

Appeal Decision

Site visit made on 13 September 2016

by **C L Humphrey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd September 2016

Appeal Ref: APP/A5270/W/16/3153000

193-199 Northfield Avenue, West Ealing, London W13 9QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Car Care Ltd against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2015/5656, dated 14 October 2015, was refused by notice dated 4 January 2016.
 - The development proposed is extensions to two existing workshop buildings at the rear of the property.
-

Decision

1. The appeal is allowed and planning permission is granted for extensions to two existing workshop buildings at the rear of the property at 193-199 Northfield Avenue, West Ealing, London W13 9QU in accordance with the terms of the application, Ref PP/2015/5656, dated 14 October 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
PH01 110 Rev a, PH02 101, PH02 102, PH02 103, PH02 200, PH02 201, PH02 202, PH02 203, PH02 204.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The site address given on the application form is 193 Northfield Avenue. However, it is clear from the Location Plan (Drawing No PH01 110 Rev a) that the address is 193–199 Northfield Avenue. I have therefore taken the full site address from the appeal form rather than the application form.

Main Issue

3. The main issue is the effect of the proposed development upon highway safety and the free flow of traffic on Windermere Road.
-

Reasons

4. The appeal site has a vehicular access from Windermere Road serving an external yard and workshop buildings. Visibility from the site access is limited by the appeal property to the west which extends to the back of the footway, and a high wall which runs from the north east corner of the site along the boundary to the dwelling at 1 Windermere Road.
5. The appeal proposal would not intensify operations on the appeal site but rather would enable existing operations which are not currently fully enclosed to take place within the buildings. As such, the proposed development would not be likely to result in increased vehicular movements to and from the site.
6. At the time of my site visit, which took place mid-afternoon, levels of vehicular and pedestrian movement along Windermere Road were light. I noted that the well-used on-street parking along both sides of Windermere Road, which prevents two-way traffic, together with the speed humps to the east and west of the site access meant traffic speeds were low. Therefore, the potential for conflict at the site access is limited. The proposed development would not alter this existing situation.
7. Due to the constrained nature of the appeal site and the number of vehicles parked within the yard at the time of my site visit it would not have been possible for vehicles to enter and exit in a forward gear. Such a manoeuvre would only be feasible if there were no vehicles parked within the yard. Based on the evidence before me, it is usual for there to be vehicles parked in the yard outside the workshop buildings. Therefore vehicles cannot currently turn within the site. The proposed development would not alter this situation.
8. The restricted visibility at the access combined with the residential nature of Windermere Road would be likely to result in drivers exercising caution when manoeuvring in to and out of the appeal site. During my site visit I observed a vehicle reversing in to the site entrance and exiting in a forward gear. There was no conflict with other vehicles or pedestrians as a result of this manoeuvre, which was performed with care and at low speed.
9. I have not been provided with any evidence to demonstrate that the existing operation on the appeal site has caused any road safety concerns or given rise to traffic congestion. The proposed development would not be likely to alter the existing situation with regard to the number of vehicle movements, traffic conditions outside the appeal site or the ability to turn vehicles within the site.
10. For the reasons set out above, I therefore conclude that the appeal proposal would not have a harmful effect upon highway safety or the free flow of traffic on Windermere Road. As such, the proposed development accords with the highway safety and traffic management aims of Policies 6.3 and 6.11 of the London Plan and Policy 1.1 (f) of the Ealing Development Strategy 2026 Development Plan Document.

Conditions

11. I have imposed a condition specifying the relevant drawings as this provides certainty. In order to ensure the suitable appearance of the development, I have imposed a condition relating to materials.

12. The Council's delegated report indicates that, had the scheme been acceptable, noise insulation conditions would have been recommended in order to ensure that it would not result in an increase in noise emissions. However, the appeal proposal would internalise existing operations and would thus be likely to reduce noise levels. Furthermore, the proposed development would create fairly modest extensions to existing larger workshops on the appeal site and would be open internally to these workshops so any insulation scheme would have to relate to the existing buildings as well as the proposed development in order to be effective. Therefore, I do not consider that the imposition of noise insulation conditions would be necessary or fairly and reasonably related in scale to the development.

Conclusion

13. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

C L Humphrey

INSPECTOR