



Appeal Decision

Site visit made on 17 July 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2024

Appeal Ref: APP/A5270/W/24/3339703

58 St Andrews Road, Acton, Ealing, London W3 7NF

- 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 JGN Development Limited against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 234404FUL.
 - The development proposed is the erection of a two storey side and part rear single storey extension to create a two-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The site visit was originally intended to be facilitated by the appellant but this did not occur. Instead, the occupiers of the property allowed access.

Main Issues

3. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) the living standards of the future occupiers.

Reasons

4. The appeal site comprises the side garden of 58 St Andrews Road which forms part of a terrace of 4 dwellings. The terrace faces towards the junction of St Andrews Road and The Fairway adjacent to which are areas of open space and this contributes to the verdant and spacious character and appearance of the area adjacent to the site. The side garden of No. 58 also currently contributes to this character and appearance because it provides a gap between this dwelling and the extended 51 The Fairway.
5. The wider surrounding area is characterised as being predominantly residential with a mix of dwelling types. However, the majority of these dwellings are 2-storeys in height with pitched roofs and similar fenestration. Some of these dwellings have been altered by the erection of side and rear roof extensions. There are contemporarily designed flats sited on the opposite side of the St Andrews Road/The Fairways junction to the appeal site.
6. The proposed development includes the erection of a dwelling to the side of No. 58. A similar proposal was granted planning permission by the council on 14

September 2018 (Ref 183132FUL). Since the permission was granted, the council has published *Ealing' Housing Design Guidance* (HDG) which refers to responding to, and being informed by, local character. The HDG's aspirations of seeking high quality design appropriate to the locality echo Policies 7.4 and 7B of Ealing's Development Management Development Plan Document (EDM) and Policies D3 and D4 of the London Plan (LP) which also refer to a design led approach to optimising capacity. The LP was adopted after the grant of planning permission for the previous scheme.

7. Based upon the available Block Plans, there are differences between the footprints and sizes of the approved and proposed dwellings and, consequentially, the size of the proposed amenity space is smaller than the approved scheme. The reduction in the amenity space results in a more cramped appearance of the proposed dwelling within the appeal site
8. Taken together, the angled form of the flank wall, the contrived footprint and siting of the proposed dwelling, would, when compared to the approved scheme, reduce further the contribution the appeal site currently makes to the verdant and spacious character and appearance of the area adjacent to the road junction.
9. Further, the approved scheme was of a more traditional design in terms of the form and height of the roof, choice of materials and fenestration which gave it the appearance of being a subservient addition to No. 58 and also reflecting the character and appearance of the majority of the surrounding dwellings. By reason of its more contemporary design, choice roof materials and fenestration, the proposed dwelling would be a conspicuous and incongruous feature within the context of the predominant character and appearance of the surrounding residential area and, more particularly, the adjoining terraces. Other side extensions to dwellings in the surrounding area generally retain a more traditionally design reflecting the character and appearance of the host property and the majority of the surrounding dwellings.
10. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would conflict with LP Policies D3 and D4, EDM Policies 7.4 and 7B and the guidance contained in the HDG. The council's *Supplementary Planning Document 4: Residential Extensions* is more applicable to householder schemes rather than the erection of new dwellings.

Living Standards

11. As part of EDM Policy 7D there is reference in Table 7D.2 to private garden space being provided based upon 5sq m for 1 or 2 occupiers but there is also reference to a house having private amenity space of 50sq m. This additional space is said to be needed to meet the needs of the occupiers and also to reflect the context of a site which, in this case, is in an area where there are rear gardens.
12. The siting and size of the proposed dwelling results in the amenity space, as a whole, being less than the approved scheme. The rear garden, which would be the more private area, would not only be a smaller than what was previously approved, it would also be triangular in shape thereby reducing its value as usable amenity space for the future occupiers.

13. Even allowing for the potential to enclose the front garden and use the small space adjacent to the flank wall, this is a case where the principal private amenity space within the rear garden available for the future occupiers of the appeal scheme would be inadequate to meet their day-to-day needs. In reaching this judgement, account has been taken of the publicly accessible open spaces which is available but they are not private spaces. Accordingly, on this issue it is concluded that the proposed development would not provide satisfactory living standards for the future occupiers and, as such, it would conflict with EDM Policy 7D.

Other Matters

14. The appellant has identified the council has not been able to confirm whether or not there is a 5-year supply of housing land. Even if such a deficit exists, and the presumption in favour of sustainable development identified at paragraph 11 of the National Planning Policy Framework applied, this is a case where the high quality design requirements set out in national and local planning policies, together with the unacceptable harm caused by the appeal scheme to the character and appearance of the surrounding area and the living standards of the future occupiers, demonstrably and significantly outweigh the benefit of erecting a single dwelling. Accordingly, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR