



Appeal Decision

Site visit made on 13 July 2026

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2026

Appeal Ref: APP/A5270/C/24/3351245

51 Seward Road, Hanwell W7 2JT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Usmaan Ali Said against an enforcement notice issued by the Council of the London Borough of Ealing.
 - The notice was issued on 5 August 2024.
 - The breach of planning control as alleged in the notice is: The raising of the roof ridge line and height of the existing rear dormer window.
 - The requirements of the notice are to:
 - a) Reinstatement the roof ridge line and height of the existing dormer to its original height and condition prior to the breach of planning control occurring; and
 - b) Remove all results materials, rubbish and waste from the site.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (g) 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 allowed, the enforcement notice is quashed, and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the raising of the roof ridge line and height of the existing rear dormer at 51 Seward Road, Hanwell W7 2JT, referred to in the notice.

Ground (a) appeal and the Deemed Planning Application

Main Issue

2. The main issue is the effect of the unauthorised development upon the character and appearance of the host building and area.

Reasons

Character and appearance

3. The site relates to a traditional two-storey semi-detached property situated within a tree lined residential street, predominantly characterised by similar semi-detached dwellings made from London stock brick and slate and tile roofs, with two storey bay windows with gables above to the front, and original two storey back additions paired with the adjoining property. Taken together, these features give the area a pleasant and verdant character. Whilst there is a degree of uniformity in the street, a number of properties in the area on Seward Road have been extended with rear dormer roof extensions, including L-shaped dormers, which has resulted in

variations in ridge lines in the vicinity of the site visible from public vantage points on Seward Road and Manton Avenue.

4. Prior to the current unauthorised works which has increased the roof height of the rear dormer extension, the photographic evidence submitted illustrates that the previous lawful rear dormer extension also exceeded the ridgeline of the adjoining semi-detached property. Indeed, the requirement of the notice requires that the dormer be restored to its previous height and condition before the breach took place. This therefore represents a legitimate fallback position against which to assess the current development. This also leads me to conclude that the principal raised ridge line, which unbalances the pair of semi-detached properties (at Nos 49 and 51 Seward Road) is acceptable in principle.
5. The appellant recently renewed the dormer roof extension, and additional insulation was added to improve thermal efficiency, which resulted in a further increase in ridge height. However, the increase in ridge height, above the former ridge level is minimal when viewed against the context of neighbouring properties in the street which have also carried out rear dormer roof extensions, of various sizes, as well as raised ridge lines. Furthermore, the increase has been achieved without altering the front roof slope and remains below the party wall. In addition, to the rear of the site, the appeal dormer is seen against the backdrop of the larger L-shaped dormer at No 53 Seward Road, and the materials used for the flat roof are not dissimilar in colour and appearance to other roof materials seen in the area, giving an integrated appearance with the main dwelling and neighbouring properties.
6. I therefore conclude that the development does not have a harmful effect upon the character and appearance of the host building and area. In this respect the development complies with policies 7.4 and 7B of the Ealing Development Management Development Plan Document, 2013 (DMDP) and policy D3 of the London Plan, 2021 (London Plan). Amongst other things, these seek to ensure development is of a high-quality design that complements and responds positively to local distinctiveness.

Other Matters

7. Comments made by interested parties have been taken into account but do not alter the conclusions reached in this decision. Reference has been made that planning regulations should be followed and that development should not be allowed retrospectively. However, undertaking development without planning permission (PP) is not a reason to withhold PP, and I have found the development to be in conformity with the DMDP and the London Plan.
8. No conditions have been suggested by the Council and as the development appears to be completed, there is no need for any.

Conclusion

9. For the reasons given above I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development described in the enforcement notice. The appeal on ground (g) does not therefore fall to be considered.

R Satheesan INSPECTOR