
Appeal Decision

Site visit made on 25 July 2017

by Stephen Roscoe BEng MSc CEng MICE

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

Decision date: 31st July 2017

Appeal Ref: APP/A5270/D/17/3175282

3 Mayfield Gardens, Hanwell, London W7 3RB

- 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 Paul Levy against the decision of the Council of the London Borough of Ealing.
 - The application Ref 166614HH, dated 22 December 2016, was refused by notice dated 13 March 2017.
 - The development proposed is a two storey detached outbuilding.
-

Decision

1. The appeal is dismissed.

Reasons

2. I consider the main issue in this case to be the effect of the proposal on the character and appearance of the appeal property and the surrounding area.
3. The appeal property comprises a semi-detached house which has rear single storey and roof space extensions. The rear garden of the property rises from the house and can be accessed from a rear lane. Other outbuildings and garages along this back lane are generally single storey. The area of the garden which adjoins the back lane is occupied by a single storey storage shed and an area that appears to have been occupied by a garage. A concrete hardstanding lies across both of these areas.
4. The proposal would comprise a one and a half storey building which would contain a store, a playroom and a study, all of which would be for family use. It would be situated on the site of the former garage and the shed. It would include a pitched roof, where the ridge would generally be higher than the other outbuildings along the back lane. The scale of the proposed building would also be greater than these other outbuildings. The surrounding ground levels fall towards the house on the appeal property and fall across gardens to the west of the property.
5. As a result of its size and situation, the proposed building would be prominent in its surroundings, and it would not appear sub-ordinate in scale or ancillary to the house as is the case with other outbuildings in the surrounding area. The appeal site would therefore appear over developed. This relationship between the scale of the proposal and the house and site would not therefore accord with the Council's Supplementary Planning Document SPD 4¹.

¹ Ealing Council: Supplementary Planning Document SPD 4: Residential Extensions

6. The proposed building would also appear incongruous in comparison with the prevailing development pattern and would conflict with the Council's Development Management - Development Plan Document² (DPD) Policy 7.4. Insufficient regard has therefore been paid to the pattern of existing spaces, in terms of scale, proportion and mass, as required by London Plan³ (LP) Policy 7.4. The proposal would therefore be harmful to the character and appearance of the appeal property and the surrounding area, notwithstanding that it would only be visible from other properties and the back lane.
7. I recognise that other outbuildings in the surrounding area may occupy a similar footprint to that proposed. The harm that I have identified however relates to the overall scale of the proposed building and its prominence, not just its footprint or its wall heights at adjoining properties.
8. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the appeal property and the surrounding area. I further conclude that it would thus conflict with DPD Policy 7.4, SPD 4 and LP Policy 7.4.

Other Matters

9. The wall of the proposed building that would lie in close proximity to the lower level garden at Nos 5 and 7 Mayfield Gardens would have a height to its eaves of 2.5m. The eaves height of the wall alongside the boundary of No 1 Mayfield Gardens would be 3.1m. I am satisfied that the proposal would not have an unacceptable effect on neighbouring amenity in terms of outlook or privacy. The absence of any harm in this regard would not however outweigh the harm that I have already found.

Conclusion

10. Having taken into account all other matters raised, none carry sufficient weight to alter the decision, and my conclusion is based on the evidence before me in terms of the development plan as a whole. I therefore conclude that the appeal should be dismissed.

Stephen Roscoe

INSPECTOR

² London Borough of Ealing: Development Management: Development Plan Document: December 2013

³ The London Plan March 2015