



Appeal Decision

Site visit made on 14 February 2022

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2022

Appeal Ref: APP/A5270/W/21/3278849

135 Eastcote Avenue, Greenford UB6 0NQ

- 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 Pravin Jagatia against the decision of the Council of the London Borough of Ealing.
 - The application Ref 204773FUL, dated 13 November 2020, was refused by notice dated 14 January 2021.
 - The development proposed is described on the application form as 'subdivision of the site and construction of a new build 2 bed bungalow with associated amenity space'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the refusal of the planning application, the London Plan March 2021 was published and replaced the previous iteration. The main parties were given the opportunity to comment on the relevance of this to the appeal. I have had regard to any comments received and the new London Plan in my decision.
3. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). However, the revised Framework does not materially alter the national policy approach in respect of the issues raised in this appeal.

Main Issue

4. The main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

5. The appeal site relates to 135 Eastcote Avenue, an end terraced property, which contains accommodation over three floors and is in use as flats. It is located on the corner of Eastcote Avenue and The Rise within a residential area. The host property is set back from the road with a driveway to the front and a private garden to the rear. That part of the appeal site proposed to be developed has been fenced off from the remainder of the rear garden of the property and has an unkempt appearance.
6. The overriding character of development on both Eastcote Avenue and The Rise is that of terraced or semi-detached properties with hipped roofs or gable ends, two storey bay windows, and projecting front gables. Properties in the surrounding area follow linear building lines with a road frontage and a strong

street scene presence, which provides a sense of uniformity and contributes positively to the character of the area. Although there are many low rise domestic outbuildings within the rear gardens of neighbouring properties, the land to the rear is otherwise undeveloped.

7. The appeal proposal would be a single storey, two bedroom unit which would be sited to the rear of the host property and be accessed from The Rise. The single storey height of the proposal and its roof design, featuring a combination of a pitched and a flat roof, are uncharacteristic of neighbouring dwellings. Consequently, the proposal would not reflect the scale and design of existing properties in the area.
8. Positioned to the rear of the existing property behind a relatively high wall and gate, the proposal would not have an open frontage in the manner of existing dwellings on Eastcote Avenue and The Rise. The proposed dwelling would be noticeably closer to the footway than existing neighbouring dwellings, which are set further back from the road frontages. Thus it would be wholly out of keeping with the established character of linear frontage development. The uncharacteristic siting of the proposal would be exacerbated by its proximity to the boundaries of the site with limited external space surrounding it. The small gardens to the front and rear of the new dwelling would not reflect the more spacious gardens of neighbouring properties, emphasising the failure of the development to respect the prevailing pattern of development. This would result in a development which would appear cramped in relation to the size of the site.
9. Although I recognise that the appellant has sought to provide a contemporary new dwelling whilst minimising the effects on the living conditions of neighbouring occupiers, I conclude that the proposal would undermine the pattern of development on Eastcote Avenue and The Rise and appear as a prominent and intrusive feature out of context with its surroundings.
10. I saw no evidence of other backland development in the immediate area during my site visit. Although the existence of domestic outbuildings within the gardens of nearby dwellings provide some built form to the rear of the terraces, these are ancillary structures of a smaller scale than the appeal proposal and do not provide justification for it.
11. The appellant contends that other developments in the area constitute a precedent for the appeal proposal and details have been provided. The development at the rear of 25 and 27 Greenford Avenue appears to relate to a larger plot and the dwelling there would be positioned adjacent to existing frontage development on one side. At 69 Oxford Road, 1A Eaton Rise and 335B Horn Lane, the approved dwellings are situated alongside frontage development, and the latter sought to replace an existing dwelling. 2A Melville Avenue appears to have been in situ for a number of years rather than being a recent addition and it is situated on a more spacious plot. Therefore, on the basis of the evidence before me the specific site circumstances of the other developments are not comparable to the appeal scheme and they do not provide compelling justification for allowing the appeal. In any case, I have determined the appeal on its own merits.
12. For the above reasons, I conclude that the proposal would be harmful to the character and appearance of the area. That would be in conflict with Policies 7.4 and 7B of the Ealing Development Management Development Plan

Document (2013) (DPD) and Policies D3 and D4 of the London Plan. Amongst other things, these policies seek high quality development that complements local character. Since the small area of external amenity space provided would not reflect the more generous gardens of neighbouring properties, the proposal would also conflict with Policy 7D of the DPD, where it seeks to ensure that proposals respond to their context and the spatial priorities in relation to open space provision.

Other Matters

13. The appellant considers that the proposal would remove an eyesore and provide a visual improvement to the street scene. However, I have found that the proposal would be harmful to the character and appearance of the area. Moreover, there is no evidence to suggest that the tidying up of the site is dependent on the proposed development taking place. Therefore, this matter does not outweigh the harm that I have identified.
14. It is accepted that the development would offer potential benefits in terms of providing a new dwelling in a sustainable location. It would also have economic benefits through employment opportunities created during the construction phase of the development, Council tax revenue and spending in the local area by future occupants. However, the weight attributable to these matters is limited given the modest scale of the development proposed and would be outweighed by my findings as to the harm that would be caused to the character and appearance of the area.

Conclusion

15. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

M Ollerenshaw

INSPECTOR