



Appeal Decision

Site visit made on 31 May 2021
by C Rafferty LLB (Hons), Solicitor

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2021

Appeal Ref: APP/A5270/W/21/3267262

29A Corfton Road, Ealing W5 2HP

- 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 P Skibinski against the decision of the Council of the London Borough of Ealing.
 - The application Ref 203547FUL, dated 7 September 2020, was refused by notice dated 16 November 2020.
 - The development proposed is described as "conversion of single storey building into a single family dwellinghouse with a part single storey and basement extension".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Council's decision notice refers to policies of the London Plan (2016). The London Plan (2021) has now been adopted. As appeals must be determined in accordance with the policies in force at the time the decision is made the policies of the London Plan (2021) have been used in this recommendation. Parties were given the opportunity to comment on the updated position and these comments have been considered, where received.
4. The Council's decision notice also refers to Policy D2 of the Draft New London Plan. Policy D2 of the adopted London Plan March 2021 relates to infrastructure requirements for sustainable densities and is not of relevance to the appeal.
5. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

6. The main issue is whether the proposal would preserve or enhance the character or appearance of the Ealing Cricket Ground Conservation Area.

Reasons for the Recommendation

7. The site comprises a block of garages to the rear of No. 29 Corfton Road in the Ealing Cricket Ground Conservation Area (CA). The surrounding area is residential, with consistency in terms of style, form and traditional character, and generous plots are noted as a characteristic of the CA. The presence of the outbuilding, which is likely to have been ancillary to No. 29, reflects the character and appearance of the area, maintaining a sense of openness between the dwelling which contributes positively to the area, prior to it being separated from No. 29.
8. The proposal would introduce a residential dwelling which, due to the extended footprint, would be a more prominent feature at the site than the current garages, being situated on a plot that would be significantly smaller than nearby dwellings with less open space around the resultant dwelling than is characteristic of the locality. In this sense, the site would be at odds with the surrounding residential plot densities reflective of the CA. Materials would match No. 29 and landscaping would be introduced but appearing single storey at ground level and introducing lightwells fails to reflect the surrounding traditional character and pattern of development. While the CA Management Plan states that modern styles are acceptable if high quality and sympathetic towards neighbouring buildings, in this sense the proposal would not achieve this and would appear incongruous.
9. My attention has been drawn to an extant permission at the site, demonstrating acceptability of the principle of residential development at this site. It is acknowledged that this permission includes excavation works and a rear extension to the building. In addition, it does not feature the flat roof element of the proposal and the visual impact from West Walk would be similar for both developments. Nonetheless, the current proposal represents an increase in ground floor footprint. This further eradicates site openness in contrast with the defining generous plots and spaciousness that the rear gardens provide within the CA, overdeveloping the site when compared with the extant permission.
10. Accordingly, the development would cause visual harm to the site and the contribution that it makes to the character and appearance of the area. As such, the proposal would neither preserve or enhance the character or appearance of the CA. However, while views are possible from neighbouring dwellings, the new dwelling would not be highly visible in the surrounding public realm due to its location, presence of screening and the reduced visibility of the lower ground floor. The harm to the significance of the CA as a designated heritage asset would therefore be 'less than substantial'.
11. Nonetheless the National Planning Policy Framework (the Framework) makes it clear that great weight should be given to the conservation of heritage assets. Paragraph 202 of the Framework specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposal. The appellant has stated that the proposal would contribute to the housing

stock. However, due to the single dwelling nature of the proposal this contribution would be limited and would not be sufficient to outweigh the harm identified above.

12. For all of these reasons I find that the proposal would fail to preserve or enhance the character or appearance of the CA. Accordingly, it would fail to comply with Policies D1, D4 and HC1 of the London Plan March 2021, Policies 7.4, 7.6, 7B and 7C of the Ealing Development Management Development Plan Document, adopted 10 December 2013; Policies 1.1 (g) (h) (i) and 1.2 (g) of the Ealing Development Strategy 2026, adopted 3 April 2012 and the CA Management Plan which together seek to promote good design and preserve the character and appearance of the CA. The proposal would also conflict with the statutory test relating to conservation areas.

Other Matters

13. Reference has been made to other garage to residential conversions in the surrounding area. However, on the basis of the plans provided the ground floor footprints relative to the overall site area and resulting space between dwellings differs from that of the proposal. In any event, the appeal must be assessed on its own site specific circumstances and reference to other development elsewhere carries little weight.

Conclusion and Recommendation

14. Having had regard to all matters raised, I find that there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR