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## Appeal Decision

Site visit made on 8 February 2022

**by Nick Davies BSc(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15<sup>th</sup> February 2022**

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**Appeal Ref: APP/A5270/W/21/3282230**

**21 St Marys Road, Ealing W5 5RA**

- 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 Dr. & Mrs KS Girn against the decision of London Borough of Ealing.
  - The application Ref 213695FUL, dated 4 May 2021, was refused by notice dated 27 July 2021.
  - The development proposed is roof and internal alterations to accommodate home workshop, car parking and mezzanine level storage, incidental to the use of the main dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for roof and internal alterations to accommodate home workshop, car parking and mezzanine level storage, incidental to the use of the main dwelling at 21 St Marys Road, Ealing W5 5RA in accordance with the terms of the application, Ref 213695FUL, dated 4 May 2021, and the plans submitted with it, 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 plans: 1791/2/01 Rev A – Survey Drawings Plans/Elevations/Location and Site Plan; 1908/2/11 Rev A - Proposed Plans/Elevations/Section.
  - 3) Development shall not proceed above damp-proof course level until details/samples of the bricks and slates to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.
  - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 21 St Marys Road, Ealing W5 5RA.

### Preliminary Matters

2. The evidence indicates that Listed Building Consent was granted for the proposal in July 2021<sup>1</sup>.

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<sup>1</sup> Local Planning Authority reference: 213696LBC

## **Main Issue**

3. The main issue is whether the proposal preserves or enhances the character or appearance of the Ealing Green Conservation Area.

## **Reasons**

4. 21 St Marys Road is a substantial Grade II listed, 3-storey, semi-detached house, which has a long rear garden. The appeal building lies at the far end of the garden, and vehicular access to it is obtained off The Park, the road to the south, via a private drive which runs along the rear boundary of No 23. The private drive passes a 2-storey building in the garden of No 23, and extends past the appeal building to provide rear access to No 19. The building is a utilitarian, single storey brick outhouse with a shallow, monopitched, corrugated sheet roof. It is partially divided from the rest of the property by a low wall with a fence above. Visually, therefore, it appears to lie within a rear service lane, rather than within the formal garden of the house.
5. The site lies within the Ealing Green Conservation Area (the CA). The significance of this heritage asset lies in its varied historical architecture, which in this part of the CA has developed gradually along the line of the street. There is a high level of surviving Victorian and Edwardian buildings, with a prevalence of stock and red brick, stone dressing, slate roofs, and timber sash windows. Green spaces, street trees, and mature planting within gardens gives the area a verdant suburban character.
6. The main house originates from the Victorian era and displays many of the characteristics that contribute to the significance of the CA. It is constructed of stock brick with a slate hipped roof, and has sash windows with decorative ironwork to its first-floor balconies. The mature vegetation in its front and rear gardens also contributes to the leafy character of the area. It therefore makes an important, positive contribution to the significance of the heritage asset. By contrast, the outbuilding to the rear is an unassuming building, that is largely hidden from public vantage points, so plays a very small role in the established character of the CA.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
8. The proposed increase in the height of the building would make it more visible over the solid access gate that encloses the private drive off The Park. However, it would be set well back from the road. That part of the building that would be visible would be a stock brick gable and a slate-covered roof with conservation style rooflights. It would be seen through the filter of boundary trees and shrubs, and beyond a building of very similar scale, form, and materials that is correspondingly located at the rear of No 23. It would, therefore, be a recessive feature in the street scene, that would sit comfortably in the surrounding pattern of development.
9. Section 5.2 of the CA Management Plan (2008) seeks to maintain the quality of the heritage asset through careful attention to certain forms of development, including outbuildings. It notes that a number of service buildings and single storey garages detract from the general quality of the CA and, as opportunities

for new development occur, the Council will seek to ensure that new buildings preserve or enhance the CA.

10. In accordance with the advice in the Management Plan, the proposed building would be sited discretely. It would also be small in scale in the context of the substantial 3-storey houses that characterise this part of the CA. It would provide a domestic garage, a small home workshop, and storage, so would accord with the Management Plan's advice that outbuildings should be for ancillary use. Whilst the building would not comprise a single room, or be of timber construction, as advised by the Management Plan, its modest scale, sympathetic design and materials, and unobtrusive siting, mean that it would accord with its overarching aim of ensuring that new buildings preserve or enhance the CA.
11. It is contended by the Council that the scale of the building would be such that it would no longer read as an ancillary structure. However, the host building is a very large 3-storey dwelling with formal gardens to the front and rear. The building would be a significant distance from the house, and is of modest proportions, with a footprint the size of a standard double garage. The eaves height is a little higher than a modern domestic garage building, but in the context of the substantial scale of the host dwelling and its extensive garden, it would be a subservient structure, both visually and functionally. In any event, it would not be a prominent feature in the street scene, and it would not be readily seen in juxtaposition with the host building, due to the distance between the two buildings, and the mature planting between them and along The Park.
12. For these reasons, I conclude that the proposal would not harm the character or appearance of the CA. Consequently, the significance of the heritage asset would be preserved. The development would, therefore, accord with Policies D3, D4, and HC1 of The London Plan (2021), and Policies 7.4 and 7B of the Ealing Development Management Development Plan Document (2013). Taken together, these policies seek to conserve the significance of heritage assets and to secure quality design that respects local character. The proposal would also accord with the National Planning Policy Framework's aims to achieve well-designed places and to conserve and enhance the historic environment.

## **Conditions**

13. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The Council has suggested a condition relating to external materials. Most of the proposed materials are clearly detailed on the drawings, so will be secured by the condition requiring compliance with the approved plans. However, a condition is necessary to ensure that the bricks and roof slates are appropriate to the character of the CA.
14. The Council has also suggested a condition to limit the use of the building to purposes ancillary to the host dwelling. I agree that such a condition is necessary in the interests of the residential amenity of the occupants of the adjacent residential properties. However, I have amended it in the interests of reasonableness and enforceability.

**Conclusion**

15. For the reasons given above, I conclude that the appeal should be allowed.

*Nick Davies*

INSPECTOR