The Planning Inspectorate

Appeal Decision

Site visit made on 24 March 2023

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/A5270/D/23/3315395
22 Brunswick Gardens, London W5 1AP

- 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 Haider Al-Baghdadi against the decision of London Borough of Ealing Council.
- The application Ref 223638HH, dated 19 August 2022, was refused by notice dated 04 November 2022.
- The development proposed is 'Single storey side/ rear (wraparound) extension; conversion of garage into habitable room; alteration to external elevations; construction of a single storey outbuilding to the rear of property for use as storage/gym/studio'.

Procedural Matter

1. The description of development was changed from "*change of use of the garage into habitable space, single storey rear and side extension, single storey garden studio'* in the application form to *'Single storey side/ rear (wraparound) extension (following demolition of existing garage and shed); conversion of garage to habitable room; alteration to external elevations; construction of a single storey outbuilding to rear of property for use as storage/gym/studio'* by the Council after submission of the application without the Appellant's agreement.

2. As the appeal scheme does not propose to demolish the garage building, but instead retain its flank wall, frontage and overall form, the Appellant was dissatisfied with this description of development.

3. Since neither description of development accurately described the nature and extent of development proposed, the Appellant agreed to the amended wording above, which omits the parenthesis relating to demolition. The Council did not make an objection within the given timescale. This description is more accurate and does not prejudice the interests of the Appellant, Council or other interested parties.

Decision

4. The appeal is allowed and planning permission is granted for the '*Single storey side/ rear (wraparound) extension; conversion of garage into habitable room; alteration to external elevations; construction of a single storey outbuilding to the rear of property for use as storage/gym/studio'* at 22 Brunswick Gardens, London W5 1AP in accordance with the terms of the application, Ref 223638HH, dated 19 August 2022, subject to the following conditions:

a) The development hereby permitted shall begin not later than 3 years from the date of this decision.

b) The development hereby permitted shall be carried out in accordance with the following approved plans; Block and Location Plans 101(P) Rev A, Proposed Plans 106 (P) Rev A, Proposed Plans 107 (P) Rev A, Proposed Elevations 108 (P) Rev A, Proposed Elevations 109 (P) Rev A, Existing and Proposed Sections 110 (P) Rev A, Existing and Proposed Sections 111 (P) Rev A, Proposed Plans- Elevations-Section 112 (P) Rev B.

c) Notwithstanding condition b) above, the external surfaces of the development hereby permitted shall be constructing in materials matching the existing dwelling.

d) No part of the roof of the extension hereby permitted shall be used or altered to form a balcony, raised platform, roof garden, terrace or similar amenity area.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the surrounding area; particularly whether the proposal would sustain or enhance the significance of the Brunswick Conservation Area.

Reasons

6. The appeal site is a semi-detached house situated within an attractive suburb of the Brunswick Conservation Area (CA), in the 'garden style' of its era. The dwellings along Brunswick Gardens are predominantly of the same circa 1930s scale and design, albeit some properties have been extended. The grain of the development is varied and at times quite tight along the road, however, the varied gaps between dwellings and the avenue of trees along the road create a semi-enclosed character. The overall uniformity of development, architectural features of the dwellings, semi-enclosed arrangement and verdant street scene make positive contributions to the character of the area and contribute to the significance of the CA.

7. The appeal scheme would introduce a wraparound extension to the flank and rear of the property. As outlined above, it would retain a flank wall and the front elevation of the existing garage and the arched garden gate opening within the existing wall. It would infill the gap between the house and the garage building.

8. The SPD4 Residential Extensions Supplementary Planning Document (SPD) guidance is that extensions in conservation areas should form logical extensions of the existing house and should reflect the character of the surrounding area in terms of size and materials. It further suggests side extensions are set back a metre or so from the front of the dwelling. As the appeal scheme incorporates and maintains features of the original dwelling, it is not possible to set-back the side extension, however, the piggy-back roof of the garage would minimise mass and would avoid dominance.

9. The SPD also generally resists wraparound extensions. Although it does not state a reason why, it is likely to ensure additions are subservient to the host dwelling. The overall scale of the side extension would be subservient to the

dwelling and would utilise an existing gap, creating a logical form. The additional footprint and mass of the development would be proportionate to the overall scale of the dwelling and the generous size of its plot relative to the surrounding properties. It would therefore appear subservient to the host dwelling. Thereby complying with the overall aims of the SPD, if not the detailed guidance.

10. Moreover, the design would also effectively minimise its appearance in the street scene and retain the original architectural features of the garden wall and modest garage with double timber doors and a pitched roof. The 'garage' element would effectively retain its original form in the street scene. There are similar developments in the immediate vicinity of the site, although not all properties along the Gardens had space for garages and of those that did, several have been replaced. As such, the appeal site features one of the few original garage buildings which remain and the development would effectively sustain its appearance.

11. The Conservation Area Advisory Panel (CAAP) have objected to the scheme, referring to the SPG and its own guidance or view that the building line of properties should match those existing and thus, if the neighbouring properties have not extended, nor should the appeal site. I have not been referred to any SPD or Supplementary Planning Guidance in this respect. Whilst there is merit in maintaining uniform building lines, particularly at the front of properties to create regularity and order in street scenes, there is often capacity for extension at the rear of properties, particularly on sites with generous rear gardens such as the appeal site. Moreover, I noted that several of the surrounding properties do in fact have rear extensions, and therefore there is no uniform building line in any case, and the rear extension would be in keeping with this existing character.

12. The proposed outbuilding would be modest in overall size and scale and would integrate well within the deep and spacious garden. The neighbouring property has an outbuilding which is deeper than that proposed by the appeal scheme and as such, the scheme would integrate well with this surrounding character.

13. For these reasons, the appeal scheme would respect local character and would sustain the significance of the CA in accordance with policies HC1 and D4 of the London Plan, adopted 2021, and policies 7.4 and 7C of the Ealing Development Plan DPD, adopted 2013, as well as the Brunswick Conservation Area Management Plan and National Planning Policy Framework. These policies seek, amongst other things, high quality development which complements an area's character and sustains the significance of the historic environment.

Conditions

14. The Council has requested a total of 5 conditions. I consider it necessary and reasonable to impose conditions requiring that the development take place in a timely manner, in accordance with the approved plans and with matching materials to integrate it with the character of the area. The Council has requested a condition to make it clear that the roof of the extension shall not be used as a balcony or raised platform and I consider this necessary and reasonable in order to protect the living conditions of occupiers of neighbouring property. The Council has also requested a condition specifying that the outbuilding be used for purposes incidental to the use of the dwelling only and should not be used for habitable accommodation, including specifically that no

kitchen should be installed. It is reasonable that an outbuilding might be used for purposes ancillary to a dwelling and contain some ordinary living accommodation. A separate residential use would require planning permission in any case, making such a condition unnecessary.

Conclusion

15. For the reasons set out above, the appeal scheme would accord with the relevant policies of the development plan and no material considerations indicate that the appeal should be determined other than in accordance with the development plan. The appeal is accordingly allowed.

Kim Langford Tejrar

INSPECTOR