
Appeal Decision

Site visit made on 24 January 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/A5270/W/16/3163246

Winscombe Court, Brentham Way, Ealing W5 1PS

- 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 Swakeleys Properties Limited against the decision of the Council of the London Borough of Ealing.
 - The application Ref PP/2015/2543, dated 8 May 2015, was refused by notice dated 20 May 2016.
 - The development proposed is the proposed demolition of 2 No existing concrete steps and landings and replacement with 2 No black painted metal staircases and landings.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed demolition of 2 No existing concrete steps and landings and replacement with 2 No black painted metal staircases and landings at Winscombe Court, Brentham Way, Ealing W5 1PS, in accordance with the terms of the application Ref PP/2015/2543, dated 8 May 2015, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Brentham Garden Estate Conservation Area.

Reasons

3. The appeal site comprises a two storey block of apartments located within an established residential area and falling within the Brentham Garden Estate Conservation Area (CA). The appeal building is relatively simple in terms of its fenestration details and roofscape which is in direct contrast to most of the other properties in the area (mainly dwellings) which are architecturally more imposing and traditional in appearance. Front gardens in the area include mature landscaping and there are a number of highway trees. Collectively, these characteristics give the CA its distinctive character.
 4. The appeal proposal relates to the removal of two concrete staircases and landings which give access to four first floor apartments. The staircases and landings are to the rear of the two storey brick built apartment building, although they can be seen from parts of Winscombe Crescent. It is proposed to replace the staircases and landings with black painted metal staircases and landings. They would be the same as the existing in terms of position and
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scale, and they would have open threads and spindles with centre twist spindles provided every fourth spindle.

5. I have taken into account the reasons why the appellant is proposing to remove the existing development. He says that the iron reinforcement of the existing concrete staircases and balconies has rusted causing deterioration in the structural stability of the existing structures. I have no reason to doubt that this is the case: I was able to see that there was some rusting as part of my site visit. The appellant has also indicated that it would be cost prohibitive to replace the existing development on a like for like basis. Again, I have no reason to doubt that this is the case. On the evidence that is before me, I consider that there is an urgent safety need to replace the existing staircases and landings.
6. I have carefully considered the comments made by the Council. However, I do not share the view that the proposed development would be out of keeping with the host property. The existing concrete structures are bulky and represent very stark additions to the building. These negative impacts are compounded by the fact that the concrete is bright in colour (with some weather staining) when seen against the brick rear walls of the building. I do not consider that the removal of the existing concrete structures would undermine the overall design quality of the host building.
7. In contrast to the above, the proposed staircases and landings would be light weight in appearance. They would be more open structures which, in relative terms, would appear subservient in scale to the host property. Furthermore, such development would allow more of the rear wall brickwork to be seen from the communal garden and from Winscombe Crescent. I see this is as a positive attribute. In addition, the use of black paint would ensure that the handrails, checker plate and spindles matched the dark rainwater goods on the rear elevation of the appeal building. I have considered the comments made by the Brentham Society, but I do not consider that it is necessary for the development to be finished in a white colour. Taking into account all of the above matters, the development would, at the very least, have a neutral impact upon the character and appearance of the building and the CA.
8. For the above reasons, I conclude that the proposal would preserve the character and appearance of the CA and would therefore accord with the conservation and design aims of Policies 7.4, 7B and 7C of the adopted Ealing Development Management Development Plan Document 2013; Policies 7.4, 7.6 and 7.8 of the London Plan 2016; Policies 1.1(g) and (h), 2.1 (c) and 2.10 of the Ealing Development Strategy 2026 Development Plan Document 2012; the Brentham Garden Estate Conservation Area Appraisal 2008; the Brentham Garden Estate Conservation Area Management Plan 2008; the Interim "Residential Extensions" Supplementary Planning Document 4 and the National Planning Policy Framework.

Other Matters

9. I have taken into account representations made by other interested parties including comments made by the Brentham Society and an individual who has written an anonymous letter. Whilst the concrete steps/landings are part of the design of the existing building, for the reasons outlined above I do not consider that their loss would harm the CA or the host building. They would be

replaced with new steps/landings which would be acceptable from a design point of view.

10. In respect of the anonymous letter, I acknowledge that the existing steps/landings do provide a form of shelter for bins and other domestic items. However, the proposal would, to some extent, continue to also fulfil this role. I do not consider that the metal steps/landings would give rise to significant levels noise when in use.
11. None of the other matters raised outweigh my conclusion on the main issue.

Conditions

12. The conditions set out in the accompanying schedule are based on those suggested by the Council. Planning permission is granted subject to the standard three year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect.
13. In the interests of the character and appearance of the CA, a planning condition is necessary which ensures that the staircases and landings are finished in a black colour and thereafter retained as such.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Daniel Hartley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: Drawing No 1056-1 Rev A; Drawing No 1056-4 and Drawing No 1056-3.
3. The development hereby approved shall be finished in a black colour and thereafter retained in the black colour.