



Appeal Decision

Site visit made on 15 May 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2023

Appeal Ref: APP/A5270/D/23/3316054

1 Bramley Road, Ealing W5 4SR

- 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 Barry Keirnan against the decision of the Council of the London Borough of Ealing.
 - The application Ref 224196HH, dated 26 September 2022, was refused by notice dated 24 November 2022.
 - The development proposed is a mansard roof and a front extension to the existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions of adjacent occupiers at 3 Bramley Road ('No 3') and 19 Weymouth Avenue ('No 19'), with particular regard to outlook; and
 - the safety and convenience of highway users.

Reasons

Character and appearance

3. The host property's detached garage is situated to the rear of the plot and is set back slightly from Weymouth Avenue. Although its single storey, flat roofed form is at odds with the two storey, gabled terraces which typify the area, it has a limited scale and bulk. Consequently, notwithstanding that it is set forward of the front face of the terraces on this side of Weymouth Avenue, it does not appear dominant in the streetscene.
4. The garage would be extended to abut the edge of the pavement on Weymouth Avenue, well forward of the adjacent terrace, and its height would be significantly increased. As a result, it would appear as a very dominant structure, whose mansard roof would jar markedly with the style and design of most nearby buildings, including No 19's gabled roof, and it would not reflect the style of the host's dormers. Notwithstanding the proposed use of matching

materials, given its form, scale and siting, the resultant building would appear incongruous in the streetscene.

5. The proposal would therefore significantly harm the character and appearance of the area, and it would conflict with Ealing Development Management Development Plan Document 2013 ('EDMP') Policies 7.4 and 7B which, in broad terms and amongst other things, require good design with appropriate levels of development, which complements local character having regard to matters such as scale and building patterns. It would also fail to comply with the advice at Part 8.0 of the Council's Residential Extensions Supplementary Planning Document No 4 ('SPD') that outbuildings should not detract from the area through overdominance or obtrusiveness.
6. It would also conflict with those parts of London Plan 2021 ('LP') Policies D3 and D4 which require good design that enhances the local context and responds to its character; and with the similar stance in Chapter 12 of the National Planning Policy Framework.
7. LP Policy D5, which is referred to in the Council's decision notice, addresses inclusive design, and is thus of little, if any, relevance on this issue, or the other issues before me.

Living conditions

8. I observed the BBQ construction and landscaping close to No 3's rear garden and the presence of No 19's two storey gable just beyond it. However, taking account of those features, whilst the garage's height would significantly increase as a result of this scheme, as it is located adjacent to the very end of No 3's rear garden, it would not overbear on those residents to a harmful degree, or significantly impact their outlook.
9. Turning to the impact on No 19, which is referred to in the officer report, the property is separated from the host's garage by a narrow pedestrian access and a fence, with the closest part of it at ground floor being its entry door and porch. The combined effect of the scheme's height, with its very steeply pitched roof, and its projection well forward of No 19, would be such that it would loom over the front garden and the front face of that property, and would result in a significant sense of enclosure.
10. However, as No 19 does not have ground floor, front-facing habitable room windows adjacent to the boundary, the scheme would cause only a modest degree of harm to those occupiers' living conditions. On this issue, there would therefore be a limited conflict with EDMP Policy 7B and LP Policy D3 which state that development must ensure a high standard of amenity for adjacent uses, and achieve indoor and outdoor environments that are comfortable and inviting to use; and with the broadly similar guidance at Part 8.0 of the SPD.

The safety and convenience of highway users

11. I observed on my visit that, owing to projecting brick walls, there is currently limited visibility for drivers emerging from the host's garage of pedestrians on the pavement, including children attending nearby schools. However, whilst as a result of this scheme the garage's roller shutter door would abut the pavement, I am not persuaded that intervisibility between those drivers and pedestrians would be significantly worse. Indeed, as pedestrians on the

pavement would have a better view of the garage door than at present, there may be a slight improvement.

12. Consequently, whilst a 5 metre distance between the front of the garage and the site boundary would not be achieved, contrary to the advice in the SPD, on the basis of the evidence before me, the scheme would not significantly harm the safety and convenience of highway users. It would not therefore conflict with that part of LP Policy T4 which seeks to prevent an increase in road danger. As LP Policy T3 is directed at transport networks and infrastructure, it is of little relevance on this issue.

Other matters

13. In its favour, the scheme would provide the existing, and any future, occupants of the property with additional storage space.

Planning Balance and Conclusion

14. I have found that whilst the scheme would not harmfully impact the safety and convenience of highway users, it would significantly harm the character and appearance of the area, and that it would cause modest harm to the living conditions at No 19.
15. The scheme's limited and largely private benefits would not outweigh the combined harm that it would cause. It would conflict with the development plan when considered as a whole, and having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR