

Appeal Decision

Site visit made on 4 January 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02.02.2024

Appeal Ref: APP/A5270/W/23/3327062

Land adjacent to 1 Golden Manor, Hanwell W7 3EE

- 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 Ambo Estates Ltd against the decision of the Council of the London Borough of Ealing.
 - The application Ref 231101FUL, dated 16 March 2023, was refused by notice dated 3 May 2023.
 - The development proposed is the construction of a single storey detached dwellinghouse, including lower ground floor level, with access fronting Alwyne Road and associated provision of external amenity space, refuse and cycle storage.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. A revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023, during consideration of the appeal. The main parties have been given an opportunity to comment on these changes and have not raised any new issues.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Hanwell Village Green Conservation Area.

Reasons

Conservation area

4. The appeal site is the former back garden to the 2 storey detached house at 1 Golden Manor. The site fronts onto Alwyne Road, sitting behind a timber fence, next to a pair of bungalows and across the street from an area of public open space - all within the conservation area. The proposal is to build a flat roofed 2 storey house with one of the stories and sunken courtyards at basement level, so that only a single storey would be above ground level. This follows on from a number of other proposals for houses here, 3 of which have

been dismissed at appeal¹. The proposal has been reduced and refined over time in an attempt to deal with the objections raised by those other Inspectors.

5. The Council's Hanwell Village Green Conservation Area Character Appraisal aptly refers to the significance of the open spaces within the area, which it says link with the many private gardens to provide a sylvan character. It identifies this southern part of the conservation area as having a suburban character, albeit with a green and open setting which is enhanced by substantial rear gardens and lavish tree and hedge planting within those private gardens.
6. The appeal site, although now fenced off from 1 Golden Manor, forms a gap between buildings that relieves the built form, linking the back gardens of the houses fronting Golden Manor with the open space opposite. I agree with previous Inspectors that this gap is important to the conservation area's character, in line with the Character Appraisal.
7. The proposed new house would be well-designed in itself in a contrasting but complementary contemporary style. The existing fence at the front of the site is not a positive feature. Its replacement with an attractive property, fronting onto the street, would bring some benefits to the conservation area.
8. On the other hand, the proposal would intrude into this important, undeveloped gap. Although reduced from previous versions, the new house would occupy much of the width and depth of this comparatively restricted site, with only tightly circumscribed garden spaces. This would contrast with the more generous gardens associated with other properties in this part of the conservation area, which typically have space for more significant trees. The proposal would thus appear as a cramped overdevelopment, as seen from the street, the open space and nearby properties.
9. I note that the adjoining buildings are not identified as positive features in the Character Appraisal, but it is the spacing which is a crucial matter here, rather than the architecture. The openness of the site contributes to the character and appearance of the conservation area and warrants protection.
10. I conclude that, although the proposal does have merits, it would significantly harm the character and appearance of the conservation area. It therefore conflicts with policies D3, D4 and HC1 of the London Plan, policies 7.4, 7B and 7C of the Council's Development Management Development Plan Document and the Framework, which aim to deliver good design that responds positively to local distinctiveness and conserves the significance of heritage assets.
11. This harm to the significance of a heritage asset would, in the terms of paragraph 205 of the Framework, be less than substantial. This harm must, in line with Framework paragraph 208, be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. I will return to this issue below, in the planning balance.

Other matters: parking

12. The site is within a controlled parking zone and no on-site parking spaces would be provided. The Council states that this is acceptable in this accessible

¹ APP/A5270/W/18/3192746, APP/A5270/W/20/3247448 and APP/A5270/W/21/3284124

location, subject to a planning obligation preventing future residents of the proposed house from obtaining parking permits. The appellant has, late in the appeal process, submitted a completed Unilateral Undertaking to this effect. This appears to deal with the Council's concern. Due to my other conclusions on this appeal proposal, however, it has not been necessary for me to assess this in detail or ask the Council for its comments on the Undertaking.

Planning balance and conclusion

13. The proposal would make effective use of this sustainably located site to increase the supply of small sites and to help to boost the supply of housing, in line with local and Framework objectives. In view of this proposal being for a single house only, I attach moderate weight to these important but modest public benefits.
14. The proposal would make use of a currently vacant site, but I am not convinced that this is necessarily the only, or optimum, viable use of the site. Having considered the various points made by local objectors, I find no significant additional concerns which would weigh against the proposal. These matters are neutral in my assessment.
15. As set out in paragraph 205 of the Framework great weight must be attributed to any harm to a heritage asset, even where this harm is less than substantial. This aligns with the duty under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Taking all matters into account, I find that the positive, public benefits of the scheme are not sufficient to outweigh the significant harm that would be caused to the character and appearance of the conservation area.
16. I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR