

Appeal Decision

Site visit made on 16 September 2016

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 28 September 2016

Appeal Ref: APP/A5270/W/16/3151488

3 Barnham Road, Greenford UB6 9LP

- 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 Mr Abie Shahrtash against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2016/0279, dated 21 January 2016, was refused by notice dated 17 March 2016.
 - The development proposed is described as the construction of a new detached bungalow on land alongside existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:

- (i) the effect of the proposal on the character and appearance of the surrounding area;
- (ii) whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to the quantity of internal and external space; and
- (iii) the effect of the proposal on highway safety, with particular regard to off-street car parking.

Reasons

Character and appearance

3. The appeal property is a semi-detached bungalow with a detached single garage to the side. It is located in a residential street comprising a mix of semi-detached houses and semi-detached bungalows of similar age and appearance. Although many of the properties have been extended, the contrast between the low hipped roof bungalows and houses with prominent side-facing roof slopes has been maintained. These features are key constituents of the character and appearance of the street scene and matters to which I attach significant weight.
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4. The proposal would comprise the demolition of the garage and erection of a self-contained dwelling with accommodation within a hipped gable roof with a large rear-facing dormer. In the immediate context of the sloping side roofs to either side and the prevailing pattern of development in the street, the hipped gable roof form of the proposal would, due to its height, bulk and design, be an incongruous and overly prominent feature that would be out of keeping with the street scene.
5. For these reasons I conclude that the proposal would have an unacceptable effect on the character and appearance of the area. It therefore fails to comply with Policies 7.4 and 7B of the Council's *Development Management Development Plan Document* (2013) (DMP) which, amongst other matters, seek coherent development that complements the building pattern and scale of existing areas. It is also contrary to Policies 7.1, 7.4 and 7.6 of the London Plan (2015) (LP), which seek high quality design that contributes positively to an area's character, and the aims of the National Planning Policy Framework (2012).

Living conditions

6. The proposal would create a 2-storey dwelling with a living/dining/kitchen area on the ground floor and a bedroom and bathroom contained within the roof. Taking into account the restricted headroom in the bedroom, the application drawings indicate that the gross floor area of the proposed dwelling would exceed the minimum gross internal area for a 1-bedroom, 2-person, 2-storey dwelling as set out in the Technical Housing Standards – Nationally Described Space Standard (2015).
7. The proposed dwelling would have a small rear private garden and the area of private amenity space available for use by the occupants of the host property would be significantly reduced. Both gardens would be slightly smaller than the minimum area recommended in the key to Table 7D.2 of the DMP. However, the existing dwelling is small and the proposed one would not provide accommodation suitable for a family. For these reasons I am satisfied that the proposal would provide sufficient private amenity space.
8. I conclude therefore that the proposal would provide acceptable living conditions for existing and future occupiers. In addition to complying with the aforementioned Space Standards I find no conflict with the aims of DMP Policies 3.5, 7B and 7D, LP Policies 3.5 and 7.6 or the Mayor's *Housing Supplementary Planning Guidance* (2012).

Highway safety

9. The proposal would include the retention of the off-street space in front of the existing garage and the provision of a new off-street parking space in front of the existing bungalow. The former would be marginally shorter than at present and a little less than 4.8m in length due to a slightly protruding bay window at the front of the proposal. Despite this the parking space would be of sufficient length to accommodate an average sized car without protruding over the pavement. If a long vehicle were to use the space, the degree of protrusion would not in my judgement be so severe as to have an impact on highway safety, having regard to the fact the property is close to the end of a cul-de-sac and therefore the amount of passing vehicular traffic is low.

10. For these reasons I am satisfied that the proposal would not have an unacceptable effect on highway safety. It therefore accords with the objectives of the Manual for Streets and the National Planning Policy Framework (2012).

Other Matters

11. A number of concerns have been raised in respect of the proposal's effects on the living conditions of occupiers of 5 Barnham Road. The proposal would result in the formation of an essentially 2-storey flank wall located very close to the boundary shared with No. 5. I recognise that this would result in a degree of overshadowing of a section of driveway leading to the property's entrance. However this area does not form part of the property's primary amenity space and overshadowing of the front and rear gardens due to the proposal would be minimal. I am therefore satisfied that the proposal would not have an unacceptable effect in this respect.
12. However, I note that No. 5 has a conservatory to the side, the roof of which would be a short distance from the rear dormer of the proposal. Whilst I am satisfied that the conservatory would retain adequate levels of natural light with the proposal in place, in my judgement the close relationship between the bedroom window in the dormer and the conservatory would result in an unacceptable loss of privacy which would be detrimental to the living conditions of the occupiers of No. 5. In this respect I therefore conclude that the proposal is contrary to Policy DMP 7B, which requires good levels of privacy for adjacent uses.

Conclusion

13. Although I have concluded that the proposal would provide acceptable living conditions for future occupiers and would not have an unacceptable effect on highway safety, for the reasons set out under the first main issue and under "other matters", and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR