



Appeal Decision

Site visit made on 22 November 2023

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/A5270/D/23/3329897

15 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 Miss Beverley Barrett against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 220708HH, dated 21 February 2022, was refused by notice dated 24 August 2023.
 - The development is described as installation of Juliet balcony (following removal of existing rear window to rear roof extension).
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Decision

1. The appeal is allowed and planning permission is granted for installation of Juliet balcony (following removal of existing rear window to rear roof extension) at 15 Brunswick Gardens, London W5 1AP in accordance with the terms of the application, Ref 220708HH, dated 21 February 2021 and the plans submitted with it, as follows: 15BG_LP_001 (Location and Block Plans); 15BG_EE_002 (Existing Front and Rear Elevations); 15BG_EE_003 (Existing Side Elevations); 15BG_EP_004 (Existing Second Floor Plan); 15BG_EP_005 (Existing Roof Plan); 15BG_ES_001 (Existing Section); 15BG_PP_001 (Proposed Front and Rear Elevations); 15BG_PP_002 (Proposed Side Elevations); 15BG_PS_001 (Proposed Section); 15BG_PP_004 (Proposed Second Floor Plan), and 15BG_PP_005 (Proposed Roof Plan).

Preliminary Matters

2. During the determination of the application, the council changed the description of development to include only those elements requiring planning permission. For accuracy, I have used the description of development on the decision notice.
3. The application is made retrospectively as the development has already been carried out. I have determined the appeal accordingly.

Reasons

4. The main issue is the effect of the appeal proposals on the character and appearance of the host dwelling and the Brunswick Conservation Area.
5. Brunswick Gardens is a pleasant residential street characterised by a mixture of traditional architectural styles, including mock Tudor houses which were built during the inter-war period. No. 15 is an unlisted detached two storey dwelling

which has been subject to significant extensions and additions to the rear elevation including a box dormer and conservatory. I noted at the site visit that a number of properties on the same street have also been subject to modern alterations and extensions including loft conversions with box dormers.

6. The appeal site is located within the Brunswick Conservation Area which is protected under the Planning (Listed Building and Conservation Areas) Act 1990 ('The Act'). I have a statutory duty under section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is also reinforced by Section 16 of the National Planning Policy Framework (the Framework) where decision takers must apply great weight to the preservation of the significance of such heritage assets.
7. The Brunswick Conservation Area Appraisal (2007) explains that its significance is derived from the '*...very well preserved example of quality, attractive and well-designed 1930s development in Ealing*' (page 16) with Brunswick Road having a 'welcoming suburban character' with the dwellings framed by significant trees and vistas which are enhanced by the sloping nature of the street. However, much of the Appraisal document discusses the contribution made by the detailing which tends to appear on the frontages of the dwellings (timber framing, oversailing eaves, projecting bay windows, brick arched porches, stained glass windows and decorative motifs) and what they contribute to the character of the Conservation Area.
8. Policy D3 (Optimising site capacity through the design-led approach) of the London Plan (2021) (LP) and policy D4 (Delivering good design) both seek good design in all new development. Policy HC1 (Heritage conservation and growth) of the LP requires that development affecting heritage assets should conserve their significance and sense of place.
9. Policy 7.4 (Ealing Local Variation – Local Character) of the Ealing Development Management DPD (2013) (DMDPD) and Policy 7B (Design Amenity) of the DMDPD support development proposals that complement their surroundings, particularly in terms of street sequence, building pattern, scale, materials and detailing and seek high quality design amenity.
10. Policy 7C (Ealing Local Policy – Heritage) of the DMDPD seeks development that avoids undermining the significance of a heritage asset, where it is located within a Conservation Area or affecting its setting.
11. The Juliet balcony has been added to the existing box dormer extension to the rear of the host dwelling and is of a contemporary glazed design. The rear of the dwelling has already been subject to significant alterations, and I consider it does not contribute positively to the Conservation Area, unlike its principal elevation which clearly does.
12. I have noted the wording in the CAA as well as policy HC1 of the LP relating to cumulative harm from unsympathetic development. However, it is my view that as the balcony is located to the rear of the host dwelling the overall resulting impact on the Conservation Area would be, in my view, neutral.
13. To that end, I do not consider the balcony would result in harm to the Conservation Area, nor the wider character and appearance of the area or host dwelling. The proposals would therefore be aligned to policies HC1, D3, D4 of

the LP, nor policies 7.4, 7B and 7C of the DMDPD and the relevant parts of the Framework.

Conditions

14. There is no need to specify that the planning permission has effect from the date of the decision as this is implicit. Given that development has been carried out, the drawings are referred to in the decision above rather than by condition. Similarly, it is unnecessary to require the external finishes to be undertaken as detailed in the application.

Conclusions

15. For the reasons given, and having regard to all other matters raised, the appeal is allowed.

Sian Griffiths

INSPECTOR