



Appeal Decision

Site visit made on 30 July 2025

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th August 2025

Appeal Ref: APP/A5270/W/25/3366805

11 Spikes Bridge Road, Southall, Ealing UB1 2AS

- 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 Navdeep Sandhu against the decision of the Council of the London Borough of Ealing.
 - The application reference is PP-13730713.
 - The development proposed is the erection of 2 storey 2-bedroom house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the appal site and the surrounding area;
 - Whether the proposed development makes adequate provision for Biodiversity Net Gain (BNG); and
 - Whether the proposal makes adequate provision for car parking.

Reasons

Character and Appearance

3. The appeal site is situated at the end of a terrace of four properties on the junction with Viking Road within an established residential area. The area is characterised by semi-detached and short terraces of two storey housing of similar design origins. The side garden of the host property contributes to a sense of spaciousness in the street scene.
4. Whilst various properties, including the host property have been altered over time, alterations tend to be relatively modest, and cumulatively do not alter the characteristic sense of coherence of properties, nor have they diminished the sense of spaciousness within the locality.
5. The appeal proposal would be almost the same width as the existing dwelling and would follow the front building line of the existing terrace of properties. It would be very close to the boundary with Viking Road at its front corner. The host property has already been extended with a hip-to-gable roof extension, and the appeal proposal would reinstate a hip on this end of the terrace, Nevertheless, the harm which would be caused by the introduction of a bulky addition on the junction would not be outweighed by the recessive roofline of this hipped roof feature.

Consequently, and notwithstanding the use of matching materials and the presence of extensions on other properties nearby, the proposal would be at odds with its immediate locality and would adversely affect the appearance of the host property and the wider terrace as a result.

6. I therefore conclude that the proposed development would be harmful to the character and appearance of the area in conflict with Policy D4 of the London Plan 2021 (London Plan) and Policies 7B and 7.4 of the Council's Development Management Development Plan Document 2013 (DPD). Amongst other things, these policies seek to ensure new development comprises high quality design appropriate for the surrounding context which is informed by and complements local distinctiveness.

Biodiversity

7. Schedule 7A of the Town and Country Planning Act 1990 (as amended) (the Act) introduced a statutory framework for BNG. This applies for proposals submitted after 2 April 2024 and includes most minor developments, such as the appeal proposal (subject to some exemptions). The application is dated 28 January 2025 and therefore the proposed development is subject to the mandatory BNG condition, which requires developers to deliver a BNG of at least 10%.
8. The Planning Practice Guidance is clear that it is for the appellant to demonstrate that the on-site habitat would be less than 25 square metres (and therefore subject to the de minimis exemption) sufficient evidence to support their justification should be provided. The application form also states that the dwelling to be a 'self-build and custom build' unit. However, I have no information to indicate that the dwelling will be built or occupied in accordance with the requirements for this type of housing. Moreover, I have no mechanism before me to secure the development as such. I am therefore not satisfied that the development would benefit from any exemption to the requirement to provide mandatory BNG.
9. Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) (DMP) sets out the minimum information requirements that should accompany applications that are subject to the BNG requirement. This includes the provision of a biodiversity metric for the appeal site. As this is a legislative requirement at the point of application, it is not possible to secure the information through a pre-commencement condition, as suggested by the appellant.
10. Given BNG is a statutory requirement, this is a matter of importance and failure to comply is a fundamental flaw of the proposal. As such, insufficient information has been provided to demonstrate a baseline and, I am therefore not satisfied that the BNG requirement has been fulfilled. Consequently, the proposal fails to satisfy the statutory requirements for BNG as set out in the relevant Schedule of the Act.

Car Parking

11. The appeal site is located in an area with a PTAL rating of 2 and is located in a Controlled Parking Zone (CPZ). The scheme indicates that 1 parking space would be provided, whereas the Council in their officer report consider that 0.75 spaces should be provided, in line with the requirements of London Plan Policy T6.1. Although there would be an over-provision of car parking by 0.25 spaces, it would

be impractical to provide car parking at the level set out in the policy as a maximum.

12. Therefore, although the appeal proposal would not strictly comply with the requirements of London Plan Policy T6.1, the oversupply of parking would be minimal, and a useable off-street parking space would be provided. Consequently, I conclude that there would be no material conflict with London Plan Policy T6.1 which sets out parking standards for all residential developments.
13. To be car-free, a S106 legal agreement would be required to prevent future residents from obtaining resident parking permits. I do not have one before me and therefore any future resident of the proposed dwelling would be entitled to apply for a residents parking permit.

Other Matters

14. The property on the opposite side of the junction with Viking Road has a single storey extension to the side. Although its footprint appears to be similar to that of the appeal proposal it is single storey and therefore far less bulky than the appeal proposal. Consequently, it is not comparable to the appeal proposal and its presence does not lead me to an alternative conclusion on the main issues above.
15. The appellant has provided several photographs of other developments in the local area. The examples cited appear to vary in scale and design and I do not have their full details before me. None are visible within the context of the appeal proposal or their status with regards to planning permission is not clear. However, in almost all instances, there is some set back of the front elevation and a step down in the roof line and from the information before me appear to differ in context to that of the appeal proposal in terms of the surrounding development. As such, I attribute limited weight to any comparison with them. In any event, I must consider the appeal on its own merits and the presence of these does not overcome the harm that I have otherwise found.

Planning Balance and Conclusion

16. The proposal would result in the provision of one additional dwelling. However, given the scale of the development any contribution towards housing supply would be negligible and the weight that this carries in support of the proposal is reduced as a consequence. These factors are not therefore sufficient to outweigh the harm that I have identified in relation to character and appearance and BNG above. The lack of harm I have found in relation to car parking provision does not outweigh the harm I have found on the other matters and would not lead me to an alternative conclusion.
17. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise. Therefore, for the reasons set out above the appeal is dismissed.

KL Robbie

INSPECTOR