



Appeal Decision

Site Visit made on 8 September 2021

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 7th October 2021

Appeal Ref: APP/A5270/W/21/3268037

172 Manor Farm Road, Wembley, HA0 1DD

- 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 Krasimir Kehayov against the decision of London Borough of Ealing.
 - The application Ref 203446FUL, dated 30 August 2020, was refused by notice dated 9 November 2020.
 - The development proposed is described as, 'revised ground floor level approved 2-bedroom flat to accommodate 2 x1-Bed Units for 1 person each with previously approved first floor flat 2-bedroom maisonette and associated 2 off-street car parking spaces, refuse/recycle storage and a secure bicycle shed for 5 bikes'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. From my observations during the site visit, the proposed works appeared to have been carried out in line with the submitted drawings. In any event, I have assessed this appeal on the basis of the drawings before me.
3. The London Plan The Spatial Development Strategy for Greater London March 2021 (London Plan) was adopted since the Council's decision notice was issued. I have therefore made my determination having regard to the adopted London Plan rather than the former plan policies cited in the Council's reasons for refusal of planning permission.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide a suitable living environment for future occupiers with regard to internal space and private amenity space.

Reasons

Character and appearance

5. Planning permission for some of the extensions and alterations to the building proposed as part of this appeal was granted by the Council. Accordingly, I have focussed my assessment to those elements which do not benefit from planning

permission. These are the additional single storey side extension and infilling of a courtyard to the side of the building.

6. The existing building is part of a semi-detached set of dwellings and is sited near the junction with Alperton Lane with large buildings in commercial use nearby. The area generally has a spacious character and appearance with many dwellings in the area having modest to large rear gardens.
7. I also acknowledge the alignment of the front elevation and that the materials and joinery details generally match the existing building. However, the extension of the building to the side boundary and the infilling of the courtyard have resulted in an increase in the footprint of the building and a rear garden that appears incongruously small compared with the size of the house and is the only private amenity space on the site. Accordingly, while the building does not join other built forms, the dwelling appears overly large for the size of the plot and the development has harmfully departed from the spacious prevailing pattern of development.
8. Consequently, the development has harmed the character and appearance of the area. Therefore, it conflicts with Policies 7.4 and 7B of the Development Management Development Plan Document Adopted December 2013 (DPD) which together seek development that complement their building pattern and ensure appropriate levels of development on site among other things. It would also conflict with London Plan Policy D6 in this respect which seeks high quality design among other things. The scheme also conflicts with the National Planning Policy Framework (Framework) in this respect.

Living environment

9. The two-bedroom, three person flat on the upper floors does not have access to internal or external private or communal amenity space. Given the likely number of occupiers of this flat which could include small families, the scheme therefore provides an unsatisfactory living environment of the occupiers of this flat.
10. While I acknowledge the undeveloped strip of land adjacent to the site and the land to the east side of Manor Farm Road, there is little substantive evidence before me to demonstrate that these are publicly accessible areas for recreational use. In any event, they do not override the total lack of private amenity space for the occupiers of the upper floor flat which could include small families.
11. The rear garden has a small area and is of a triangular shape offering reduced usable space which is shared between the two ground floor flats. Notwithstanding its shape, the space is sufficient for accommodating a seating area and areas for washing lines and a small amount of common domestic paraphernalia. Therefore, while the space does not provide privacy, given the limited number of future occupiers of the ground floor flats, the private amenity space would be of an adequate size to serve the need of these occupiers.
12. DPD Policy 7D requires that 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 Table 7D.2. Since Table 7D.2 requires 5sqm per 1-2 person unit, plus 1 sqm for each

additional occupant, and the upper floor flat would not have access to any private amenity space, the development conflicts with this Policy.

13. There is a dispute between the main parties as to whether Flat 1 meets the requirements of the London Plan. The shortfall in the view of the Council appears to be minor and, in any event, from the evidence and my observations during the site visit, while the rooms of Flat 1 do not appear spacious, they are of adequate dimensions to fit standard furniture and circulation space sufficient for one person.
14. Consequently, the development does not provide a suitable living environment for future occupiers with regard to private amenity space. Therefore, it conflicts with DPD Policy 7D in this respect. The scheme also conflicts with London Plan Policy D6 which seeks, among other things, that a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. It also conflicts with the Framework in this respect which seeks a high standard of amenity for existing and future users.

Other Matters

15. I note the evidence regarding housing supply including that the scheme contributes an additional dwelling compared with the extant permission, and the economic and social benefits that are likely to have arisen from the contribution of additional occupiers to the local community and the temporary economic benefits during the construction phase. However, since the scheme has only contributed one additional dwelling compared with the extant permission, these benefits would be limited and do not override the harm identified above.

Conclusion

16. For the reasons given above the development conflicts with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR