



Appeal Decision

Site visit made on 14 January 2020

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 24th January 2020

Appeal Ref: APP/A5270/D/19/3240997

4 Corringway, Ealing, London, W5 3AA

- 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 Gurnek Singh Sidhu against the decision of the Council of the London Borough of Ealing.
 - The application Ref 193737HH, dated 28 August 2019, was refused by notice dated 4 November 2019.
 - The development proposed is described as "an outbuilding at the back of the back garden. Made of brick with grey fiber glass flat roof. size L8.5m, W5.5m and H 2.9m".
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although not specifically referenced in the reason for refusal, the Council's Officer Report is clear that the Council's concerns relate to the effect that a potential loss of trees and the cumulative effect of development in combination with an existing outbuilding, on the character of the Conservation Area.

Main Issues

3. Accordingly, the main issue for the appeal is the effect of the proposal on the character and appearance of the Hanger Hill (Haymills) Conservation Area.

Reasons

4. 4 Corringway is a large detached dwelling which sits in a street of similar dwellings. The rear garden is relatively large and provides an open setting for the rear of the dwelling. The size of the properties in the street and the established gardens around them gives the area a settled and verdant character which is recognised in the designation of the Hanger Hill Conservation Area.
5. The appeal relates to the erection of a large outbuilding at the bottom of the rear garden, next to an existing metal shed. The outbuilding would be constructed in brick and the simple detailing¹ would give the structure a utilitarian appearance which would be relatively unobtrusive. Furthermore, although the outbuilding would have a sizeable footprint, when viewed within the context of the generous garden it would not appear overly dominant. I noted on site that a number of other properties in the immediate and wider

¹ Although the application form and site plan refer to a pitched roof this is not reflected on the elevations.

vicinity are served by outbuildings of a scale and appearance similar to the proposed outbuilding and so, when viewed in this context the proposal would not appear obtrusive, or disrupt the established character of this part of the Conservation Area.

6. However, there are three horse-chestnut trees located along the southern boundary of the site. These lie outside the Conservation Area but are protected by a Tree Preservation Order². The proposed outbuilding would be built within the crown spread of the trees. The application was not accompanied by any assessment of the development on the health of the trees, although the appellant has indicated that the out-building would not require deep foundations and so would not harm the trees, as they are well established.
7. The out-building is proposed to be constructed in brick with a solid base and tiled roof. It seems to me that a building of this type would require some form of excavation to ensure safe construction and due to the very close proximity of the trees, this has the potential to cause harm to the root systems. The development also has the potential to cause harm as a result of compaction from the weight of the finished structure. I therefore cannot be assured that the development would not harm the protected trees, or lead to their long-term decline. Due to their size and impact as a group, the trees contribute to the leafy residential character of this part of the Conservation Area. Their loss would therefore cause harm to that character, particularly in views into the site from Hanger Vale Lane from the north.
8. Accordingly, the proposal would cause harm to the character of the Hanger Hill Conservation Area. Of the policies put to me I consider 7C of the Ealing Development Management Development Plan Document and policy 7.8 of the London Plan to be most relevant. The development would fail to comply with these policies as it would not retain elements which contribute positively to the Conservation Area and so would fail to conserve the significance of the Conservation Area. It would also fail to comply with guidance in the Hanger Hill (Haymills) Conservation Area Management Plan, and the National Planning Policy Framework, which have similar aims.
9. Accordingly, having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR

² Tree Preservation Order 822 G1