



Appeal Decision

Site visit made on 26 January 2021

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

an Inspector appointed by the Secretary of State

Decision date: 22nd February 2021

Appeal Ref: APP/A5270/W/20/3262449

Land adjacent to 1 Spencer Street, Southall, UB2 5BH

- 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 Manish Kothari against the decision of the Council of the London Borough of Ealing.
 - The application Ref 203202FUL, dated 10 August 2020, was refused by notice dated 9 October 2020.
 - The development proposed is the construction of an attached two storey dwelling house with habitable loft space.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is no proposal description within the application form. The description detailed in the appeal form and Council's decision notice have been used in this decision. Application plans and appeal documentation support this wording.

Main Issues

3. The main issues are the effect of the proposal on (a) the character and appearance of the area and (b) the living conditions of the future occupiers of the dwelling, having regard to internal space, outlook, light and private outdoor space.

Reasons

Character and appearance

4. The site comprises land that is a gap between the flanks of two dwellings at a bend in a road. It is in an area where the pattern of development is of closely sited dwellings along the frontage. Nevertheless, the gap between the terraced houses on Spencer Street and the adjacent semi-detached properties on Dudley Road. It provides a distinguishing quality between the two streets.
5. The area has a densely built-up character and appearance and the proposed dwelling would replicate the design of the neighbouring Spencer Street terrace, with the third storey within a mansard style roof with a dormer window. It would also be similar in scale and size to the surrounding development.
6. However, the plot size would be significantly smaller than that predominating within the area. Its siting would appear awkward because the space is

triangularly shaped narrowing in width to a point to the rear. This would be emphasised by the dwelling's rear end being angled to fit alongside the boundary of a rear accessway adjacent to the neighbouring property on Dudley Road. The development would also result in the loss of a gap denoting the change in the style of housing between the two streets. Consequently, the development would have a negative visual impact adversely affecting street sequence and would appear squeezed in, cramped and incongruous.

7. For all these reasons, the development would not result in high quality architecture and would harm the character and appearance of the area. Accordingly, the proposal would be contrary to Policies 7.4 and 7B of the Ealing Development Management Development Plan Document (DPD) 2013 and Policies 7.4 and 7.6 of the London Plan (LP) 2016. The Interim Planning Guidance Residential Extensions Supplementary Planning Document 4 is not relevant as it relates to house extensions.

Living conditions

8. Under DPD Policy 3.5, internal space standards expressed as Gross Internal Areas (GIA), specified in a table, will apply as minimum requirements for residential development in Ealing. LP Policy 3.5 also requires all new residential development to, amongst other matters, reflect these space standards that are set out in a table and the LP Housing Supplementary Planning Guidance.
9. The proposed dwelling's GIA would be approximately 47.5 sqm which would exceed the standard for a one bedroom one person dwelling under both the DPD and LP. However, the bedroom, including en-suite, would be of significant size covering much of the second floor which would indicate occupation by more than one person. Indeed, the bedroom's GIA would equate with that specified for a double bedroom under the Nationally Described Space Standards. On this basis, the accommodation would be attractive for two persons and therefore, a one bedroom one person dwelling category would not be appropriate.
10. For the new dwelling, the accommodation would be of a restricted size especially given its spread over three floors. Over three floors, there would also be considerable space taken up for staircases and circulation space which would reduce available areas for convenient and comfortable living. Furthermore, the most relevant category of dwelling under the tables in both DPD and LP would be a 2 bedroom 2 person 2 storey dwelling. The GIA of the proposal would be considerably smaller than the requirement of 58 sqm for this dwelling category. For all these reasons, the dwelling's accommodation size and quality would adversely affect the living conditions of the dwelling's future residents.
11. Under the LP, the relaxation of the space standard for a 1 person 1 bedroom flat is permitted but only if the development is considered to be of exemplary design and contributes to the achievement of other objectives and policies of the plan. The proposal would not be for this category of dwelling but notwithstanding this, the proposal would not be of exemplary design due to the harm on the character and appearance of the area.
12. DPD Policy 7D states all developments that increase demand for open space will be expected to make an appropriate contribution towards meeting this

additional demand, having regard to the standards detailed in a table. The private open space provision would be short of the required standard and would be limited in its quality due to its shape and position. The frontage area would be exposed to public view from the frontage which would result in loss of privacy to the occupiers. The rear area would be hemmed in between the flanks of a neighbouring dwelling on one side, and the boundary treatment and flank of another dwelling on the other side.

13. There would be recreational facilities within easy walking distance of the dwelling but this is not listed as an exception to this policy and in any case, it is not a substitute for everyday outside living activities, such as private relaxation and clothes drying, which need to be provided at home in a readily convenient way.
14. Turning to outlook and light, the dwelling's openings on the side and rear of the ground floor and rear of the first floor would be significantly enclosed by boundary treatment and the flank walls of adjoining dwellings. As a result, this would significantly restrict light provision and outlook to living and kitchen areas. The narrowing of outlook caused by the angled nature of these flank features would particularly restrict outlook. Whilst the dwelling's front would enjoy a southerly aspect, it has not been demonstrated that sufficient light would reach the back of the dwelling so as to avoid gloomy internal conditions.
15. The dwelling would enjoy a dual aspect and future occupants would be fully aware of the property's features when deciding to reside in it. Many people have no interest in large gardens due to maintenance requirements. However, people's interest may change once the property is occupied and, in any case, these considerations would not outweigh the considerable harm to living conditions due to plot shape and relationship to neighbouring properties as detailed.
16. In conclusion, there would be harm to the living conditions of the future occupiers of the new dwelling, having regard to internal space, private outdoor space provision, outlook and light. Accordingly, the proposal would be contrary to Policies 3.5 and 7.6 of the LP and Policies 3.5, 7B and 7D of the DPD.

Other matters

17. The proposal would boost housing supply in the area improving mix of housing and would provide accommodation for a small household. Residents would have good access to nearby services and facilities, including by cycle and walking, and there would be construction jobs during the implementation of the scheme. Future residents would contribute to the viability of local services through their financial spend. The proposal would make efficient use of land. These economic, social and environmental benefits would weigh in favour of the proposal.
18. However, the proposal would amount to a single dwelling and therefore, the benefits would be small. The proposal would not be visually attractive as a result of good layout and would not be sympathetic to local character. It would not create a place with a high standard of amenity for future users. Such adverse impacts would, taken together, outweigh the benefits in a substantive way.

Conclusion

19. There would be harm to the character and appearance of the area and living conditions of future residents in conflict with the identified policies of the DPD and LP. The proposal would accordingly conflict with the development plan taken as a whole. There are no considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be refused.
20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR