The Planning Inspectorate

Appeal Decision

Site visit made on 5 September 2016

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th September 2016

Appeal Ref: APP/A5270/W/16/3147910
75 Grafton Road, Acton, Ealing W3 6PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Lia Heisters, D Heisters and Co Ltd against the decision of the Council of the London Borough of Ealing.
- The application Ref PP/2015/4444, dated 17 August 2015, was refused by notice dated 11 March 2016.
- The development proposed is small extension to the rear at ground and first floor of the building, creating improved quality habitable spaces, together with an additional flat at roof level to provide further accommodation within the existing roof perimeter.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a traditional semi-detached double fronted property situated in a street comprised of residential properties of a similar scale and age. The building has a two storey projection to the rear which is an original feature of the property. It has been converted into two separate self-contained flats. Whilst there have been some changes the historical form and architectural features of the property are clearly still legible. The property, therefore, makes a positive contribution to the character and appearance of the area.

4. There is no dispute between the parties that the proposed roof lights in the front roof slope and the proposed rear additions at ground and first floor level would be acceptable and from everything which I have seen in submissions and on my site visit I have no reason to agree.

5. The proposal would, however, incorporate a rear roof extension which would project from the main rear roof slope over the entire area of the existing two storey outrigger on the property. The extension would be of a significant scale and would extend almost up to the ridge of the main roof and to the sides of the rear projection. Whilst, there is a small set back from the roof and sides of the projection, I consider that this would be insufficient to reduce the overall

mass and bulk of the extension or to make it appear subservient to the host property. The set back to the eaves of the outrigger do not meet the guidelines set out in the Supplementary Planning Document 4 (SPD4): 'Residential Extensions' (2004). Whilst I note that roof extensions which can be constructed under permitted development rights only require a 200m set-in from the eaves and no set in from the ridge of the roof, extensions which could be erected under permitted development rights would, nonetheless, be significantly smaller than the appeal proposal. Consequently, I consider that the significant mass and bulk of the extension would dominate the host property.

6. Furthermore, I consider that the step down in roof height from the ridge of the main roof to that of the rear projection is an important element of the architectural hierarchy of the building. The proposed box shaped roof extension would read as an additional level to the building as opposed to a roof extension. Consequently, the original architectural hierarchy of the building, the junction of the main and secondary roof and the pitched roof profile of the projection would no longer be discernible. The contemporary flat panel clad finish would exacerbate the visual impact of the proposal. Moreover, whilst the proposal is situated to the rear of the building there is, nevertheless, a high level of inter-visibility between properties and consequently the proposal would be visible by residents of neighbouring properties.

7. Taking these factors in combination, I find that the proposal would be an uncharacteristic and incongruous form of development and would consequently harm the traditional character and appearance of the host property and the surrounding area.

8. The appellant contends that such roof extensions have become a characteristic feature of the area and draws attention to a number of roof extensions in the area. I notice that a significant number of those roof extensions relate to dormer windows as opposed to extensions over rear projections and are deemed permitted development. I also note that number 46 Goldsmith Avenue, whilst a wrap around roof extension is, nevertheless, small enough in scale to benefit from permitted development rights. It also does not involve an extension to a rear outrigger.

9. The appeal property is divided into two self-contained flats and consequently does not benefit from permitted development rights. Indeed even if the property did benefit from permitted development rights the proposal would not fall within the remit of permitted development by virtue of the scale of the proposal and use of materials. The cases quoted by the appellant are not, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.

10. Attention is drawn to two properties which involve a roof extension over a rear projection. Number 49 Allison Road involves a smaller extension to the rear outrigger which constitutes permitted development. Number 57 Grafton Road has a larger extension which has involved raising the eaves of the rear projection. However, I note that the scheme has preserved the architectural hierarchy of the building by retaining the important step down from the main roof to that of the rear projection. Furthermore, the pitched roof of the outrigger has been retained and the materials are in keeping with the existing building. No 63 Grafton Road also has an extension to a rear outrigger,

however, this falls within permitted development rights. I also note that number 79 Grafton Road has a mansard roof extension which has created an additional storey. However, I do not have the full details of the case before me and I note that the planning application pre-dates the adoption of the current policy framework. Furthermore, this case does not involve an extension to an outrigger. Consequently, I do not consider that these cases are directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision. In any event, they do not justify the harm which I have identified.

11. Whilst I acknowledge that smaller roof extensions have become part of the character of the area, I am unable to conclude that larger roof extensions of the scale or nature of the one proposed are a regular feature of the area. I acknowledge that the proposal would have some benefit in terms of creating an additional residential unit; however, I consider that this benefit is outweighed by the significant harm which I have identified.

12. Attention is drawn to paragraph 60 of the National Planning Policy Framework (the Framework) which states that planning policies and decisions should attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, the paragraph goes onto state that it is proper to seek to promote or reinforce local distinctiveness. For the reasons stated above, I do not consider that the proposal promotes local distinctiveness.

13. I, therefore, conclude that the proposal would harm the character and appearance of the host property and the surrounding area and would, therefore, be contrary to Policy 7.4 of the London Plan (LP) 2015 which states that buildings, streets and open spaces should provide a high quality design response. The proposal also conflicts with Policy 7.6 of the states that buildings and structures should be of the highest architectural quality.

14. Furthermore, conflict arises with criteria (h) of Policy 1.1 of the Ealing Development Strategy (DS) 2026 (2012) which seeks to care for the borough's historic character and enhance the significance of heritage assets in regeneration proposals and ensure excellence in urban design. Conflict also arises with Policy 7.4 of the Ealing Development Management Development Plan Document (DPD) (2013) which seeks to ensure that development in Ealing's existing built areas should complement their street sequence, building pattern, scale, materials and detailing. The proposal also conflicts with Policy 7B of the DPD which states that extensions to existing development should ensure that external treatments, fittings and materials complement the building and context and must not impair the visual amenity of surrounding uses and meets design standards.

15. Moreover, the proposal conflicts with Supplementary Planning Document 4: 'Residential Extensions' (2004) which states that the design of all roof extensions should respect the design of the original dwelling and materials should match or complement those of the original dwelling. Conflict also arises with bullet point 4 of paragraph 17 of the Framework which seeks to secure a high quality design and paragraph 56 of the Framework which states that the Government attaches great importance to the design of the built environment.

Other Matters

16. The appellant has submitted a unilateral undertaking relating to car free housing. However, as I have dismissed the appeal on other substantive issues and whilst an obligation has been submitted, it is not necessary to look at it in detail, given that the proposal is unacceptable for other reasons.

Conclusion

17. For the reasons stated above and taking all other considerations into account, I dismiss the appeal.

Caroline Mulloy

INSPECTOR