



Appeal Decision

Site visit made on 26 November 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2024

Appeal Ref: APP/A5270/W/24/3349781

133 Mandeville Road, Northolt, Ealing, UB5 4LY

- 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 Reena Luther against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 240675FUL.
 - The development proposed is described as "proposed conversion of a single semi-detached dwelling house into a three self-contained residential flat units (Ground floor 1 x 2 double bedroom (2B,4P); First floor 1 x 1 double bedroom & 1 single bedroom (2B,3P) and 1 studio flat @ loft space, including with rear back extension and loft conversion as permitted development."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are; the effect of the proposed development on the character and appearance of the host property and surrounding area; the effect of the proposed development on the living conditions of neighbouring residents; whether the proposed development would provide adequate living condition for future occupiers; and, whether the proposed development would include appropriate provision for the parking of vehicles in order to encourage sustainable travel choices.

Reasons

Character and Appearance

3. Properties along Mandeville Road are set back from the road in two-storey terraces or semi-detached pairs. Seen from the highway, they share many similar features, such as sloping roofs, front-facing bay windows, fairly regular fenestration, and porches with canopies or an arched design. Those characteristics, together with the houses' fairly modest scale, and a common palette of facing materials including brick, pebble dash, and hanging tiles, provide a sense of cohesion and uniformity to the streetscene.
4. Many of the dwellings have been altered over time, with the addition of single and two storey rear and side extensions. However, these are largely modest alterations, subservient to the host buildings and retain original features, such as roof slopes and bay windows.
5. The proposed development would include a side extension that has a two-storey flat roof which would slope upwards to a third storey. The sloped

section would be set back from the front elevation of the extension, giving this part of the scheme a single pitch appearance. This would adjoin a full height, and almost full width, rear roof extension, which would have a very shallow slope, giving it the appearance of a flat roof. A further two storey and single storey extension would be located to the rear of the building.

6. The two/three storey side extension along with the roof extension would appear contrived and awkward and would give the rear part of the dwellings flat roof appearance, markedly different from the original roof form, which would no longer be legible. The cumulative scale, height, and bulk of the proposed extensions would also appear out of character with other dwellings along Mandeville Road, where there are no other examples of similar roofs and extensions.
7. The proposed development would be visible when travelling along Mandeville Road, and also from Briar Crescent to the rear of the appeal site. Due to its height, flat roof appearance, and complicated roof design, it would be an incongruous and dominant feature in the streetscene.
8. I have had regard to the appellant submission that nearby dwellings are unique in their design. However, as I have noted above, there are general design elements, which includes roof form, which create a sense of cohesion in the locality.
9. As such, the proposed development would have a harmful impact on the character and appearance of both the host dwelling and wider area. It would conflict with Policy 1.1 of the Ealing Development Strategy 2026 Development Plan Document (2012) (DS), Policies 3.5 and 7.4 of the Ealing Development Management Development Plan Document (2013) (DPD) and Policies D4 and D8 of the London Plan (2021) (LP). Together these seek, amongst other things, to ensure that developments have high quality architecture and complement the street sequence, building pattern and scale.

Living Conditions of Nearby Residents

10. The appeal property adjoins No 135 Mandeville Road and is separated from No 131 by side accesses to the dwellings. Two windows are proposed in the side elevation of the extensions and provide light and ventilation to a staircase at the first floor and the open plan studio at the second.
11. The appellant has provided plans detailing a previous permission¹ for a similar development. These show side windows in the first floor for a staircase and kitchen/lounge area and one in the second floor for a staircase. Whilst these are in similar location to the proposal, the proposed side extension would move the first-floor window to be approximately 0.4 metres from the boundary and approximately 2.2 metres from the side elevation of No 131.
12. The location of the proposed extension close to the side elevation and window of No 131 combined with its height and depth would have a significant enclosing effect on the outlook from this window and would also significantly restrict levels of light. The proximity of the proposed staircase window to No 131 would allow for prolonged views in to the neighbouring property. Whilst a condition could be imposed requiring the window to be obscure glazed, this would not overcome the impacts of the extension on the outlook from No 131.

¹ 216301FUL

13. The Council are also concerned regarding No 135 in relation to the projection of the proposed single storey extension beyond its rear wall. A tall timber fence currently marks the boundary between the appeal site and No 135. Whilst the proposed extension would extend some 5.2 metres, it would be single storey, with a maximum ridge height of 4.35 metres. The Council have commented that the proposal would unlikely breach BRE Guidance relating to 45-degree angles.
14. The proposal would extend the dwelling further than its neighbour. However, the close boarded fence that surrounds the site combined with the single storey nature of the proposed development ensure that the proposal would not have an enclosing or overbearing effect on No 135.
15. Whilst I have not found harm in relation to No 135 and privacy matters could be overcome by condition, I have found harm in relation to the living conditions of the occupiers of No 131 regarding outlook and natural light. The proposed development is therefore contrary to DPD Policies 7.4 and 7B which seek, amongst other things, to ensure that developments achieve a high standard of amenity for users and for adjacent uses.

Living Conditions of Future Occupiers

16. DPD Policy 7B requires that new developments achieve high standards to amenity for users. LP Policy D6 requires that housing development be of a high-quality design and provide adequately sized rooms and provides measurements of minimum internal space standards. The nationally described space standards² (NDSS) provides guidance on the minimum internal space requirements for dwellings and LP Policy D6 echoes these requirements.
17. The Council has calculated that the first and second floor flats would have a floorspace of 56 and 33 square metres, respectively. The appellant has argued 64.2 and 37 square metres respectively, in line with the dimensions shown on the drawings. The NDSS sets a minimum floorspace of 61 square a two-bedroom three-person single storey dwelling and 37 square metres for a one-bedroom one-person dwelling where only a shower room is provided.
18. The shortfall in floorspace according to the Council's measurements is noted, however this is only a minor shortfall and the plans demonstrate that adequate accommodation, in the form of kitchen/lounge, bath/shower room, bedrooms, as well as communal outdoor space can be provided.
19. In light of the above, I consider that adequate internal space would be provided. The proposed development would therefore comply with DPD Policies 7.4 and 7B and LP Policies D4 and D6 which, amongst other things, seek to ensure that development is of a high-quality design that achieves a high standard of amenity for users.

Vehicle Parking

20. Three off-road parking spaces to the rear of the building would be accessed from Briar Crescent using an existing rear lane. LP Policy T6.1 states that new residential development should not exceed a specified maximum parking standard. The appeal site is located in the Outer London PTAL 4 area and the Council consider it to be an accessible location with a number of public

² Technical Housing Standards – nationally described space standards (March 2015)

transport options. During my site visit I noted that there was a number of bus stops nearby with a regular service and Northolt tube station was within walking distance, therefore I agree with the Council's assessment regarding the accessibility of the site.

21. LP Policy T6.1 goes on to state that in Outer London PTAL 4 Areas that there should be a maximum parking provision of up to 0.5-0.75 spaces per dwelling. It goes on to state that when considering development proposals that are a higher density or in more sustainable locations, the lower standard should be applied as a maximum.
22. In my view, the appeal site is in an accessible location, meaning that the lower parking standard of 0.5 spaces per dwelling should be applied. The proposal should only provide a maximum of 1.5 parking spaces. Accordingly, the proposal would exceed the maximum parking standards for the area. I am not convinced therefore that the development as proposed would make adequate provision to discourage the use of private vehicles, in order to encourage more sustainable modes of transport.
23. I conclude that the proposal would fail to make appropriate provision for the parking of vehicles in order to encourage sustainable travel choices. It would therefore conflict with LP Policy T5 which requires development to include the provision of cycle parking that is fit for purpose, secure and well located and Policy T6.1 which sets out that new residential development should not exceed the maximum parking standards.

Planning Balance

24. The Council cannot demonstrate a sufficient supply of housing. The proposed development would provide additional dwellings, and smaller flats, therefore increasing the types of accommodation in the area. Socio-economic benefits would arise from the construction works and occupation of the dwellings, although this would be limited by the small-scale nature of the proposal.
25. I have found conflict with the development plan in respect of the character and appearance of the area, the living conditions of No 131, and parking levels. I ascribe significant weight to these harms which would be long lasting. Whilst I have found that no harm would arise in relation to the living conditions of No 135, that is neutral in the planning balance. Therefore, I find that the proposed development conflict with the development plan as a whole. In regard to the specific circumstances of this case, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits.

Conclusion

26. For the reasons given above I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR