



Appeal Decision

Site visit made on 14 January 2020

by Mr D.R McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/A5270/W/19/3239559

Land rear of Queens Parade W5 3HU

- 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 Ashoob Cook against the decision of the Council of the London Borough of Ealing.
 - The application Ref 191698FUL, dated 10 April 2019, was refused by notice dated 12 July 2019.
 - The development proposed is erection of mews style, detached building with an undercroft and to provide 2x modular style buildings with external staircases providing flexible B1a office space on land rear of Queens Parade with gated access and associated soft and hard landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of occupiers of properties to the rear of Queens Parade in terms of sense of enclosure.

Reasons

Character and appearance

3. The appeal site is a long and narrow area of land that sits between a terrace of modern properties known as Queens Parade and a large single storey warehouse. To the front, the properties on Queens Parade form part of the longer Queens Drive and are in commercial use at street level. The rear of Queens Parade is at a lower level when compared to the front. When viewed from the rear there are mostly garage and storage spaces at ground floor level, and properties that appear to be mainly in residential use at first and second floor levels.

4. As a result of the differences in ground levels, pedestrian access to the rear first floor residential properties can be gained from the street to the front via walkways. The pedestrian access links to a further walkway that spans most of the width of Queens Parade at rear first floor level. The walkway provides direct access to most of the residential properties, many of which have small amenity spaces that sit between the walkway and the external doors. The walkway includes a staircase at one end that leads to the rear ground floor level and the appeal site. The appeal site is open at both ends and currently provides an element of access for the properties on Queens Parade.
5. The proposed development would infill part of the area at first floor level between the warehouse and the rear of Queens Parade to provide new office space that would be divided into 2 units. The new building would sit on steel stilts that would create an undercroft at ground floor level and allow access through the appeal site. Pedestrian access to the proposed development would be gained via staircases at both ends of the new building. The detailed design of the new building would be commercial in general appearance and would include a shallow pitched roof. The principal windows for the new building would face onto the side that fronts the warehouse. There would be smaller windows facing towards Queens Parade.
6. The proposed development would not be easily visible from Queens Drive and other surrounding roads as the appeal site is mostly enclosed by the buildings on Queens Parade and the surrounding commercial buildings. The proposed development would be open to close views from the pedestrian walkway that serves the properties to the rear of Queens Parade and from the amenity spaces and ground and first floor windows of these properties.
7. The gap between Queens Parade and the warehouse is not widely perceived. Nevertheless, in the views from the rear of Queens Parade described above, the gap serves as a visual break between Queens Parade and the warehouse and other commercial buildings beyond. In this regard, the gap is locally important as part of the layout and function of the buildings and spaces in which it is included.
8. The proposed development would represent a disruptive feature, infilling that visual gap, disturbing the layout of the immediate locality in a way that would be harmful to its coherence and function as a place. In this regard, the proposed development would not respond well to its surroundings nor sit comfortably within the site. As such, it would fail to create a high quality sense of place and would be harmful to the character and appearance of the surrounding area.
9. For the reasons set out above, I find that the proposed development would have a harmful effect on the character and appearance of the surrounding area. Consequently, in that regard, it would conflict with policies in the Ealing Local Plan and the London Plan. In particular, Policies 7.4 and 7B of the Ealing Development Management Development Plan (EDMDP) which includes the requirement for development to complement the existing street sequence and building pattern, and Policy 1.1 (h) of the Ealing Development Strategy 2026 Development Plan Document and Policies 7.4 and 7.6 of the London Plan which together aim to ensure that development achieves a high standard of design.

10. As the proposed development does not appear to impact on a heritage asset, I have attached limited weight to Policy 1.2g of the EDMDP and Policy 7.8 of the London Plan. As the emerging London Plan has yet to be adopted I have attached limited weight to its policies.

Living conditions

11. As a result of the configuration described above, the proposed development would sit close to the pedestrian walkway that serves the properties to the rear of Queens Parade and the amenity spaces and ground and first floor windows of these properties. The ground floor garages and other storage spaces to the rear of Queens Parade would provide a degree of separation between the proposed development and the residential units.
12. The undercroft space at ground floor level created by the proposed development would result in an increased feeling of enclosure for users of the existing car parking spaces, in particular the spaces close to the rear of 8 and 9 Queens Parade. However, given the nature of how a car parking space is generally used, I conclude that the sense of enclosure created would not be unreasonable. The location of the proposed development would also create a sense of enclosure to the first-floor pedestrian walkway. Nevertheless, given the transient nature of the use of the walkway, I conclude that the sense of enclosure created would, on balance, not be unreasonable.
13. However, the location of the proposed development would also create a sense of enclosure for occupiers of properties to the rear of Queens Parade, in particular the first-floor windows and amenity spaces. As the amenity spaces are modest and the windows appear to serve as the primary outlook for these homes, the sense of enclosure that would be created by the proposed development would be unreasonable given the proximity and scale of the development proposed thereby harming the living conditions of occupiers of the residential units on Queens Parade.
14. For the reasons set out above, I find that the sense of enclosure that would be created by the proposed development would have a harmful effect on the living conditions of occupiers of the residential units on Queens Parade. Consequently, I find conflict with policies in the Ealing Local Plan and the London Plan. In particular, policy 7B of the EDMDP and policy 7.6 of the London Plan, which together aims to achieve a high standard of amenity.

Other Matters

15. Representations from other parties are noted, including those relating to rights of access. None of the issues raised affect my findings on the main issues.

Conclusion

16. For the above reasons, and taking account of other matters raised in the appeal, the appeal is dismissed

D.R. McCreery

INSPECTOR