



Appeal Decision

Site visit made on 21 November 2022

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2022

Appeal Ref: APP/A5270/D/22/3307563

Emscote, Mount Park Road, Ealing W5 2RP

- 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 Jiten Halai against the decision of the Council of the London Borough of Ealing.
 - The application Ref 222524HH, dated 8 June 2022, was refused by notice dated 15 August 2022.
 - The development proposed is described as a ground floor rear extension with two new skylights & existing single storey side extension infill; a double storey side extension to improve upon existing; loft conversion; rear roof dormer; removal of single south chimney; driveway reconfiguration including modification street facing garden wall; two new skylights on roof; and two new windows on the front facade of the property.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the proposal in the banner above from the application form. Whilst I have considered the scheme as a whole, in its decision, and in its delegated officer report, the Council sets out that it objects to the proposed two storey side extension. That is therefore the focus of my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Mount Park Conservation Area.

Reasons

Character and appearance

4. The National Planning Policy Framework ('Framework') sets out that harm to the significance of a designated heritage asset, such as a conservation area, should require clear and convincing justification. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance.

5. Policy HC1 of the London Plan 2021 ('LP') and Policy 7C of the Ealing Development Management Development Plan Document 2013 ('EDMP') require proposals to conserve the significance of heritage assets, retain and enhance characteristic features and detailing, and to avoid design which undermines the significance of conservation areas. These policies are therefore broadly consistent with the Framework, and reflect the statutory test.
6. The site falls within the Mount Park Conservation Area ('MPCA'). As described in the Mount Park Conservation Area Character Appraisal 2009, the houses here are predominantly detached, substantial in scale, and set back from the tree-lined highways. I observed that, close to the appeal site, those on the western side of Mount Park Road have a fairly consistent style, which includes significant architectural embellishment and a single two storey bay on their front face, whilst those on its eastern side are more varied and less ornate.
7. The Mount Park Conservation Area Management Plan 2009 ('MPCAMP') identifies that one potentially detrimental risk to the historic environment is over-scale side extensions.
8. Emscote is a detached house with a brick finish, a single two storey front projection, and a predominantly hipped roof form. However, to one side it has a 1960s, flat-roofed first floor extension, whose form and materials are at odds with the remainder of the building. That extension is set well back behind the host's front face, such that it does not dominate the host building, and it is not prominent in the streetscene.
9. The proposed side extension would have a hipped roof which would reflect the original building's profile, and it would be faced in matching materials. Compared to the host's existing front projection, this one would be narrower, slightly lower at the ridge, and set further back.
10. However, given its scale and height, it would nonetheless have a considerable bulk, and it would project well forward of the adjacent front wall at ground and first floor level. In my view, that would be contrary to the thrust of the advice at Part 4 of the Council's Residential Extensions Supplementary Planning Document ('SPD') which sets out that, in order to achieve a subordinate appearance, side extensions should be set back at least 1 metre from the front wall of the main house.
11. Additionally, the resultant dwelling's twin projecting gables would not allow its original shape to be clearly 'read', and that rather complex form would be at odds with the area's prevailing character. Consequently, whilst the existing side extension detracts from the architectural composition and appearance of the host building, so would this one, but given its siting it would be much more prominent in the streetscene.
12. Although existing hard landscaping to the front of the property would be replaced with planting, this scheme is not the only way in which that modest benefit could be achieved.
13. The scheme would harm the host property, and it would fail to preserve the character and appearance of the MPCA. It would thus conflict with LP Policy HC1 and EDMP Policy 7C; and with the more general stance in EDMP Policies 7.4 and 7B, and LP Policy D3, for high quality design, which responds to or enhances its local context, having regard to matters such as layout,

appearance, scale and proportions. It would also fail to accord with the advice in the SPD and the MPCAMP.

14. However, as LP Policy D4 sets out how Borough Councils should address good design, it is of limited direct relevance to this proposal. As I have no evidence that the scheme would not meet high standards in terms of accessibility and inclusivity, it would not conflict with LP Policy D5.

Other matters

15. The scheme would improve the layout of the house, and the replacement windows would increase its thermal efficiency, to the benefit of its existing, and any future, occupants.

Planning Balance and Conclusion

16. I have found that the scheme would harm the character and appearance of the host property and the MPCA.
17. Whilst the harm to the designated heritage asset would be less than substantial, it would not be outweighed by the scheme's very modest public benefits. Having given great weight to the MPCA's conservation, and in the absence of clear and convincing justification for harm to it, I conclude that as well as conflicting with the development plan, the scheme would conflict with the Framework.
18. Consequently, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR