
Appeal Decisions

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: 11th February 2020

Appeal A

Appeal Ref: APP/A5270/W/19/3227234

Clergy House, 27 The Grove, Ealing, W5 5DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr David Gregory against the Council of the London Borough of Ealing.
 - The application Ref 181284FUL, is dated 20 March 2018.
 - The development proposed is internal alterations to reduce the size of the existing vicarage, forming three separate residential units from the reduction.
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Appeal B

Appeal Ref: APP/A5270/W/19/3227222

Clergy House, 27 The Grove, Ealing, W5 5DX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr David Gregory against the Council of the London Borough of Ealing.
 - The application Ref 181499LBC is dated 20 March 2018.
 - The works proposed are described as internal alterations to reduce the size of the existing vicarage, forming three separate residential units from the reduction.
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Decision

1. Appeal A is allowed and planning permission is granted for internal alterations to reduce the size of the existing Vicarage, forming three separate residential units from the reduction at Clergy House, 27 The Grove, Ealing, W5 5DX in accordance with application Ref 181284FUL, dated 20 March 2018, and the plans submitted with it, subject to the attached conditions.
2. Appeal B is allowed and planning permission is granted for internal alterations to reduce the size of the existing Vicarage, forming three separate residential units from the reduction at Clergy House, 27 The Grove, Ealing, W5 5DX in accordance with application Ref 181499LBC, dated 20 March 2018, and the plans submitted with it, subject to the attached conditions.

Procedural Matters

3. The appeal building is a grade II listed building which lies within the Ealing Town Centre Conservation Area. At the time the appellant submitted the appeal, the Council had not reached a decision on the application. Subsequently the Council issued a report setting out that had a decision been issued, the application would have been allowed.

Main Issues

4. Accordingly, the main issue for the appeal is the impact of the proposals on the special architectural and historic interest of this Grade II listed building known as The Clergy House, St Saviour's, Ealing and the impact of the proposal on the character and appearance of the Ealing Town Centre Conservation Area.

Reasons

Heritage assets

5. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area. Policy 7C of the Ealing Development Management Development Plan Document (DPD) seeks to sustain and enhance the significance of designated heritage assets through the development process and this reflects the *National Planning Policy Framework* (the Framework) and the requirements of the Act.
6. The Clergy House, St Saviour's, is a vicarage and men's social club, formerly associated with the Church of St Saviour, which has since been demolished, having been bombed in the second world war. The building is constructed in the gothic style and was purpose-built to provide accommodation and to form a gatehouse to the church. The ornate brick and ashlar exterior is largely intact and forms a striking feature in the streetscene. The interior retains most of its original Arts and Crafts fixtures and fittings and is currently used primarily as clergy accommodation, and also as a meeting room for the parish and adjoining school. A limestone statue of the crucified Christ sits within the rear garden and is framed in views from the street by the arched entrance. This view is currently obscured by parked vehicles on site.
7. The significance of the asset lies in the ornate appearance of the striking exterior and the contribution it makes to the streetscene and the character of the Conservation Area. It also lies in the status of the building as a well preserved example of a purpose-built building of its type and age. The interior includes many original fixtures and fittings and so this also contributes to the significance of the asset.
8. The appeal proposal comprises the retention of a self-contained Vicarage in the main body of the house, the formation of 3 further self-contained flats and retention of a self-contained ground floor meeting / club room with access to the facility's own WC. No external alterations to the building are proposed. The submitted plans show the adjoining garden being within the ownership of the appellant, but not within the "red-line" indicating the application site. As such, the proposed parking and garden layout is indicative only.
9. The Council have no objection to the principle of the development. I concur that, in principle, the formation of three additional flats would facilitate the on-going use of the building as I noted on site that the building had been water damaged in parts and will require repair and renovation. Nevertheless, the Council have raised concerns in relation to some elements of the works which I deal with in turn below.

10. In relation to Flat 1 the separation of the space would require the construction of a partition wall at ground and first floor level. The Council have expressed concern that further information is needed in respect of the space created by the partition at first floor level. The space is long and narrow but well-lit by the large side window. Although it is an unusual shape, it does not undermine the usability of the flat and retains the original floorplan. I am therefore satisfied with the configuration and do not share the Council's concerns in this regard.
11. The introduction of new partitions is especially evident within Flat 2 where the very large room to the rear of the building would be sub-divided to provide a hall, bedroom, bathroom and shower room. Whilst this would result in the loss of the form of the room, the original floorplan is otherwise retained. The original features of the space would also be retained. However, the proposed layout of the kitchen to flat 2 would require relocation of the original door to facilitate fitted units along all of the western wall. I find no justification for this loss of original fabric and see no reason why a satisfactory kitchen could not be accommodated within the existing fabric without its alteration.
12. In relation to Flat 3, the works would include the removal of an existing section of wall to allow the formation of the living/kitchen area, and the relocation of a door to the proposed bedroom. The removal of the wall is acceptable given that it allows for a liveable configuration of the space which would not otherwise be possible. However, I do not accept that the relocation of the door is necessary to facilitate reuse.
13. The provision of a fire-clad stairwell is necessary to facilitate the conversion and is acceptable in principle. These works will require an alteration to some of the joinery, but the submitted plans do not provide sufficient detail on this matter. Finally, the Council have expressed concerns in relation to the level of intrusion the routing of the soil pipe from the first floor shower room would potentially cause to the features within the kitchen below. I agree that the route shown on the submitted plans appears to be overly intrusive but see no reason why an alternative, less intrusive solution could not be provided, potentially within existing features at first floor level.
14. The conversion works are entirely internal and so would not harm the appearance of the listed building or have no discernible effect on the significance of the Ealing Town Centre Conservation Area. As outlined below, the submitted plans show a reorganisation of the garden space to facilitate parking, and to provide for outdoor amenity and refuse storage. This space is currently used informally for parking. Taking into account the overall size and configuration of the space, and the desirability of providing a more open setting for the Crucifix, I consider it necessary that an appropriate plan for the outdoor space is provided as part of the development.
15. The submitted plan includes the reuse of the existing garage, a dilapidated and unsightly structure which detracts from the setting of the listed building, and with it, to a very small extent, the character of the Conservation Area. Given the current condition of the garage, it seems unlikely that the structure would be incapable of reuse in any case. The submitted external layout would therefore fail to achieve an appropriate external arrangement for the development.
16. I have considered whether the concerns identified above should be resolved before Listed building consent and planning permission is granted. However, It

seems to me that each of the identified concerns could be relatively easily resolved and so I see no reason why these matters could not be appropriately dealt with by the provision of amended plans, to be required through the imposition of planning conditions. Subject to adherence with such conditions, the scheme could be implemented without material harm to the significance of the listed building.

17. I note the comments of Ealing Civic Society, regarding the need to retain original features. The scheme achieves this but I am nonetheless mindful that very limited records exist of the interior of the building. Given that much of the building's significance lies in its rich interior, I consider it necessary that an opportunity is provided for recording of the asset, either by the local authority, or by a body nominated by them. This matter could also be secured through an appropriate condition.
18. I therefore conclude that the proposal would preserve the significance of the listed building and its setting and could also conserve the character of the Ealing Town centre Conservation Area. I therefore find no conflict with Policy 7C of the DPD or with guidance within the Framework which seeks to preserve heritage assets in a manner appropriate to their significance.

Other Matters

19. The plans show a communal amenity area. Any works within it would therefore not be approved by any permission. Flat one and the Vicarage would have access to the roof terrace, and Flat 3 would have its own small roof terrace to the front of the building. Flat 2, the largest property, would have no private outdoor space. Given that this flat could potentially be occupied by children it is appropriate that the property is provided with private space, close to the entrance, that could be used for outdoor amenity. The communal space shown outlined in blue on the submitted plan is unlikely to be attractive to occupiers, and would not in any case be necessary if the needs of Flat 2 were otherwise met.
20. Furthermore, occupiers of the flats are likely to lead to increased parking pressure. The submitted layout shows parking for 5 cars. It seems to me that given the overall size of the space, and its relationship with the listed building, it would be possible to provide a more open setting for the Crucifix, on-site parking, refuse storage and a small private space for Flat 2 and that this could be secured by an appropriate condition.
21. The Council are of the view that to prevent occupiers of the flats from increasing on street parking pressure they should be subject to a legal agreement revoking their entitlement to an on-street parking permit. I do not consider this to be necessary. Provided on-site parking is provided for occupants, the likely increase in pressure for on-street spaces from occupants is likely to be very small and not material. Neither party has commented on what an appropriate level of parking might be for the site. Given that the properties are located in a highly accessible location a single parking space for each dwelling would, in my view, be sufficient to meet the needs of future occupants. The allocation of space for residents could displace vehicles currently parked on the site. However, this is an informal arrangement, and I have no evidence that it would continue if the proposal before me did not go ahead. I am therefore satisfied that subject to a condition securing vehicular

parking, including cycle parking, the proposal would not be harmful to highway safety.

Conclusion and Conditions

22. Subject to appropriate conditions the proposal would not harm the significance of heritage assets, would provide appropriate living conditions and would not be harmful to highway safety. Accordingly, the appeals are allowed.
23. Conditions relating to the provision of an appropriate external layout to provide external amenity space, parking provision, and refuse and cycle storage are necessary to provide appropriate living accommodation and to ensure no harm to highway safety. As outlined above the proposal is only acceptable if satisfactory details are provided relating to internal door retention to Flats 2 and 3, the installation of pipework to the Vicarage shower-room and detailing to the staircase in the east-wing. A condition requiring that these details are provided is therefore necessary to ensure that the proposal does not harm the interior of the listed building and so preserves its significance. A condition requiring that access is made available to facilitate recording of the interior is also necessary in order to facilitate future preservation of the asset.

Anne Jordan

INSPECTOR

Schedule of Conditions

Appeal A

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding the details required by condition 3, the development hereby approved shall be carried out in accordance with the drawing titles: 4452 (1) 007; 4452 (3) 001 Rev. C; 4452 (3) 002 Rev. C; 4452 (3) 003 Rev. C; and 4452 (3) 004.
3. Prior to the commencement of development, a plan showing the external layout to serve the development, and including the following details, shall be provided for approval by the Local Planning Authority:
 - A minimum of five (5) covered and secured cycle parking spaces in accordance with adopted standards of the London Plan (2016);
 - A minimum of two (2) 360 litre bins dedicated to recycling, two (2) 360 litre bins dedicated to refuse, and four (4) 23 litre bins dedicated to food waste shall be provided in accordance with adopted standards of the London Plan (2016).
 - The provision of a maximum of one parking space to serve each dwelling;
 - The provision of a private external amenity space to serve Flat 2.

The approved details shall thereafter be implemented in accordance with the approved plans. Such provision shall be brought into use prior to first occupation and retained permanently.
4. The developer shall give the local planning authority 28 days advance notice of the start of any works and, for a period of 14 days before any work takes place, access to the building shall be given to London Borough of Ealing, or a person/body nominated by the local planning authority for the purpose of recording the building interior by making measured drawings or taking photographs.
5. Notwithstanding the details on the submitted plans, no development shall take place until details of the design of the following measures including plans/elevations/drawings at scale 1:20 have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details:
 - The door to the kitchen – proposed Flat 2;
 - The door to the bedroom – proposed Flat 3;
 - Design of the timber-clad fire protection measures that would be used to form a corridor within the staircase of the East Wing at the ground floor level, including the architraves, fine detailing, and how the proposed shelf over the top of the corridor would match the detailing of the adjacent cupboard;

- Works required to relocate the soil waste pipe serving the first floor shower room of the main West Wing building, including details on the precise routing, as well as, reinstating of original skirting and features of the former route.

Appeal B

1. The development permitted shall be begun before the expiration of three years from the date of this permission.
2. Notwithstanding the details required by condition 3, the development hereby approved shall be carried out in accordance with the drawing titles: 4452 (1) 007; 4452 (3) 001 Rev. C; 4452 (3) 002 Rev. C; 4452 (3) 003 Rev. D; and 4452 (3) 004.
3. Prior to the commencement of development, a plan showing the external layout to serve the development, and including the following details, shall be provided for approval by the Local Planning Authority:
 - A minimum of five (5) covered and secured cycle parking spaces in accordance with adopted standards of the London Plan (2016);
 - A minimum of two (2) 360 litre bins dedicated to recycling, two (2) 360 litre bins dedicated to refuse, and four (4) 23 litre bins dedicated to food waste shall be provided in accordance with adopted standards of the London Plan (2016).
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- Works required to relocate the soil waste pipe serving the first floor shower room of the main West Wing building, including details on the precise routing, as well as, reinstating of original skirting and features of the former route.