



Appeal Decision

Site visit made on 22 February 2023

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2023

Appeal Ref: APP/A5270/D/22/3291340

19 Cuckoo Avenue, Hanwell, London W7 1BP

- 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 D Collison against the decision of London Borough of Ealing.
 - The application Ref 216706HH, dated 22 November 2021, was refused by notice dated 17 January 2022.
 - The development proposed is single storey side and single storey rear extension.
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Decision

1. The appeal is dismissed insofar as it relates to single storey side extension. The appeal is allowed insofar as it relates to single storey rear extension and planning permission is granted for single storey rear extension at 19 Cuckoo Avenue, Hanwell, London W7 1BP in accordance with the terms of the application, Ref 216706HH, dated 22 November 2021, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Block Plan, Ground Floor – Proposed, 1st Floor Plan – Existing & Proposed, Rear Elevation – Existing and Proposed, Roof Plan – Existing and Proposed, Front Elevation – Existing and Proposed, North Elevations, and South Elevations.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. It is indicated that the planning application was submitted retrospectively, and I saw that development had commenced at the time of my visit.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building, with due regard to the Cuckoo Estate Conservation Area.

Reasons

5. The appeal site is located on the end of a short terrace of 3 dwellings on a corner plot. The site is within the Cuckoo Estate Conservation Area (CA), which is a fine example of an interwar London County Council planned estate with many of its original features and layout intact. The appeal site faces onto Cuckoo Avenue which was formerly a carriageway, and is now green centrepiece to the CA. The group of 3 buildings containing the appeal site have an unusual angled arrangement facing in 3 directions, and these corner plots are identified as being the most visually successful buildings in the CA Appraisal. These are matters which contribute to the importance of the CA as a designated heritage asset, and which emphasise the appeal site's role in this.
6. The extension to the side would be readily visible from the streetscape. Due to its prominence and projection to the side, the extension would unbalance the distinctive arrangement of these 3 buildings and would appear as an unduly large addition to the side of the host building, even allowing for the extension's single storey design. The design and arrangement of the front window on the side extension is also unsympathetic to the main elevation of the dwelling.
7. The harm from the side extension would be exacerbated by the crown roof design, which would not match the hipped roof of the host dwelling. The proposed front and rear elevations of the submitted plans indicate a differing degree of roof pitch to the host dwelling, which would jar with the appearance of the main building. However, even if a matching roof pitch was used this would not overcome the unfortunate bulky appearance of the crown roof. Contrary to the stance of the appellant, I consider that the incongruous design of the roof would be apparent in views from the public realm to the front of the site.
8. The flat roofed rear extension is of no particular merit. However, it would not be readily visible from the public realm, and I note that the Council also concludes that it would have no discernible impact on the street scene. I saw that the neighbouring dwellings have similar flat roofed extensions to the rear. Within that context, I do not consider that the rear extension would lead to material harm to the host dwelling or the CA.
9. The appellant refers to extensions at a number of properties in the area. However, it has not been demonstrated that these represent a direct parallel to the appeal site in respect of its prominent location and the importance of the buildings within the CA, as well as the design of the extensions. I also do not have full details of the circumstances that led to the development of those extensions, and cannot be certain that they reflect the circumstances of the appeal proposal. In any event, I have determined this appeal on its own merits.
10. Notwithstanding my conclusions in respect of the rear extension, for the reasons given above the proposed side extension would lead to significant harm to the character and appearance of the host building, and would fail to preserve or enhance the character and appearance of the CA. Although the harm to the CA would be less than substantial, there are no public benefits that would outweigh that harm.
11. The proposal as a whole would therefore be contrary to the design, character and heritage requirements of Policies 7.4 and 7C of the Ealing Development

Management Development Plan 2013 as well as D1, D4 and HC1 of the London Plan. The proposal would also conflict with the National Planning Policy Framework with regards to conserving and enhancing the historic environment. The proposal would also be contrary to the advice and considerations of the CA Management Plan 2007 and CA Appraisal 2007.

Other Matter

12. A number of comments raised locally have referred to the use of the property, and associated matters including noise, parking and housing provision. However, these are not matters which fall within the remit of this appeal which relates solely to the proposed extensions.

Conclusion

13. I have concluded that the side extension would lead to significant harm to the character and appearance of the host building, and would fail to preserve or enhance the character and appearance of the CA.
14. However, I have also concluded that the rear extension would not lead to material harm. The two elements of the proposal are clearly severable, and I shall therefore issue a split decision to dismiss the appeal in respect of the side extension, but allow it in relation to the rear extension.
15. The Council has indicated the conditions it considers necessary, and I agree that a condition specifying the approved plans is required in the interests of certainty, and a condition in respect of matching materials is appropriate in the interests of character and appearance. A condition in relation to a timescale for the commencement of development is not required, as based on the evidence before me the development has commenced.
16. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part.

David Cross

INSPECTOR