



Appeal Decision

Site visit made on 14 May 2024

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2024

Appeal Ref: APP/A5270/W/23/3332648

712 Greenford Road, Greenford UB6 8QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Atakan Terzi against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 233559FUL.
 - The development proposed is described as "conversion of single dwelling into three flats and single storey extension"
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the planning application form. The pre-existing floor plans show the layout of the appeal property as a single dwelling. At the time of my site visit, the appeal property had been converted into three flats, with two on the ground floor and one on the first floor. This replicates the layout shown on the 'existing floor plans'. For clarity, I have based my decision on the submitted proposed plans.
3. Both the first and second reasons for refusal refer to a rear canopy. This is not shown on the existing and proposed plans, and it was not present at the time of my site visit. I have therefore not considered this element in my decision.

Main Issues

4. The main issues are:
 - the standard of residential accommodation for future occupiers with respect to aspect, amenity space and the size of the internal floor area,
 - the level of parking and the effect on highway safety,
 - the effect of the extension on the character and appearance of the area; and,
 - the effect of the extension on the living conditions of the neighbouring occupants at 710 Greenford Road with regard to light and outlook.

Reasons

Standard of residential accommodation

5. It is proposed to convert the appeal property to provide two studio flats on the ground floor and a one-bedroom flat on the first floor. Permission was previously granted for the conversion of the property into two self-contained flats in

- September 2019 (the previously consented scheme)¹. This permission has expired, and it is not clear if it was implemented.
6. Policy D6 of the London Plan 2021 (the LP) outlines that housing development should normally avoid the provision of single aspect dwellings. As Flats 1 and 2 would be single aspect, natural cross ventilation would be limited. This is different to the previously consented scheme where each proposed flat was dual aspect, served by windows in the front and rear elevation. In this regard, the living conditions provided for future occupiers under this proposal would be more harmful than those provided under the previously consented scheme.
 7. The windows in the front of the building would serve Flat 1. There is limited evidence before me regarding the air quality. Notwithstanding this, when these windows are open, there is a possibility that future occupiers of this flat could be exposed to vehicle fumes because of the proximity of these windows to the parking area and the road. In some instances, this issue can be resolved by securing a mechanical ventilation system by planning condition. However, this requires a reasonable certainty that this can be accommodated without giving rise to other issues such as noise levels. Given this uncertainty, I am not persuaded that it would be reasonable to condition this matter.
 8. Within the area, properties have front windows that face off-street parking areas and the road, however, there is no substantive evidence before me to demonstrate that these properties are also single aspect flats. This does therefore not weigh in support of the proposal.
 9. The proposed amenity space provision would exceed the expected standard of 5 square meters, as required by Policy D6 of the LP and Policy 7D of the Development Management Development Plan Document 2013 (the DPD). However, the supporting text to Policy 7D clarifies that amongst other things, this space must be fit for purpose and not permanently overshadowed.
 10. The rear garden would be subdivided to create separate private amenity space for each flat. Each area would be bound by 1.8m high fencing. While the spaces would not be permanently overshadowed, this arrangement would mean that the amenity space for Flats 1 and 2 would be tightly enclosed and dominated by the boundary fences, creating an oppressive outdoor environment. The amenity space for Flat 1 would also be narrow, which when combined with the close proximity of the fencing would result in a particularly cramped space, further restricting its usefulness as a place for outdoor leisure and relaxation.
 11. Future occupiers of Flats 1 and 2 would therefore not be provided with high quality private amenity space which they could reasonably expect to enjoy, despite the provision in excess of the minimum standards.
 12. The submitted proposed floor plans demonstrate that Flats 1 and 2 would be studio flats, which the Council outline would require a gross internal floor area of 37 square meters. Based on the measurements annotated on these plans, the internal floor area for each flat would achieve the expected minimum size requirements. The size of the internal floor area would therefore be acceptable.
 13. Although I have found no issues with the size of the internal floor area, Flats 1 and 2 would be single aspect and the amenity space provision for these flats would be of poor quality. I therefore conclude that the standard of residential

¹ Council ref: 193383FUL

accommodation would be unsatisfactory. Accordingly, the proposal would conflict with Policies D6 and SI 1 of the LP, Policies 3.5, 7B and 7D of the DPD and guidance contained in the Mayor of London Housing Supplementary Planning Guidance 2016. Amongst other things, these policies and guidance require housing development to be of a design that maximises the usability of outside amenity space, does not create unacceptable exposure to poor air quality and achieves a high standard of amenity.

14. Policies D1, D4, D5 and D11 of the LP and Policy 7.3 of the DPD are not determinative in the context of this main issue as they do not specifically relate to the living conditions of future occupiers with respect to the issues raised.

Parking and highway safety

15. For this proposal, the maximum parking standards set out in Table 10.4 of Policy T6 of the LP require two parking spaces. The appellant asserts that the existing parking arrangements are the same as the proposed. Both the existing and proposed block plan show three parking spaces. However, there is limited information before me to understand whether this level of provision was approved previously. Three parking spaces is an oversupply of parking.
16. The crossover does not extend across the full width of the parking area. Because of this, pedestrians would not be aware of and would be unlikely to expect vehicles crossing the pavement to access the parking spaces. Consequently, this risks the safety of pedestrians. The imposition of a condition to require a parking scheme to be submitted prior to the conversion would not resolve this highway safety issue.
17. I therefore conclude that the proposal would result in an oversupply of parking and would cause harm to highway safety. Accordingly, it conflicts with Policies T2, T4, and T6 of the LP and Policy 6.13 of the DPD. Amongst other things, these policies require development to comply with the relevant parking standards, reduce the dominance of vehicles and not increase road danger.
18. Policy T1 of the LP and Policies 2.1 and 5.3 of the Development Strategy 2026 Development Plan Document 2012 (the Development Strategy) make no specific reference to parking and highway safety and are therefore not determinative in the context of this main issue.

Character and appearance

19. As part of the previously consented scheme, a single storey rear extension was approved. Although the submitted existing and proposed elevation plans show no changes to the size of the ground floor, I cannot be certain that the extension built at the appeal property is that which was approved. Nevertheless, this carries substantial weight as a similar extension has previously been approved at the appeal property.
20. At my site visit I saw that some of the neighbouring properties also have single storey rear extensions. Whilst I cannot be certain of their planning status, single storey rear extensions of varying sizes are part and parcel of the immediate character of the area.
21. Given the site's location, the single storey rear extension is only visible over short distances from the adjacent properties and is seen in the context of the current varied architectural styles of the existing extensions. Although the extension has a

large footprint, it achieves an appropriate degree of subordination to the appeal property.

22. I therefore conclude that the extension does not cause harm to the character and appearance of the area and accords with Policies 7.4 and 7B of the DPD and Policies D1 and D4 of the LP. These policies amongst other things, seek development that delivers good design and complements the building and context.

Living conditions of the occupants of 710 Greenford Road

23. The single storey rear extension extends beyond the rear elevation of 710 Greenford Road. Nevertheless, the previously approved extension would have had a similar relationship with this property. As mentioned above, the previously approved extension carries substantial weight. On the evidence before me, I am not persuaded that the single storey extension of the appeal proposal is materially more detrimental to the neighbouring occupier's light and outlook or gives rise to more of an undue sense of enclosure than the previously approved extension. Because of this, I conclude that the proposal does not cause harm to the living conditions of the neighbouring occupiers at 710 Greenford Road with regard to light and outlook.
24. The extension therefore accords with Policies D3 and D6 of the LP, Policy 1.1 of the Development Strategy, Policy 7B of the DPD, and the National Planning Policy Framework. These policies amongst other things require development to achieve a high standard of amenity for existing users.
25. Policy 7.4 of the DPD does not specifically relate to the living conditions of neighbouring occupiers and is therefore not determinative in the context of this main issue.

Conclusion

26. I have found that the proposal does not cause harm to the character and appearance of the area and the living conditions of the neighbouring occupiers at 710 Greenford Road with regard to light and outlook. However, I have found there to be an oversupply of parking, harm to highway safety and that the standard of residential accommodation would be unsatisfactory. The proposal conflicts with the development plan taken as a whole. I apportion significant weight to this conflict and the associated harm.
27. The proposal would provide three residential units in a sustainable location. This would support the government's objective of significantly boosting the supply of homes. Future occupiers would also bring trade to nearby shops and services.
28. Taken together, these are limited benefits given the quantum of development under consideration. Therefore, they would not outweigh the significant harm I have identified including the conflict with the development plan.
29. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

L Reid

INSPECTOR