



Appeal Decision

Site visit made on 9 February 2022

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd February 2022

Appeal Ref: APP/A5270/W/21/3282157

2A Vale Grove, Acton W3 7QP

- 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 John Yianni (May & Co) against the decision of London Borough of Ealing.
 - The application Ref 213980FUL, dated 1 June 2021, was refused by notice dated 11 August 2021.
 - The development proposed is change of use from a single residence to a House of Multiple Occupation (HMO) with less than 6 person occupancy. Create a new second floor with the construction of a traditional cut timber mansard with a flat roof.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. Vale Grove comprises two short terraces of two-storey flat-roofed houses on either side of a straight cul-de-sac. The terraces are set behind short enclosed front gardens on rigid building lines, but regularly spaced slightly projecting square bays provide relief to the front facades. Decorative brick bands, at various levels, span the lengths of the terraces, and ornate parapets run along the top of the buildings, concealing the flat roofs behind. These shared features unify the terraces, and this is reinforced by repeated architectural details, such as recessed front doors, and brick arches over the windows. Consequently, although they are not listed or situated within a Conservation Area, this group of terraced houses has a distinct character.
4. The terraces are set back behind three and four-storey buildings on either corner, which front the busy A4020 road, and relate to the large-scale development along this frontage. These buildings serve to enclose the cul-de-sac beyond the noise and bustle of the main thoroughfare, giving it a much more tranquil atmosphere, and a discreet sense of place.
5. The appeal building lies at the northern end of the western terrace, and the proposal is for the provision of a new second floor under a mansard roof. The resultant floorspace would be amalgamated with the existing first floor accommodation to provide 5 en-suite bedrooms and a shared kitchen to create a House in Multiple Occupation (HMO). The Council has not raised concerns

about this proposed use of the extended building, and, on the basis of the evidence, I have no reason to come to a different conclusion.

6. The mansard roof, however, would be a very noticeable addition to this intimate street scene. It would rise significantly above the level of the parapet, intruding into the space above the modest row of buildings, and disrupting the balance of the western terrace. Whilst the architectural features below parapet level would remain unaltered, the inclusion of a full new storey would distort the overall proportions of the building such that its visual association with the rest of the terrace would be lost. This would be harmful to the distinctive appearance of this largely symmetrical group of characterful buildings.
7. Whilst mansard roofs may be appropriate to the architectural period from which the building originates, none of the other houses in the cul-de-sac has one. The proposed addition would, therefore, be an incongruous feature above the otherwise uniform roofline of the terraces. Rather than being a visual enhancement, as contended by the appellant, the development would be a discordant feature in an otherwise balanced street scene. It would, therefore, diminish the character and sense of place created by the architectural uniformity and quality of the largely intact terraces.
8. My attention is drawn to the fact that the appeal site lies partially opposite a recently constructed four-storey block of flats. However, this building is of an entirely different character to the modest terraced houses, being more closely associated with the large-scale frontage development. Its contrasting size and contemporary design do not, therefore, compromise the distinctive character of the group of terraced houses. Rather, they serve to emphasise the discreet charm of the group. Consequently, the presence of this building does not weigh in favour of the proposal.
9. I therefore conclude that the development would harm the character and appearance of the area. As a result, the proposal would be contrary to Policies D3 and D4 of The London Plan (2021), and Policies 7.4 and 7B of Ealing's Development Management Development Plan Document (2013). These policies seek to deliver good design, and to ensure that development proposals enhance local context by positively responding to local character and distinctiveness.

Planning Balance

10. The proposal would provide additional residential accommodation in a sustainable location close to a range of facilities and services. Section 11 of the National Planning Policy Framework (the Framework) promotes the effective use of land and supports opportunities to use the airspace above existing buildings for new homes. Policy D3 of The London Plan also seeks to make the best use of land by optimising site capacity. The provision of additional living accommodation therefore weighs in favour of the development. However, this weight is limited, as the HMO would replace an existing flat, so the overall increase in living accommodation would be small.
11. Furthermore, the Framework's encouragement of effective land use is contingent on safeguarding and improving the environment, and says that upward extensions should be consistent with the prevailing height and form of neighbouring properties and the overall street scene. Similarly, Policy D3 of

The London Plan seeks the most appropriate form of development that responds to a site's context and capacity for growth.

12. The Framework seeks to achieve well-designed places by ensuring that developments are sympathetic to local character and history, including the surrounding built environment. I have found that the proposal would be contrary to development plan policies that seek to secure good design and to protect local distinctiveness. Paragraph 12 of the Framework says that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Consequently, I conclude that the minor benefit that would be derived from the more efficient use of the site, would be outweighed by the resultant harm to the character and appearance of the area.

Conclusion

13. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR