
Appeal Decision

Site visit made on 13 October 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2020

Appeal Ref: APP/A5270/D/20/3244973

30 Greenford Avenue, Southall, Middlesex UB1 2AD

- 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 Mrs Janhanuma Jivan against the decision of the Council of the London Borough of Ealing.
 - The application Ref 194542HH, dated 15 October 2019, was refused by notice dated 11 December 2020.
 - The development is an existing metal staircase from the rear of the property to the loft.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The staircase has been completed and the appeal has been considered on this basis. The above description of the development has omitted the word 'retention', detailed in the application form, because it does not describe the nature of the development.

Main Issues

3. The main issues are the effects of the development on (a) the character and appearance of the area and (b) the living conditions of the occupiers of neighbouring properties, having regard to privacy.

Reasons

Character and appearance

4. The appeal site comprises a two storey dwelling, with second floor accommodation within the roof, which is located about mid way down Greenford Avenue. The road is mainly residential and consists of two storey traditional style dwellings, with some accommodation at the second floor, and three storey blocks of flats in places. To the rear, there are gardens, many hard surfaced with outbuildings. Many dwellings have been altered and extended resulting in a varied residential character and appearance in the area.
5. The metal staircase is located to the rear of the dwelling and raises vertically up in a straight line from the ground floor up to the rear loft accommodation at the second floor. It reaches a height of approximately 6.8 metres and spans a distance of approximately 6.7 metres over a single storey, flat roofed, rear extension. The width of the staircase is just under 1 metre, with metal balustrades and intervening panels either side of steps. Such a size and design

gives rise to a substantial and utilitarian type structure. Despite the varied character and appearance of the area, the structure markedly stands out as a result.

6. For these reasons, the development is incongruous and visually intrusive harming the character and appearance of the area. Accordingly, the scheme conflicts with Policies 7.4 and 7.6 of the London Plan (LP) 2016 and Policies 7.4 and 7B of the Ealing Development Management Development Plan Document (DPD) 2013.

Living conditions

7. The staircase is sited adjacent to the rear garden space of a neighbouring property. On the higher steps of the staircase and balcony at the top of it, there are views of this garden space as well as those of other neighbouring properties. However, the staircase is not designed to enable people to take prolonged views of neighbouring properties and the frequency of use is unlikely to be great given it serves small-scale accommodation. The balcony is small and a feature to enable people to stand at the top of the steps whilst gaining entry into the loft accommodation.
8. For all these reasons, the development does not harm the living conditions of the occupiers of neighbouring properties, having regard to privacy. Accordingly, the scheme complies with Policies 7.4 and 7.6 of the LP and Policies 7.4 and 7B of the DPD (in respect of living conditions).

Other matters

9. The staircase has use as a fire exit and emergency access to the property, including the loft accommodation. However, it has not been demonstrated that this is essential, having regard to Building Regulation requirements, and if it is, whether there are less harmful solutions to resolve this issue.
10. There are personal circumstances set out by the appellant and if the appeal is dismissed, planning permission will be refused for the staircase. This could result in hardship and anguish to the appellant. Whilst understanding this, it remains that the harm to the character and appearance of the area is significant, permanent and would be long standing, if permission was granted even for a short period of time. For these reasons, personal circumstances would not be overriding in this instance.

Conclusion

11. The development harms the character and appearance of the area in conflict with LP and DPD policies, and the development plan taken as a whole. There are no other material considerations to outweigh that finding.
12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR