to outdoor amenity space.

Therefore, the proposal conflicts with Policies 3.5 and 7D of the EDPD and Policy D6 of the LonP which set minimum standards for residential development.

20. Policies 7.4, 7A and 7B of the EDPD relate to local character, the effect of emissions and design amenity. Policies H9, D1, D3, D4 and D14 relate to ensuring the best use of housing stock, capacity for growth, the design led approach, delivering good design and noise management. In light of this none of these policies are determinative in my assessment of the living conditions of future occupants in regard to external amenity space.

Other Matters

21. The proposal would provide two additional housing units, in a suitable location where there is an identified need. This would maximise the use of the site and make a modest contribution to the housing supply in the area. In so doing, the proposal would support the aims of The National Planning Policy Framework which amongst other things, encourages the development of small sites in order to meet housing needs. There would also be associated economic benefits during construction.
22. The Council raised no concerns regarding the internal floor space of the proposed flats, and the bin and refuse storage facilities proposed, based on the evidence before me I have no reason to disagree on these matters. However, an absence of harm in this regard is a neutral factor weighing neither for nor against the proposal.

Conclusion

23. I have found the proposal would harm the character and appearance of the area and living conditions of neighbouring occupants, it would also fail to provide acceptable living conditions for future occupants in regard to external amenity space. The adverse effects in these respects are considerable and outweigh the benefits detailed above.
24. Therefore, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

C Livingstone

INSPECTOR