
Appeal Decision

Site visit made on 2 July 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2019

Appeal Ref: APP/A5270/D/19/3227076

47 Hillyard Road, Hanwell W7 1BH

- 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 Declan Walsh against the decision of the Council of the London Borough of Ealing.
 - The application Ref: 190500HH, dated 5 February 2019, was refused by notice dated 1 April 2019.
 - The development proposed is the erection of two storey side extension, alterations to existing rear fenestration and insertion of three roof lights.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of two storey side extension, alterations to existing rear fenestration and insertion of three roof lights at 47 Hillyard Road, Hanwell W7 1BH, in accordance with the terms of the application, 190500HH, dated 5 February 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 1916/2/11 B
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

Procedural Matter

2. On my site visit, I noted that work on a two-storey side extension at the property had reached an advanced stage. I am not aware of the planning circumstances in respect of this. I have, therefore, assessed the appeal on the basis of the evidence and the submitted plans before me in this case.

Main Issue

3. There is no dispute between the parties in respect of the effect of the proposed roof lights and the alterations to the rear windows. I have no reason to disagree with the views expressed by the Council about such matters. Therefore, the main issue is whether the scale of the proposed

extension would preserve or enhance the character or appearance of the Cuckoo Estate Conservation Area.

Reasons

4. In the exercise of planning functions, the statutory test is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Paragraph 193 of the National Planning Policy Framework (the Framework) indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The appeal site is located to the north of the Cuckoo Estate Conservation Area (CA). The significance of the CA is derived, in part, from short, and originally symmetrical, terraces constructed during the 1930s. These dwellings are set back from the highway boundary by a uniform distance. In addition, there are small areas of green space adjacent to the junctions of roads, such as where Hillyard Road and Laurie Road meet next to the appeal site. These factors give the CA a generally open and spacious character.
6. Whilst originally constructed as symmetrical terraces, several dwellings within the vicinity have been subject to alterations. These include the erection of single and two storey side extensions, and porches of differing designs; the fitting of solar panels; and changes to elevations, such as through the installation of cladding. Consequently, within the surroundings of the appeal site, the prevailing trend is dwellings of differing appearances.
7. The proposed extension would be constructed from materials that would match the original dwelling. This could be secured through the imposition of a suitable planning condition. Furthermore, the proposed hipped roof reflects the hipped roof form of the host dwelling, it includes windows of comparable sizes and position to those already installed in the dwelling and utilises an appropriate garage door. These measures, taken together, ensure that the extension would respect the form and character of the host dwelling and, when viewed from the surroundings, would not appear unduly strident.
8. The extension has been designed to appear subordinate as its ridge height would be lower than the height of the host dwelling, which is combined with a set back of the front elevation. This means that the original dwelling would remain the dominant form. Furthermore, these measures mean that when viewed from the south, it would be screened by the existing terrace. From the north, views would be diffused by the presence of a mature tree within the area of green space. For these reasons, the extension would not appear unduly prominent within the CA.
9. I acknowledge that one of the aims of the Council's Interim Supplementary Planning Document 4 – "Residential Extensions" (the SPD) is to ensure that side extensions do not detract from the host dwelling or the surrounding area. Therefore, distances for the setting back of front elevations and reductions in ridge height are recommended. I note that the degree of breach, in this instance, is relatively small and for the preceding reasons this would not result in harm to the CA.

10. Therefore, the proposed extension would preserve the character and appearance of the Cuckoo Estate Conservation Area, as required by Section 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore, the extension is in conformity with the requirements of Policies 7.1, 7.4, 7.6 and 7.8 of The London Plan (2016); Policy 1.1 of the Ealing Development Strategy 2026 (2012); Policies 7.4; 7b and 7c of the Development Management Development Plan Document (2013); the SPD; and the Framework which seek, amongst other matters to ensure that developments conserve the significance of heritage assets, avoid the introduction of design or materials that would undermine the setting of Conservation Areas, reinforce the character of neighbourhoods, have regard to the pattern and grain of existing streets, and include details that complement the architectural character.

Other Matters

11. I note the comments raised by the Hanwell and Canals Conservation Areas Advisory Panel in respect of the type of roof lights to be installed within the development. However, as they would be at the rear of the property and not particularly prominent, I believe that they would not harm the character and setting of the Conservation Area.

Conditions

12. In addition to the standard implementation condition, a condition in respect of the approved plan is necessary in the interests of precision. Owing to the need for the extension to harmonise with the host dwelling, a condition requiring the materials to match is necessary and reasonable.
13. I note that the Council's delegated report refers to the possibility of a condition to protect the tree on the adjoining open space. I have not been provided with any suggested wording, however, owing to the significant separation distance between the tree and the proposed extension, I am satisfied that the development would not cause harm to the health of this tree.

Conclusion

14. For the foregoing reasons, I conclude that the appeal should be allowed.

Benjamin Clarke

INSPECTOR