



Appeal Decision

Site visit made on 19 January 2026

by D Marley BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

Appeal Ref: APP/A5270/W/25/3375970

29 Old Church Lane, Perivale, Greenford UB6 8TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Michael Vardy of Vardy Architectural Design against the Council of the London Borough of Ealing.
 - The application Ref is 251051FUL.
 - The development proposed is described as “construction of a five storey residential block of 9no flats comprising 2no three bedroom flats & 7no two bedroom flats. Demolition of existing bungalow & garage. The scheme includes relocation of existing vehicular access and provision of associated cycle storage & refuse storage facilities.”
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. I have taken the site address from the appeal form, as this more accurately describes the site.
3. The Council did not determine the application. However, it has indicated that had it been able to issue a decision, it would have refused permission on the grounds that it considers the application unacceptable in terms of its scale, mass, bulk, and height, and that it considers the proposal would result in overshadowing and overlooking.

Main Issues

4. The main issues are therefore, the effect of the proposed development on the:
 - living conditions of neighbouring occupiers, with particular regard to privacy and sunlight; and
 - character and appearance of the area.

Reasons

Living conditions

5. The proposal would introduce a new apartment block close to 30 Old Church Lane (No 30) and an apartment building at Parkview, Old Church Lane. At my site visit, I observed that there were no external openings on the northernmost elevation of the properties at the apartment building at Parkview.

6. On the elevation facing towards No 30, the proposed development would include obscured windows, as well as obscured glazing on the balconies of the first, second and third floor. The proposal would additionally include balconies serving the fourth floor, which the plans identify would include clear glass balustrading. This balustrading is of lower height than the proposed obscured glazing to the balconies of the first, second and third floor.
7. Given the lack of openings on the northernmost elevation of Parkview, the proposed development would be unlikely to result in overlooking of existing occupiers of these properties. However, whilst I acknowledge that the proposed development would include obscured glazing on the north elevation of windows and balconies serving the first to third floors, the lack of obscured glazing on the fourth floor balcony would result in users of this balcony likely having a direct line of sight to the rear garden of No 30. This would introduce additional perceptions of overlooking for the occupiers of No 30 which, given the proximity and height of the proposed building, would result in the occupiers of No 30 being subject to sustained perceptions of overlooking over a significant part of their rear garden space. This would undermine the function of the rear garden space in providing a degree of privacy and an area for private external day-to-day activities. This would be harmful to the living conditions of the occupiers of No 30.
8. With regards sunlight, whilst the appellant's submitted assessment identifies that the proposed development would not result in a harmful reduction in the extent of natural light reaching Parkview, it further identifies that the proposed development would result in a reduction in the extent of sunlight reaching the windows of No 30. The assessment identifies that such a reduction may result in an adverse effect on the occupiers of this dwelling.
9. Whilst I acknowledge the reduction in sunlight reaching the windows of No 30 would be only slightly below the extent of reduction the assessment identifies as acceptable, it would nevertheless be below that set out in the identified guidance. The proposed development would therefore be likely to result in a noticeable reduction in the overall extent of sunlight reaching No 30. This would have a harmful effect on the occupiers of No 30's enjoyment of their residence. No justification has been provided by the appellant for the shortfall, and as such I conclude the reduction in the extent of sunlight reaching the windows of No 30 would likely be harmful to the living conditions of its occupiers.
10. As a result of the above matters, I conclude that the proposed development would harm the living conditions of neighbouring occupiers, with particular regard to privacy and sunlight. The proposed development would conflict with the relevant provisions of Policy D3 of the London Plan 2021 and Policy 7B of the Development Management Development Plan Document 2013. Amongst other matters, these policies require development proposals to deliver appropriate privacy and amenity, and to provide good levels of sunlight.

Character and appearance

11. The appeal site comprises an existing bungalow. It is adjacent to a 4-storey block of residential dwellings, and a 2-storey dwelling at 30 Old Church Lane. At my site visit I observed that the adjacent apartment building at Parkview, Old Church Lane, was set behind well-established planting and within an area of green space.

I further observed that the existing bungalow at 29 Old Church Lane appeared to be in a poor state of repair.

12. The proposed development would replace the existing bungalow with a 5-storey block of 9 dwellings. The proposed residential units would occupy a significant proportion of the plot, with its side and front elevations positioned close to the appeal site boundary. The top floor of the apartment block would be set within a mansard roof structure.
13. Although the proposal would be one storey higher than Parkview, it would nevertheless be significantly higher than the dwelling at No 30. Given the limited set back of the apartment block from the boundary with No 30, alongside the general extent of development within the plot more broadly, the apartment block would appear tall and bulky when compared to the adjacent 2-storey residential dwelling.
14. This would result in a starkly contrasting development that would therefore create an uncomfortable juxtaposition within the street scene. The effect of this would not be mitigated via the proposed set back of the top floor within the mansard roof structure.
15. In addition, as the proposed apartment block would be set further forward within the plot than Parkview, and be close to both side boundaries, it would lack the more substantive green buffer that is present at Parkview. This, when coupled with the proposed development occupying a significant proportion of the overall plot, would result in a scale of development that appeared out of proportion when compared to adjoining residential development.
16. I acknowledge that the proposed materials would draw from local precedent, and given its condition the existing building at 29 Old Church Lane does not contribute positively to local character and appearance. However, this is not sufficient to outweigh the harm identified.
17. Given the above, I therefore conclude that the proposed development would harm the character and appearance of the area. The proposal would conflict with the relevant provisions of Policies D3 and D4 of the London Plan 2021 and Policies 7.4 and 7B of the Development Management Development Plan Document 2013. Amongst other matters, these policies require development proposals to enhance local context and respond to local distinctiveness, to complement existing building patterns and scale, to ensure high quality architecture, and to demonstrate that design requirements have been met.

Other Matters

18. My attention has been drawn to a previously refused scheme for a 7-storey block of 9 dwellings. I do not have full details of this application before me, however the reasons for refusal include matters considered as a main issue in this appeal. Whilst the appeal may have been submitted in response to this previous refusal, I have judged the appeal on its individual circumstances, and have concluded that harm would arise from the appeal scheme. The previous refusal does not therefore lead me to an alternative conclusion with regards the main issues.
19. The appellant refers to positive pre-application discussions with officers at the Council. However, I am mindful that pre-application discussions are informal and

not binding on any future decision the Council may make once a proposal has been subject to the formal planning process. At appeal stage the Council has maintained an objection on the main issues and therefore this matter does not lead me away from my conclusions on the main issues in this case.

Planning Balance

20. The proposed development would provide additional dwellings, and support the provision of housing in the Borough. The proposal would also result in economic benefits arising during both the construction and occupation phase of the development. However, the scale of development proposed means the contribution of 9 additional dwellings to meeting local housing need and the associated benefits would be limited.
21. I acknowledge that the proposed development may be acceptable with regards fire risk, would provide satisfactory living conditions for the future occupiers of the proposed development, and would meet air quality requirements. However, these matters weigh neutrally in the overall balance.
22. The proposal would cause harm to the character and appearance of the area and would harm the living conditions of neighbouring occupiers. Overall, the benefits of the scheme would not be sufficient to outweigh the harm I have identified.

Conclusion

23. The proposal would conflict with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed and planning permission should be refused.

D Marley

INSPECTOR