
Appeal Decision

Site visit made on 13 June 2022

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2022

Appeal Ref: APP/A5270/W/21/3289706

169 Uxbridge Road, Hanwell, London W7 3TH

- 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 Octo Investment Ltd against the decision of the Council of the London Borough of Ealing.
 - The application Ref 213138, dated 12 April 2021, was refused by notice dated 28 October 2021.
 - The development proposed is the erection of additional storey to rear part of building to provide extensions to 2 top floor apartments.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the development on the character and appearance of the existing building, surrounding area and the Hanwell Clocktower Conservation Area (CA).

Reasons

3. The appeal site is located within the Hanwell Clocktower CA. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The Hanwell Clocktower CA Appraisal (2007) (CAA) sets out that its significance is centred around the ancient parish of Hanwell, with its present character formed of the historic street pattern, gradually developed, mainly in Victorian times and hardly changed since the 1930s.
4. No 169 is the former Hanwell Police Station, a substantial two-three storey red brick building, set back from the road. Its significance includes a handsome decorative and well-balanced frontage, comprising of two staggered blocks. The building is identified within the CAA as a key unlisted building and is locally listed. It is therefore considered a non-designated heritage, and its traditional well-proportioned frontage contributes positively to the wider CA.
5. The surrounding area generally comprises of mainly Victorian, 2 - 4 storey buildings, however there are notable exceptions such as the substantial new 6 storey residential building being constructed directly opposite the appeal site on Uxbridge Road. Nevertheless, the Hanwell Clocktower CA Management Plan (2007) (CAMP) sets out that the proliferation of unsightly and over-scale roof

extensions is regarded as detrimental to the historic environment of Hanwell Clock Tower.

6. The proposed additional storey would be set back from the frontage, and its visual impact from views from Station Road to the side would be limited. Moreover, views from properties along Laurel Gardens to the rear would be of the plainer rear of the building, which is currently under reconstruction as part of the previously approved scheme. The additional height of the proposed extension on this elevation would not appear out of keeping with the existing development.
7. However, I saw during my visit that the extension would be visible from the opposite side of Uxbridge Road at the front, particularly from the upper floors of the buildings opposite but also from certain angles from the pavement between and above boundary treatments and landscaping. Whilst matching materials and not affecting the details of the front elevation itself nor its original fabric, it would introduce an incongruous massing that would visually dominate and unbalance the proportions of the frontage, giving it an ungainly top-heavy appearance and detracting from the decorative façade. The extension would have a harmful effect upon and restrict appreciation of the building's original character and appearance and would compromise the significance of the building as a non-designated heritage asset.
8. Given the localised impact of the development the harm it would cause to the significance of the CA is considered to be less than substantial. Paragraph 202 of the National Planning Policy Framework (the Framework) makes it clear that in such circumstances, this harm should be weighed against the public benefits of the development.
9. The development would provide improved residential space and family sized units in a suitable and accessible location, which the Council set out helps meet a priority need identified in the Ealing Strategic Housing Market Assessment. The Framework supports small and medium sized sites as they can make an important contribution to meeting the housing requirement of an area. However, given the small scale of the proposal, the provision of the additional 2 family sized units attracts modest weight. There would also be some limited benefit to employment during construction. Even if I were to agree that living conditions for future occupiers and highway matters would be satisfactory, and there would be no harm to the living conditions of existing properties, this would be a neutral factor.
10. I have taken full account of all the matters advanced in support of the proposal and collectively I have given them moderate weight. I therefore find that the sum of wider public benefits associated with the appeal scheme would not outweigh the less than substantial harm to the significance of the CA as a designated heritage asset, to which I attach great weight as required by paragraph 199 of the Framework.
11. For the above reasons, I therefore find that the proposed development would detract from the character and appearance of the existing building and harm the significance of the non-designated heritage asset. Moreover, it would harm, and thereby would neither preserve nor enhance the character or appearance of the Hanwell Clocktower CA. It would not therefore accord with Policies 7.4, 7B and 7C of the Ealing Development Management Development Plan Document (2013), which along with Policies HC1 and D3 of the London Plan

(2021) require high quality architecture which respects high value visual character conserve the significance of heritage assets. These policies are consistent with the design and heritage policies of the Framework which, amongst other things, requires development be sympathetic to local character and that heritage assets are conserved. There is also conflict with the advice given in the CAMP which sets out that the Hanwell Clocktower CA must be protected, preserved or enhanced.

Planning Balance and Conclusion

12. The Council have not disputed that they are unable to demonstrate a 5-year supply of deliverable housing sites with the appropriate buffer. As a result, paragraph 11 d) of the Framework is engaged. However, the application of policies in the Framework that protect areas or assets of particular importance, in this case areas a designated heritage asset, provides a clear reason for refusing the development proposed. Therefore, in accordance with paragraph 11d)i of the Framework, paragraph 11d)ii is not engaged. In any event, the proposed development would not result in any additional units of accommodation and would not therefore contribute to addressing this shortfall.
13. The moderate benefits in favour of the proposal are set out above. Whilst making efficient use of the land, the appeal scheme would do so in a manner that would harm the character and appearance of the area. The building has been granted planning permission¹ for its conversion and extension to provide residential units. This includes elements of demolition and extension at the plainer rear, but that scheme would retain the existing ridge height and the important façade of the building. It would not therefore have a comparable visual impact to the scheme before me.
14. The proposal conflicts with the development plan taken as a whole and there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. Accordingly, for the reasons given above and having had regard to all other matters raised, the appeal is therefore dismissed.

B Phillips

INSPECTOR

¹ Application reference 163135FUL & PP/2013/4396