
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: 14 November 2017

Appeal Ref: APP/A5270/D/17/3179339
71 Monks Drive, 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 171021HH, dated 2 March 2017, was refused by notice dated 4 May 2017.
 - The development proposed is the erection of two dormer windows on the rear elevation to provide an additional bedroom in the loft.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 2 October 2017.

Procedural Matter

1. The words “to provide an additional bedroom in the loft” describe the reason for the application rather than describe the proposal itself. I have therefore omitted them from the description of the permitted development.

Decision

2. The appeal is allowed and planning permission is granted for the erection of two dormer windows on the rear elevation at 71 Monks Drive, London, W3 0ED in accordance with the terms of the application, Ref 171021HH, dated 2 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: SPP-00, SPP-01 Rev B, SPP-02 Rev B, SPP-03 Rev B, SPP-04 Rev B, SPP-05 Rev B, SPP-06 Rev B, SPP-07 Rev B, SPP-08 Rev B, SPP-09 Rev B, SPP-10 Rev B, SPP-11 Rev B, SPP-12 Rev B, SPP-13 Rev B & SPP-14 Rev B.

Main Issue

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

Reasons

4. 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.
5. From the appeal property it was possible to see several rear dormers, enough to be a significant element in the appearance of the conservation area. In this visual context I consider that the pair of modest dormers shown on the amended plans (i.e. Revision B) would preserve the area's appearance. In reaching this finding I have not assumed that dormers of any shape, size or position would preserve that appearance, and I therefore recognise the value of the guidance in the Council's Conservation Area Management Plan. In this case the dormers proposed conform to most aspects of the management plan guidance, including the provision that, where possible, they should align with the windows of the main house.
6. The point of contention arises from the case officer's view that the Management Plan advocates one single smaller dormer roof extension. I do not know why the officer interprets the Plan in this way (an interpretation which, incidentally, is echoed by the Conservation Area Advisory Panel). The interpretation may however stem from the phrase "*Dormer windows should follow the established pattern and will generally be restricted to a three light casement*". The use of the singular 'a' might suggest that only one dormer is preferred but the guidance could equally well apply to what the appellant proposes, namely two dormers, each restricted to 'a' three light casement.
7. Given the lack of a clear guidance against the insertion of two dormers and my finding that the proposed dormers would not be out of keeping with the established pattern of development within the conservation area, I consider that the proposal complies with the objectives of 7.6 and 7.8 in the London Plan, and those of policies 7.4 and 7C in the Council's Adopted Development Management Plan (2013).
8. 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.

Conditions

9. I have imposed the conditions suggested by the Council which I consider necessary in the interests of clarity and visual amenity.

George Arrowsmith

INSPECTOR