
Appeal Decision

Site visit made on 16 December 2021

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH January 2022

Appeal Ref: APP/A5270/D/21/3285314

10B Mashie Road, LONDON, W3 7PT

- 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 Gair Reid against the decision of the Council of the London Borough of Ealing.
 - The application Ref 214418HH, dated 26 June 2021, was refused by notice dated 20 August 2021.
 - The development proposed is the construction of a single-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the living conditions of the occupiers of No 10B Mashie Road by way of amenity space.

Reasons

3. The appeal property is a small, two-bedroom detached house situated at the north-eastern corner of Mashie Road, which is a short cul-de-sac running north from The Fairway. It shares an access with Nos 10 and 10A, and the curtilage runs alongside the side/rear garden of No 10A. It currently has a modest rear garden. The proposed extension would be single-storey and full width across the rear of the house, with a mono-pitch roof. The extension would be some 2.3 metres in depth and would have a footprint of a little over 11 sq metres.
4. Policy 7B of the Council's Development Management DPD indicates that new development must achieve a high standard of amenity for users by ensuring, amongst other things, coherent development of the site. Policy 7D provides standards for open space provision and indicates, in Table 7D.2, that the amount and form of provision should respond to the physical context and should safeguard the amenity of existing and future occupants. Typically, this would equate to an area of 50 sq metres of private garden space per house.
5. Policy D6 of the London Plan (2021) (LP) indicates that where there are no higher local standards in the Borough, a minimum of 5 sq metres of private outdoor space should be provided for 1-2 person dwellings, and an extra 1 sq metre should be provided for each additional occupant.

6. The Council contends that the proposed extension, by reason of its excessive cumulative site coverage and reduced rear garden space, would constitute a cramped overdevelopment of the site, to the detriment of the character of the area and living conditions of occupants of the dwelling.
7. The appellant contends that the proposed extension would integrate well with the existing building; that it would enable a beneficial internal restructuring of the internal space; that it would create a three-bedroom house; and that it would meet external amenity space standards as set out in the LP.
8. With this proposal, the extension would result in the house becoming a three-bedroom, potentially five-person family house. It would also result in the size of the rear garden being reduced from a little over 40 sq metres to around 30 sq metres. The appellant contends that the LP requires only a minimum of 5 sq metres private outdoor space for a one- to two-bedroom dwelling. In fact, the requirement relates to a one- to two-person dwelling, and this minimum standard only applies where there are no higher local standards in the Borough. In this case, Policy 7D of the DPD indicates that, typically, there should be an area of 50 sq metres of private garden space per house in order to safeguard the amenity of existing and future occupants.
9. On the basis of the above, the proposal would fall short of the appropriate private outdoor space standard for a house by a considerable margin. The LP minimum standard is based upon provision of eating, sitting or clothes-drying space only. The LP also indicates that private open space is desirable in all circumstances and, in general, the more private open space provided per home, the better. Moreover, Policy 7D of the DPD notes that this minimum baseline requirement should, in most circumstances, be supplemented by additional private garden space to satisfy other policy requirements. In this case, I find that the private garden space remaining after the proposed extension would be insufficient for a three-bedroom family house, which would require adequate play/recreation space in addition to any sitting/drying space.

Other Matter

10. The Council has indicated that the proposal would constitute a cramped overdevelopment of the site, to the detriment of the character of the area and living conditions of occupants of the dwelling. As stated above, I agree that the proposal would represent a cramped form of development, harmful to the living conditions of current and future residents. However, given the location of the appeal property and the existing scale/design of the property, I do not consider that the proposal, in itself, would be harmful to the established character of the host property or the surrounding area.

Conclusion

11. I find that the proposed extension would be harmful to the living conditions of occupiers of No 10 Mashie Road by way of inadequate amenity space. It would conflict with Policies 7B and 7D of the DPD, and with Policy D6 of the LP.

J D Westbrook

INSPECTOR