
Appeal Decision

Site visit made on 8 January 2020

by JP Tudor BA (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 21 January 2020

Appeal Ref: APP/A5270/W/19/3238756

178 Uxbridge Road, Hanwell, London W7 3TB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jazz Sidhu against the Council of the London Borough of Ealing.
 - The application Ref: 190793FUL, is dated 20 February 2019.
 - The development proposed is conversion of single dwelling house into two self-contained residential units; two storey side and rear extension; and associated refuse and cycle parking.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. In the banner heading above the description of development is taken from the appeal form and the Council's draft decision notice, as that description more accurately and fully describes the development than that contained in the planning application form.
3. Although the appeal relates to the failure of the Council to determine the application within the prescribed period, the Council has indicated that it would have refused planning permission because of concerns that the proposed development would adversely affect the character and appearance of the existing property and the area. Therefore, I have considered the appeal on that basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the existing building and the area.

Reasons

5. The appeal property is a relatively modest two-storey dwelling at the end of a short terrace of three houses, all of similar design. The house has an L-shaped footprint with a rear outrigger extending into a modest walled and fenced garden. Its painted brick façade is immediately adjacent to the pavement and it has a pitched, slate roof.
6. Situated on the south side of Uxbridge Road (A4020), the house stands on the corner with a side road, known as Factory Yard. To the west are the two

similar dwellings comprising the terrace while to the east, on the other side of Factory Yard, are two commercial premises, a pizza takeaway/restaurant and a domestic appliance shop, with more residential properties beyond. Opposite on the other side of this section of Uxbridge Road are a row of two storey properties with various commercial premises on the ground floors and residential flats above. To the rear of the appeal property, there are some commercial units along Factory Yard, which leads on to residential properties known as Vine Cottages. Therefore, the character of the area is a mixture of residential and commercial properties, of differing designs and ages, although most buildings within the immediate vicinity of the appeal site do not rise above two storeys.

7. The appeal proposal would reconfigure the 3-bedroom house into two self-contained 2-bedroom flats. That would involve a part single/part two-storey rear extension into section of the back garden, effectively infilling the recess to the side of the existing outrigger.
8. A previous scheme to extend the property and convert it into 3 flats was dismissed on appeal in July 2019.¹ I understand that in the revised appeal proposal before me the scale of the extensions has been reduced and the house would be converted into 2 rather than 3 flats.
9. I note that the scale of the extension has been reduced compared with the previous scheme and that the external changes to the property would be to the rear. However, while the existing roof form is gabled and pitched, the proposal would introduce a hipped roof and an additional ridge cutting across the existing roof slope. The eaves height of the addition would also be higher than the eaves of the gable end. The resulting roof design would appear complicated, awkward and discordant in relation to the building and be unsympathetic to the character of the area.
10. Although it would not extend beyond the existing outrigger and its single storey lean-to element, the proposal would add considerable bulk to this modest dwelling by infilling the recess and significantly extending its eastern elevation, mostly over two storeys, immediately adjacent to Factory Yard. While it would remain lower than the existing main ridge of the roof, the scale, form and massing of the extension would overwhelm the host dwelling and the unassuming terrace of which it forms a part. The use of matching materials would not sufficiently mitigate the adverse visual effects.
11. The appellant refers to the variety of architectural styles in the area, but similar extensions have not been referred to and, in any case, that would not justify unsympathetic and poor design. There would be limited views from Uxbridge Road as the extension is to the rear. However, the proposed development would be prominent in public views of the rear of the property from Factory Yard. Although not a through-route for vehicles, there is vehicular access to the residential dwellings at Vine Cottages and the commercial premises to the rear of the appeal site. There is also pedestrian access to Factory Yard from Lower Boston Road further to the south.
12. Although I appreciate that it represents a snapshot in time, I saw a number of pedestrians using Factory Yard during my site visit, at about 1100 hours on a weekday morning. I also note that in the previous recent appeal decision cited

¹ APP/A5270/W/19/3224649

above, the Inspector observed '*a steady stream of people walking along Factory Yard*' and concluded that '*it clearly forms part of the public domain within which the proposal would be viewed.*'² I am of the same opinion.

13. Overall, therefore, I conclude that the form and size of the proposed development would harm the character and appearance of the existing building and the area. Of the various policies referred to by the Council, I consider that the clearest conflict resulting from the proposal would be with policies 7.4 and 7.6 of The London Plan³ and policies 7.4 and 7B of the Council's Development Management, Development Plan Document.⁴ Those policies seek to ensure, amongst other things, that development is of high-quality design and of a proportion, composition and scale that enhances the public realm and has a positive visual impact.

Other Matters

14. The appellant says that the proximity to the busy Uxbridge Road, lack of parking and levels of amenity, make the existing house unsuitable as a family dwelling and that two smaller units would make better use of it. However, it has a private rear garden and is in a sustainable location with a good Public Transport Accessibility Level of 5. It is also close to various shops and a range of other services and facilities. There appear to be other similar family-sized residential properties in the area. Therefore, I do not find that argument particularly persuasive. In any case, it would not justify a design that has a negative effect on the character and appearance of the property and the area.
15. The alleged benefit of creating an additional residential unit, in the form of a two-bedroom flat, would also entail the loss of the existing potential family dwelling. Therefore, I consider any supposed benefit to be limited. Again, it would be insufficient to outweigh the visual and character harm identified.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed and planning permission refused.

JP Tudor

INSPECTOR

² Paragraph 8

³ March 2016

⁴ Adopted 10 December 2013