
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/16/3152099

163 Greenford Road, Greenford, Ealing UB6 9BD

- 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 M Saleh against the decision of the Council of the London Borough of Ealing.
 - The application Ref 160245FUL, dated 4 December 2015, was refused by notice dated 22 March 2016.
 - The development proposed is 1 x 2 bed dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council states that plan 'GTD163GR-04A' received 21 March 2016 a day before the planning application was determined was considered. The appellant has however provided an earlier plan and confirms that this should be considered. The later plan would not have been subject to publicity and so I will consider the appeal on the basis of the original plan 'GTD163GR-04'.

Main Issues

3. The first main issue is the effect of the proposal on living conditions for the occupiers of the existing dwelling and prospective occupiers of the proposed dwelling, with particular reference to the amount and quality of external space. The second main issue is the effect of the proposals upon the character and appearance of the area.

Reasons

Living conditions

4. The appeal site is an area of garden to the side of an existing two storey end of terrace dwelling within an urban area. The site is close to the junction of Greenford Road, a very busy main road, with the quieter residential street of Otter Road.
 5. At the moment, the main rear garden of the dwelling is a triangular shaped area which is largely paved with a small lawn and at the end, a modest outbuilding. Although this is a modest garden, it provides a reasonable area for sitting out and for children to play. In addition, there is the space to the
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side of the existing dwelling where the proposal would be positioned as well as the front garden between the dwelling and the busy Greenford Road.

6. The proposal would lead to the subdivision of the rear garden. A narrow strip of rear garden roughly 2.3m wide would run diagonally away from the back of the proposed dwelling and behind the area that would remain with the existing dwelling. Closer to the back of the proposed dwelling, the boundary with No 1 Otter Road would kink into the site. This would encroach into the area of garden immediately at the rear of the proposed dwelling. The garden with the proposed dwelling would amount to, according to the appellant 55.9m². Although this is more than the minimum required for 2 bedroom units, it would be very constrained. This would be to an extent in my view that would restrict its usefulness. The area would need to be fenced off to secure a degree of privacy for the proposed and existing residents. The fencing would have an effect upon how much light could reach that garden which would also impinge on its usefulness.
7. Much of the garden would be more closely related to the existing rather than the proposed dwelling. The activity from a different household within that space not closely associated with the new dwelling would be unsettling and intrusive for occupants of the existing dwelling. This could include children playing in parts of that proposed garden where they would not be easily seen from the house. Prospective residents would rely partly on an area of garden that would be remote from their own dwelling which would not feel private or secluded even with fencing in place. The close proximity of the site to public open spaces nearby would not compensate for this inadequacy. There would be a more conventional front garden but this would be close to the busy main road and not a private or pleasant place to sit out or for children to play.
8. The Council has no specific requirements for the dimensions of garden areas but the garden in this case would be very narrow and would not relate well to the proposed dwelling. The proposal would therefore not provide satisfactory living conditions for prospective residents and would have a harmful effect upon living conditions for the occupiers of the existing dwelling. The external space would not achieve a high standard of amenity for the prospective or the adjoining dwelling and would therefore not comply with Policies 7B of the Ealing Development Management Development Plan Document, adopted 2013 (DPD) or 3.5 and 7.6 of the London Plan, adopted March 2015 (LP).

Character and appearance

9. The proposal would add a further dwelling to the end of the terrace. This would be at a point where there is a reasonable amount of space between the existing dwelling and the nearest other dwelling within Otter Road. The design would reflect the existing terrace, recreating the existing hipped end. At ground floor level at the front, there would be a lean-to that would go across the whole of the building. This would be wider than the porch on the existing dwelling and others along the terrace. However there is a broad range of styles of front porches and extensions along here and I do not consider that the proposed lean-to would have a harmful impact.
10. In relation to this issue, the proposal would have a satisfactory effect upon the character and appearance of the area. In this respect the proposal would comply with DPD Policies 7B and 7.4 as well as LP Policies 3.5, 7.4 and 7.6.

Other Matters

11. The site would make better use of land in an accessible urban location. The dwelling would have satisfactory internal space. Although the National Planning Policy Framework requires a significant boost of housing supply as well as requiring economic growth, these factors and my conclusion on the second main issue do not outweigh my conclusion on the first main issue.

Conclusion

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR