
Appeal Decision

Site visit made on 18 October 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 14th November 2016

Appeal Ref: APP/A5270/W/16/3155511

1A Harrow View Road, Ealing, London W5 1NA

- 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 Raymond McKinstry against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2015/6794, dated 19 December 2015, was refused by notice dated 2 March 2016.
 - The development proposed is demolition of existing single and two storey buildings and replacement with a dwellinghouse on ground, first and second floors.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single and two storey buildings and replacement with a dwellinghouse on ground, first and second floors at 1A Harrow View Road, Ealing, London W5 1NA in accordance with the terms of the application, Ref PP/2015/6794, dated 19 December 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: 1AHVR A-01 12.10.15, 1AHVR A-02 12.10.151, AHVR A-03 12.10.151 and AHVR A-04 12.10.15.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, its effect on the living conditions of neighbouring occupiers, with particular regard to outlook and noise, and whether the dwelling would provide acceptable living conditions for future occupiers, with particular regard to noise, odour and provision of outside living space.

Reasons

Character and appearance

3. The scheme would be the redevelopment of a site occupied by a former bakehouse building currently used as storage and office. It is located at the rear of 60 Pitshanger Lane, a building which forms part of a quite vibrant commercial frontage. The new house would front onto Harrow View Road which is a street of good quality, quite substantial terraced housing.
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4. The dwelling would occupy the footprint of the former bakehouse and involve the development coming forward slightly towards the street. The existing forecourt space for the parking of two cars would remain to serve the dwelling and an unattractive pre-fabricated garage would be removed to provide a small front garden space adjacent to this.
5. Although the proposal would replace a part two-storey, part one-storey structure with a part three-storey, part two-storey house, it would stand adjacent to, and match the height and scale of, the existing rear outrigger parts to 58/60 Pitshanger Lane. The dwelling would drop down from three to two storeys adjacent to 1 Harrow View Road, which would provide some graduation in scale and break-up the overall mass of the building, as would the mansard roof that provides the top floor living space. The glass balustrade to the roof terrace, and the walls to its rear and side, would fit in acceptably with the overall design.
6. The new house would be of a height, scale and position that would fit in acceptably with the traditional housing along Harrow View Road. The design would not seek to compete with the quite attractive early 20th century housing along this street but would be of a contrastingly contemporary design of a good architectural quality. This design approach would follow that of the recently built contemporary dwelling that stands opposite. The scheme would be of an appropriate scale and provide a successful transition between the commercial properties fronting Pitshanger Lane and the housing along Harrow View Road, over which it would not have a visually over-whelming impact.
7. The site has a road frontage and the proposal is similar to the development of the return spaces to corner properties elsewhere along Pitshanger Lane. Consequently, this scheme would not establish a precedent for similar development to the rear of those properties to the west without a street frontage.
8. The proposal would not be over-dominant or obtrusive and the good quality contemporary design would provide for an acceptable feature within the street scene and result in no material harm to the character and appearance of this area. This scheme would therefore satisfy the requirements of the National Planning Policy Framework over good design. The scheme would comply with Policy 3.5 of the London Plan 2016 regarding the quality and design of housing developments, Policy 7.4 in respect of local character and Policy 7.6 in respect to architecture. The proposal would satisfy the strategic aim of Policy 1.1(g) of the Council's Development Strategy¹ (DS) to enhance suburban communities. It would comply with Development Management² (DM) Policy 3.4 in meeting the appropriate density range for a development in this location and with DM Policy 7.4 in respect of the proposal complementing the local built character of this area.

Living conditions of neighbours

9. The proposed roof terrace would be adjacent to the first and second floor parts of the neighbouring house at No 1. However, this adjacent facing wall is a blank gable end and I am not persuaded that the use of this outside space by

¹ Ealing Development Strategy 2026 Development Plan Document – adopted 3 April 2012.

² Ealing Development Management Development Plan Document – adopted 10 December 2013.

residents of the new dwelling would materially harm the living conditions of these neighbouring occupiers on account of this resulting in excessive noise.

10. The existing bakehouse already encloses the east side of the rear garden to 56 Pitshanger Lane. The new dwelling would be a taller building but set back from the shared boundary above ground floor level, as is the existing building, and have reduced fenestration. This garden is attached to a ground floor hairdresser's and not used in association with any residential accommodation. The upper floor flat accommodation at No 56 has windows which are set back far enough away from the rear wall of the proposed house for it not to cause material harm to the living conditions for these neighbouring residents due to having an unduly overbearing impact on their present outlook.
11. The dwelling proposed would not have a materially harmful effect on the living conditions of neighbouring occupiers, either due to having an overbearing impact or resulting in unacceptable levels of noise. Consequently, this scheme would comply with DM Policy 7B which requires new development to achieve a high standard of amenity for adjacent users.

Living conditions for future occupiers

12. The dwelling would be adjacent to the rear-mounted extraction and ventilation apparatus serving the restaurant at 58 Pitshanger Lane, which has been the subject of numerous complaints to the Council in respect of noise and odour. However, the new dwelling would have no opening windows adjacent to this apparatus and could be insulated to a good standard to reduce the impact of external noise from the restaurant and other commercial uses along Pitshanger Lane.
13. The front garden and roof terrace combined would provide for almost the 50m² of outside space required for a family-sized dwelling under DM Policy 7D. This would provide adequate garden space for a dwelling in such a location as this, close to a commercial parade. There is ample public open space in this location, such as at Pitshanger Park, to compensate for this dwelling having a quite small amount of private garden space. The dwelling would provide acceptable living conditions, without future occupiers enduring harmful levels of noise or odour or having inadequate private outside space. Therefore, this proposal would satisfy DM Policy 7B which requires new development to achieve a high standard of amenity for users.

Conclusions

14. The Council's reasons for refusal refer to a wide range of policies, many of which have little or no direct relevance to the various issues in this case. This appeal has been determined on the basis of what are considered to be the most relevant policies and I find no conflict with the further policies quoted in the Council's decision. Subject to conditions which apply the standard time limit for commencement and require that, in the interests of certainty, the development is built in accordance with the approved drawings, I conclude that this appeal should be allowed.

Jonathan Price

INSPECTOR