
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: 3rd July 2020

Appeal Ref: APP/A5270/W/20/3244941

13 Maple Grove, Ealing W5 4LA

- 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 Masson (De Seneca Ltd) against the decision of the Council of the London Borough of Ealing.
 - The application Ref 192285FUL, dated 23 May 2019, was refused by notice dated 18 July 2019.
 - The development proposed is a new 3 bedroom 4 person house to the east of 13 Maple Grove, removal of single storey extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. As part of the appeal process the appellant has confirmed via an email that the drawing number for the Existing Floor Plan was not correct as it has the same drawing number as the Proposed Floor Plan. The Council in its decision notice, referred to the Existing Floor Plan as 629(E)02 rather than 629(P)02 as it was when submitted. However, the titles of the respective plans are correct. Therefore, I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the site and the surrounding area; and
 - The living conditions of the occupiers of No 13 Maple Grove, with particular reference to outlook.

Reasons

Character and appearance

4. The appeal site is a two-storey end of terrace dwelling, with a single storey side extension and it is located on the north side of Maple Grove, at the junction with Chestnut Grove. The site is located on one corner of a crossroad, with the area diagonally opposite being a recreation ground and the other corners being residential properties. Due to the positioning of the end terraces in the area they generally have wider than average plots and are visually prominent. The site is bordered by high hedging and has a dropped kerb located on Chestnut Grove, which provides access to a garage to the rear of the site. Within the row

of terraces, Nos 1 and 13 are distinct, in that they have a different design to the other properties and mirror each other, with their gabled frontage. The positioning of the properties creates an open character that wraps around the two ends of the terrace.

5. The proposal is to remove the existing single storey extension and replace it with a 3 bedroom, 4 person family house in the area to the side of the host property. I note that the site has had a number of previous applications for similar schemes, one which was refused¹ and one which was approved². The main change from the approved application is that there would be further built form at the first floor level, which would add an additional dual-pitched roof to the previously approved hipped roof. Whilst the principle of development on the site has been established and I consider there to be a greater than a theoretical possibility that the development might take place, the scheme put forward as part of this appeal is larger in size, therefore, I have determined the proposal before me on its own merits.
6. The front elevation of the proposal would be in keeping with the host property and its design and appearance. It would appear as a subservient addition and it would not be intrusive within the street scene. In terms of the side elevation, the massing of the built form when viewed from Chestnut Grove would be readily visible and pronounced within the street scene, and would be in stark contrast to the relatively open character of the site. When viewed from the rear elevation, the roof design of the proposal would appear as a bulky addition and would appear incongruous due to its design and relationship with the roof of the host property. Due to the positioning of the proposal on the corner of the junction, it would be readily visible and the additional built form over the approved scheme would appear prominent and would fail to respect the nature of the existing corner site, and the character of the surrounding area.
7. The appellant has stated that the materials would match the houses in the terrace and the wider estate, and would be more in keeping with the area than the approved scheme. The appellant has also stated that the high hedge would remain to maintain the streetscape. I acknowledge the use of matching materials, however, landscaping cannot be considered a permanent feature and it would not hide the harm to the character and appearance of the site and surrounding area. I also note the examples of other developments, which the appellant has highlighted around the area. I note that some of these proposals are also visually prominent, however, their presence does not necessarily make this proposal acceptable, and I have determined it on its own merits, and within its own immediate context.
8. The proposed development would have a harmful effect on the character and appearance of the site and surrounding area. Therefore, it would be contrary to Policy 3.5 of the London Plan (2016) and policies 7.4 and 7B of Ealing's Development Management Development Plan Document (EDMDPD) (2013). These policies, amongst other things, require development to take into account the physical context and local character complement the existing street sequence, building pattern and scale.

¹ 184974FUL

² 191150FUL (approval subject to a legal agreement, which prevents future occupants applying for car park permits)

Living Conditions

9. The proposal would introduce views of built form to the side and rear of No 13 where this does not currently exist. At the first-floor, the development would be located approximately 0.6 metres from the closest part of the rear window of the bedroom of No 13. However, the depth of the proposal would not be excessive. In addition, the occupiers would still have relatively open views of the garden areas and it would remain open to the other side of the bedroom window.
10. In terms of the ground floor, the living conditions of the occupiers of No 13 would be broadly similar to that of the approved scheme, albeit with additional building height. Whilst the current views experienced by the occupiers would be altered, the proposed development would not create an overly dominant or oppressive feature from either the back garden or the rear facing windows.
11. Accordingly, the proposed development would not materially harm the living conditions of the occupiers of No 13 Maple Grove, with particular reference to outlook. Therefore, it would accord with Policy 7B of the EDMDPD. This policy, amongst other things, requires new development to achieve a high standard of amenity for users and for adjacent uses.

Other Matters

12. The appellant has highlighted that there is a shortage of small to medium size family houses in the area, and that the proposal would meet a social need and help with meeting housing delivery in London, as well as nationally. I also note that the appellant has stated that the proposal is close to public transport and local amenities, and would be built in line with national and local policy on energy conservation and accessibility. However, these factors do not outweigh the harm that I have identified above.
13. I acknowledge that an interested party has raised the issue of living conditions at No 9 Maple Grove. However, as I have already identified harm above, it is not necessary for me to consider this as part of the appeal.
14. I note that the appellant has raised concern in the way the Council has dealt with the planning applications on this site. However, this is not a determinative matter for the appeal.

Conclusion

15. Whilst I consider that the proposed development would be acceptable in terms of its effect on the living conditions of the occupiers of No 13, that does not outweigh my findings in respect of character and appearance. Consequently, the appeal is dismissed.

D Peppitt

INSPECTOR