
Appeal Decision

Site visit made on 7 September 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 28 September 2016

Appeal Ref: APP/A5270/W/16/3152945
142 Broadway, West Ealing, Ealing W13 0TL

- 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 Basir Ahmed against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2015/4777, dated 27 August 2015, was refused by notice dated 23 December 2015.
 - The development proposed is a new fourth floor penthouse above a mixed use development.
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Decision

1. The appeal is allowed and planning permission is granted for a new fourth floor penthouse above a mixed use development at 142 Broadway, West Ealing, Ealing W13 0TL in accordance with the terms of the application, Ref PP/2015/4777, dated 27 August 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: 'Floor Plan FHK 200'; 'Roof Plan FHK201'; 'Front/Rear Elevations FHK202'; 'North Elevation FHK202 revA'; 'East Elevation FHK205'; 'West Elevation FHK205'; and 'Cross Section FHK206 revA'.
 - 3) The external surfaces of the development hereby permitted shall be constructed of the materials shown on the approved plans.

Preliminary Matter

2. Planning permission has already been given by the Council for an extension to the existing ground floor bar/restaurant area and the addition of a 3 storey extension comprising of 6 residential units including amenity space at first floor level. That planning permission is yet to be fully implemented. The proposal would involve a further floor on top of what has already been approved towards the rear of the site where it is close to Singapore Road. The submitted plans are consistent in showing the previously approved development. It is not clear that the revised description used by the Council was agreed. I have therefore used the original description of development and will deal with the appeal on the basis of it proposing an additional floor on top of the development previously approved.
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3. There is some ambiguity regarding which plans were considered by the Council. I have not been provided with the plan referenced 'FHK204 revA' although I do have 'FHK204'. However, I have been provided with another cross section referenced 'FHK206 revA' and will consider that plan. A little confusingly plan 'FHK205' and 'FHK205 revA' are not versions of the same plan. One shows the east elevation and the other the west elevation. I will take both of these plans into consideration. Plan 'FHK202' is not referred to on the Council's decision although shows the same north elevation as is shown 'FHK202 revA' as well as the proposed south elevation. I am content that the south elevation details are consistent with the other plans and the details provided of the lower floors approved under planning permission PP/2013/0305. Both the appellant and the Council were given an opportunity to clarify these matters before this decision was issued.

Main Issue

4. The effect of the proposals upon the character and appearance of the area.

Reasons

5. The appeal site is in a tight knit urban area with a range of uses including residential properties and various commercial premises. This proposal would make no difference to the part of the building fronting onto Broadway but would involve the addition of a further storey on top of the 4 already approved at the rear. The back wall of the site which faces onto Singapore Road has a secondary entrance to the building and a side alleyway between this and the high 4 storey building at No 140.
6. There is a range of building styles nearby. Within Eccleston Road there are rows of traditional semi-detached dwellings but Singapore Road has a much different character. Functional areas serving the backs of commercial premises fronting Broadway such as the appeal premises are close to newer, higher buildings with more active frontages onto Singapore Road. The 5 and 6 storey residential blocks on the opposite side of the road and the 4 storey block at No 140 provide a modern appearance to the road. The site at the moment is close to the transition where the scale of modern buildings is much greater than the few remaining traditional parts of commercial buildings and from the nearby traditional residential areas.
7. A 4 storey building as has already approved would be at a much greater scale than the existing buildings bringing a separate built form at the rear of the site, close to the pavement with a degree of functional separation from the buildings facing Broadway. The proposal would involve an additional storey to provide a further residential unit. The additional storey would be set back off of the front and rear elevations. This would produce a graduation from the bottom 3 storeys with the 4th storey being narrower and the proposed 5th storey being set in even further from the street at the rear. Although not recessed as much as some of the other higher floors of modern buildings nearby, the addition of the 5th storey would be difficult to see from street level close to the site given the set back. It would be visible at street level from further away and would be closely related to the higher buildings on the opposite side of the road. The metal cladding is a similar finish as used nearby. I do not consider that the top 2 storeys would overwhelm the appearance of the original building or this part of the street scene. Overall, the proposed 5 storey building would complement

the building pattern, scale and architecture of buildings nearby as well as what has already been approved.

8. In relation to the main issue, the proposal would have an acceptable effect upon the character and appearance of the area. This would comply with Policies 7.4 and 7B of the Development Management Development Plan Document¹ and 7.4 and 7.6 of the London Plan².

Other Matters

9. From the information provided, I am satisfied that the proposal would not have a harmful impact upon the living conditions of other units within the site and those on the adjoining sites. The external amenity space for the additional unit would provide a reasonable amount of outside accommodation. The proposal would provide additional living accommodation in an accessible urban area with a good range of services.
10. I have imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed. I have also required that the materials used match those set out on the submitted plans.

Conclusion

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

A Harwood

INSPECTOR

¹ Ealing Development Management Development Plan Document, adopted 10 December 2013

² The London Plan, adopted March 2015