
Appeal Decision

Site visit made on 20 September 2017

by George Arrowsmith BA, MCD, MRTPI

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

Decision date: 2 October 2017

Appeal Ref: APP/A5270/D/17/3179342
71 Monks Drive, Acton, London, W3 0ED

- 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 Mr Gus Romano-Jackson against the decision of the Council of the London Borough of Ealing.
 - The application Ref 171022HH, dated 2 March 2017, was refused by notice dated 4 May 2017.
 - The development proposed is replacement of the existing single storey rear extension with a full width single storey extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would fail to preserve the appearance of the Hanger Hill Garden Estate Conservation Area.

Reasons

3. The appeal site is within the Hanger Hill Garden Estate Conservation Area where, in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. In addition, the Council have applied an Article 4 Direction which significantly restricts permitted development rights to the front and rear of the properties.
4. The Council have produced the Hanger Hill Garden Estate Conservation Area Management Plan. This says that no full width rear extensions will be permitted except in the case of semi-detached properties where each application will be considered on its own merits. The Plan goes on to say that no rear infill extensions will be permitted and that only modest and subservient additions to original rear additions (outriggers) will be considered to a maximum depth of 2.4 metres.
5. During my sit visit, from what I could see from the appellant's rear garden and upstairs window, I noted that there were relatively few full width rear extensions in the immediate area. I am satisfied that this is a characteristic feature of the conservation area and that the Management Plan's guidance is a relevant and appropriate means of preserving its character and appearance. For this reason, I consider that the appeal proposal is unacceptable because it does not comply with the guidance, would fail to preserve the appearance of the

conservation area, and conflicts with the objectives of the National Planning Policy Framework, policies 7.6 and 7.8 in the London Plan 2016 and those of policies 7.4 and 7C in the Council's Adopted Development Management Plan 2013.

6. The appellant points out that the extension would be set in 0.2m from the boundary and claims that it would therefore not be full width. To my mind this would be only a token departure from a full width extension and I am also aware that the proposal was described in the application form as a full width extension. I am satisfied that in terms of the area's overall appearance it would have a very similar effect to a full width extension and that to allow the proposal on these grounds would undermine the objectives of the guidance.
7. The appellant notes that the extension has been extensively redesigned to comply with the criteria in the Management Plan and comments that an extension or outbuilding to the rear of a building would have little or no impact on the public realm. With regard to the first of these matters, the relevant guidance in the Management Plan relates to the principle of full width extensions rather than their design. With regard to the second matter, backland locations are nevertheless within the conservation area and are integral to its character. Furthermore, even backland areas are part of the public realm to the extent that rear elevations can be viewed from other gardens and especially from upper windows.
8. Although the appellant refers to existing full width extensions on Monks Drive it has not been shown that these are extensions to terraced houses that have been permitted since the Management Plan was published in 2009. The two recently permitted extensions at 16 and 34 Princes Gardens appear to be to semi-detached houses where the Management Plan envisages that exceptions to the full width rule might be allowed. I note the officer's judgement that a 0.2m set-in from the side elevation at 34 Princes Gardens justified an extension being described as not full width. I am not bound by that judgement, but in any event a set-in of only 0.2m for an extension to a terraced property has different visual consequences from one on the detached side of a semi-detached building.
9. I recognise that allowing the appeal would give the appellant's family more space. There is inevitably some private benefit in allowing a home owner to carry out a desired development and, since private benefits are part of the wider public good, this must always be taken into consideration. However, I do not think that it outweighs the greater public good in preserving the character and appearance of the conservation area.
10. Neighbours at 73 Monks Drive consider that the proposal could harm their living conditions but I agree with the finding in the officer's report that it would not have such an effect. This however does not change my finding that the proposal is unacceptable because of its effect on the appearance of the conservation area.

George Arrowsmith

INSPECTOR