
Appeal Decision

Site visit made on 20 August 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/A5270/W/3231269

61 Twyford Avenue, Acton, London W3 9PZ

- 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 Henry Trickey against the decision of the Council of the London Borough of Ealing.
 - The application Ref 190319FUL, dated 24 January 2019, was refused by notice dated 31 May 2019.
 - The development proposed is the demolition of a garage and the construction of a one storey over basement one bed dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted amended plans to the Council after public consultation on the application ended but before it was determined. These changed the predominant building material on the dwelling's elevations from zinc to brick following an e-mail exchange between the two parties. The Council's officer report and decision notice refer to and reflect this change, and I am satisfied that no party would be prejudiced by my consideration of the amended scheme. I have therefore determined the appeal on that basis.

Main Issue

3. The main issue is whether or not the proposed development would preserve or enhance the character and appearance of the Creffield Conservation Area.

Reasons

4. The appeal site sits within the Creffield Conservation Area (the Conservation Area). I therefore have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the National Planning Policy Framework (the Framework) states that they should be conserved in a manner appropriate to their significance (paragraph 184). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 194) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 196).

5. The 2007 Conservation Area Appraisal describes its special interest deriving from its spacious suburban character and its architecturally superior late 19th and early 20th century houses with fine decorative detailing. Houses are largely set in generous plots, which make a significant contribution to the area's green and open character.
6. No 61 Twyford Avenue is a large two storey semi-detached house on a corner plot. A high brick wall bounds its long rear garden, which includes at the western end a single garage accessed from Layer Gardens. Although there are variations of style and detailing from one building to another, both the appeal property and the neighbouring dwellings on Layer Gardens are representative of the Conservation Area and contribute a wealth of interest and quality to the area. They include features such as different coloured bands of brickwork, ornate terracotta inset panels, two-storey bays with prominent gables and fretted bargeboards, stone pilaster or moulded brick window surrounds, and pitched slate roofs with decorative terracotta ridge tiles. The appeal property's generous rear garden and the set-back of the building line on Layer Gardens from the street contribute to the open, spacious and desirable character of the Conservation Area.
7. The proposal is to demolish the garage of 61 Twyford Avenue and replace it with a dwelling accessed from Layer Gardens. It would have a combined kitchen and living room at ground level, with a bedroom and bathroom in the basement. It would be a simple building of brick with a grey zinc-edged flat roof, and would therefore be very different in appearance to the richly detailed houses in the immediate vicinity and throughout the Conservation Area.
8. The submitted plans indicate that the dwelling would measure around 5.5m by 6.5m, and so would have a rather larger footprint than the existing garage which measures approximately 3.2m by 6m. The highest parts of the existing garage are its parapet walls along the side and rear elevations, with a lower front elevation which falls with the pitch of the roof, while the new dwelling would be approximately the same height as the existing parapet on all four elevations. Because of its increased footprint and larger elevations, the proposed dwelling would be bulkier in appearance than the existing garage.
9. The new dwelling would sit forward of the building line of the other houses on the south side of Layer Gardens and, while the boundary wall and gate would provide some screening, it would be part of the street scene of Layer Gardens. The increased height and presence of the front elevation would be apparent in that street, especially when approaching from the west as boundary hedges and fences on Layer Gardens are generally lower than the appeal site's boundary wall.
10. Neither the scale, form nor detailing of the proposed dwelling would reflect the architectural qualities and character of the surrounding homes, and its siting would be out of keeping with the street scene of Layer Gardens. Taking these points together, I consider that the dwelling would appear incongruous within the Conservation Area.
11. The plot on which the development would take place is not a vacant, open or undeveloped piece of land, but an integral part of a domestic garden. Gardens make a valuable contribution to the visual quality and character of the Conservation Area, including its openness. This openness would be diminished by the insertion of the proposed dwelling into the garden space between the

host property and No 1 Layer Gardens. The small L-shaped courtyard garden which would be created would also be at odds with the prevailing pattern of generous suburban gardens. The proposed development would therefore dilute the historic character of the Area.

12. Ancillary buildings, including garages, are a feature of some gardens within the Conservation Area, particularly on corner plots where they are accessed from the side street as in this case. They do not generally make a positive contribution to the Area's character and appearance, and there is no objection to the loss of garages for their own sake. The determining issue would be whether what would replace them would be acceptable. In this instance, I have found that the proposed development would not be, because of its design, bulk and its effect on the prevailing plot layout.
13. The appellant has drawn attention to other developments in the Conservation Area where planning permission has been granted for new dwellings or extensions. It is not clear from the information provided to me the extent to which they are comparable to this case, nor do I know the precise circumstances which led to their being approved. In any event, I have of course determined this appeal on its own merits.
14. I therefore conclude that the proposed development would not preserve or enhance the character and appearance of the Creffield Conservation Area. It would conflict with Policies 7.4, 7.6 and 7.8 of the London Plan, and Policies LV7.4 and 7C of the 2013 Ealing Development Management Development Plan Document (the DPD). Together these seek to ensure that the building pattern, scale and detailing of development proposals respond to their surroundings, and that features and characteristics which make a positive contribution to Conservation Areas are retained and responded to. The Council's decision notice also referred to DPD Policy 7D, although as this primarily relates to the provision of open space I do not consider that it is relevant to my decision. The development would also fail to accord with the provisions of the Framework which seek to protect and conserve heritage assets.
15. In the Framework's terms, the harm to the heritage asset would be less than substantial, and must therefore be weighed against the public benefits of the scheme. In view of the Government's aim to significantly boost the supply of housing, the provision of a single, small dwelling would amount to a small public benefit. However, this would be outweighed by the adverse impacts on the Conservation Area.

Conclusion

16. For the reasons given above the appeal is dismissed.

M Cryan

Inspector