
Appeal Decision

Site visit made on 9 June 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd July 2020

Appeal Ref: APP/A5270/W/20/3246102

1 Halsbury Road East (land rear of), Northolt UB5 4PU

- 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 Upali Abeysiri against the decision of the Council of the London Borough of Ealing.
 - The application Ref 193615FUL, dated 16 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is the erection of new bungalow on land rear of 1 Halsbury Road East, UB5 4PU with altered parking for the host property and boundary fence.
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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 site and surrounding area; and
 - The living conditions of the future occupiers, with particular reference to the standard of accommodation and outlook.

Reasons

Character and appearance

3. The site is located in the rear garden of No 1 Halsbury Road East, a semi-detached dwelling situated on one corner of a crossroad with Russel Road and Halsbury Road West. The area is predominately residential and is characterised by 2 storey semi-detached dwellings which front on to the road and have lengthy rear gardens.
4. To the side of the property is Russel Road, a cul-de-sac which leads to the garage of the host property and rear garden area, and on the opposite side of the road is an existing bungalow. At the end of the road is a grassed area and footpath which passes a scout hut and crosses over the railway track. The area adjacent to the railway is characterised by mature trees and greenery and forms part of the Metropolitan Open Land (MOL). The MOL adjoins the gardens of the properties on Halsbury Road East and West. Apart from development expected in gardens, such as sheds and outbuildings, the gardens to the rear of the properties are largely open and free from development.

5. The proposal would demolish the existing garage and construct a detached bungalow style property with roofspace accommodation. The dwelling would be a 2-bedroom, 2-storey house, with vehicular access provided to the side and it would be separated off from the garden of the host property by a 1.8 metre wooden fence.
6. The proposed dwelling would be readily visible from the surrounding roads and the adjacent footpath. The road has a slight gradient which slopes up towards the end of the cul-de-sac, and due to the proposed roof height and positioning of the dwelling in relation to the surrounding properties, it would be readily visible and prominent within the street scene.
7. The design of the dwelling would have a mixture of roof types, being part hipped and part gable. The design of the proposed dwelling would be in stark contrast to the existing dwelling in the area and would appear out of place, as the orientation and proportions of the dwelling would be at odds with the surrounding character and design of the nearby properties. Whilst I note that there is an existing bungalow opposite the site, the design of the proposal would be contrast to this and it would not balance this part of the street scene.
8. The appellant has stated that the dwelling would be compatible in terms of architectural form, style and materials to compliment the neighbouring properties, and its roof would not overly project in the skyline. However, a bungalow style dwelling with upper floor accommodation and a small rear garden would be at odds with the existing pattern of development in the area. Therefore, it would appear as an incongruous feature within the street scene.
9. The site would also be situated next to the MOL, which is verdant in character. Whilst there is a scout hut beyond the site and an existing garage on the site. The addition of a residential dwelling of the height proposed in this area would detract from the openness of the MOL when view from from the street scene.
10. The proposed development would have a harmful effect on the character of the site and surrounding area. Therefore, it would be contrary to policies 7.4 and 7B of the Ealing Development Management Development Plan Document (EDMDPD) (2013) and policies 7.17, 7.4, 7.5 and 7.6 of the London Plan (LP) (2016). These policies, amongst other things, require development to complement the street sequence and building pattern, and have regard to the form, function, and structure of the area, place or street and the scale, mass and orientation of surrounding buildings.

Living conditions

11. The proposed dwelling is for a 2 bedroom, 2 storey person house, therefore, the minimum standard of internal floorspace as set out by the Technical Housing Standards – nationally described space standard (2015) would be 79sqm. The Council has stated that the proposal would have an internal floor area of 78sqm, therefore, it would not meet the minimum requirement.
12. The east facing window in the ground floor bedroom would be located in close proximity to the 1.8m high wooden fence, therefore, this window would provide a limited outlook. However, I note that the other window of this room would look on to the front garden area. Consequently, I consider that the dual aspect of this room would not be harmful to the outlook of this room and would not cause a sense of enclosure for the future occupiers. In terms of the bedroom

on the first floor, the only windows would be rooflights. Therefore, this would give a poor outlook for the future occupiers in this room, as there would be no views out to the surroundings.

13. I find that the proposed development would cause harm to the living conditions of the future occupiers, with particular reference to outlook and standard of accommodation. Therefore, it would be contrary to Policy 7B of the EDMDPD and Policy 7.6 of the LP. These policies, amongst other things, require development to achieve a high standard of amenity for users and provide high quality indoor spaces and integrate well with the surrounding streets and open spaces.
14. The Council has referred to policies 7.4 and 7.6 of the LP and Policy 7.4 of the EDMDPD in its reason for refusal. However, these policies relate to local character and the public realm, therefore, they are not relevant policies for this main issue.

Other Matters

15. The appellant has stated that the site would be making the best use of urban land by increasing density in an appropriate manner and that it would add to the local housing stock. The appellant has also highlighted that the development would respect the amenity of neighbouring residents, would provide adequate parking and cycle storage and that the appellant would accommodate an Electric Charge Point if necessary. It is also proposed to construct the dwelling in compliance with the requirements of Part 'M' of the Building Regulations, to allow reasonable access and use to all regardless of disability, age or gender. However, these factors do not overcome the harm that I have identified above.
16. I note that in the Council's officer report it made reference to the size of the outdoor space for the proposed development, although this was not included as a reason for refusal. I also note that there are a number of issues raised by interested parties around parking, congestion, highway safety, privacy, sewer connections, outlook and enclosure to a neighbouring property. However, as I have already identified harm above, it is not necessary to consider these further as part of this appeal.

Conclusion

17. For the reasons given above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR