
Appeal Decision

Site visit made on 13 March 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 5 April 2024.

Appeal Ref: APP/A5270/D/24/3336675

23 Audley Road, Ealing, London W5 3ES

- 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 Anant Sra against the decision of the Council of the London Borough of Ealing.
 - The application Ref 231449, dated 13 April 2023, was refused by notice dated 13 December 2023.
 - The development proposed is the erection of a part single and part two storey rear extension; single storey side extension (following demolition of existing WW2 side air raid shelter); conversion of a garage into a habitable room including associated external alteration involving the insertion of a window in lieu of the garage door opening; loft conversion to habitable space; installation of four rooflights to rear and side roofslopes; replacement of windows with double glazed units to match existing; alteration to fenestration to front, side and rear elevation; and works to front garden, including reintroduction of the boundary wall
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For reasons of clarity, the description of development has been adopted from the appeal form.
3. Only some of the elements of the appeal scheme have already been erected, including those elements erected pursuant to a previous planning permission granted by the Council (Ref 221078HH), and, as such, reference is made to the development being a proposal.

Main Issue

4. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

5. The appeal property is an altered 2-storey dwelling situated at the junction of Audley Road and The Ridings which is located within the Hanger Hill (Haymills) Estate Conservation Area. There is a statutory duty to preserve or enhance the character or appearance of Conservation Areas.

6. The heritage significance of the Conservation Area is that it is a planned estate built during the inter-war years comprising a mix of detached and semi-detached dwellings. The architecture of the dwellings varies due to different designs but they are generally located on large plots and constructed of brick with red tiled roofs. Although timber is the dominant material for windows and doors, there are examples of metal and uPVC frames. There are variations to the design of porches and front doors.
7. Along the streets there are trees with the dwellings being set back from the footways to the rear of front gardens which are landscaped and used for parking. There are variations in the front boundaries of the dwellings with a mix of low walls and hedges. At road junctions, the side boundaries are a mix of taller hedges, fences and walls.
8. As noted, the appeal property has already been altered albeit some of the works undertaken are not in accordance with the planning permission issued by the Council (Ref 221078HH). The appellant identifies that the variations from the planning permission reflect the health needs of an occupier of the property and suggestions made by the builders during the construction works. These differences include changes to the front and side means of enclosure, the design of the front entrance door and the use of uPVC window frames. These were the elements of the appeal application subject to objection from the Council as set out in the Planning Officer's report.
9. The guidance contained in the *Hanger Hill (Haymills) Estate Conservation Area Management Plan* (CAMP) refers to resisting the removal of existing traditional boundaries and gardens and that proposals to replace or develop boundaries or front or side gardens will be appropriate in their materials and of high quality design that is compatible with the historic character of the area. Although the proposed front boundary wall would be higher than the approved scheme, the difference in height would not be so significant that it would cause harm to the character and appearance of the streetscene within this part of the Conservation Area. There are and would remain variations in the front boundary treatments along Audley Road.
10. The proposed side brick wall would reflect the boundary treatment of 2 other dwellings which have a shared boundary with The Ridings. The proposed wall with its gated openings for pedestrians and vehicles would not be an incongruous means of enclosure within the streetscene. Together with the gated openings, the existing street trees assist with visually breaking-up the massing and appearance of the boundary walls along the road, including at the appeal property. The assessment of this element of the appeal scheme was informed by the side boundary wall having already been erected.
11. Although there are currently steps, to facilitate access to the property by wheelchair a double front door has been erected, albeit this meets a private need related to a current occupier of the property rather than a public benefit. Reference is made in the Planning Officer's report to the erection of a double entrance door at the property whereas elsewhere within the Conservation Area single front doors predominate. By reason of the variations in the design of the dwellings within the Conservation Area, there are varying designs of porches with some being recessed and others projecting forward of the front elevation. The sizes of the opening for the front doors vary with both single doors, single doors with glazed elements to one or both sides and some examples of double

- doors. The choice of colour and material of the doors and door frames also vary.
12. Guidance in the CAMP seeks the retention of existing original doors but where a replacement is required then it should match the original style avoiding modern replacements both in terms of materials and design. The *Extensions Supplementary Planning Document* (SPD4) also notes that poor replacements windows and doors can seriously harm the character and appearance of a house and a Conservation Area.
 13. Although there are variations in front porches and doors, the size, design and colour of the proposed front doors would dominate the appearance of the recessed porch to the detriment of the character and appearance of the host property. Further, the proposed front doors would fail to preserve the contribution made by the host property to the character and appearance of the Conservation Area. Other double doors and wide front openings generally do not have the same visually dominating appearance when compared to this element of the appeal scheme. Where double doors visually dominate they detract from the character and appearance of the host dwelling and the Conservation Area.
 14. The property currently has a mix of different materials for window and door frames and the uPVC openings can be clearly seen because of the proximity of the dwelling to the adjoining roads. Similarly, the uPVC frames of openings at other dwellings are equally noticeable because of the choice of the materials and their contemporary design with clumsy detailing, including deeper reveals, generally heavier sections and mitred joints. These uPVC windows detract from, rather than preserved, the character and appearance of the Conservation Area where timber window and door frames predominate. In the absence of more details about the design of the proposed uPVC windows the same assessment applies to this element of the appeal scheme.
 15. Reference is made by the appellant to planning permissions which have been granted for uPVC windows over an extended period of time which means they may have been assessed against previous policies and guidance. However, the full planning circumstances of these other schemes have not been provided to determine whether they are of direct relevance to the appeal scheme. Indeed, some of the recent descriptions of development refer only to rear windows. Accordingly, these other schemes have been given only limited weight in the determination of this appeal and the proposed rear extension has been assessed on its own circumstances.
 16. There are elements of the appeal scheme which would not cause harm to the character and appearance of the host property and the Conservation Area. However, as has been identified the proposed changes to the fenestration of the property and the front door would cause unacceptable harm which outweigh the lack of harm from these other elements of the appeal scheme. Consideration has been given as to whether a split decision could be issued but the changes to the fenestration are a wider part of the proposed development rather than being a distinct and separate element.
 17. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework identifies that this harm should be weighed against the public benefits of the proposal. In the case of the proposed front door and windows,

the appellant has not identified any public benefits with the only material benefit being to meet the health needs of a current occupier which may change in the future with other people occupying the property.

18. Accordingly, it is concluded that the erection of the proposed development would cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would conflict with Policies 7.4 and 7B of Ealing's Development Management Development Plan Document and Policy D4 of the London Plan (LP). Amongst other matters, these policies refer to the design of extension to buildings meeting the identified design standards and developments being of a high quality of design complementing the details and materials of the surrounding area. LP Policy D3 is more particularly directed at optimising site capacity through a design-led approach rather than being a detailed development management policy for householder proposals.
19. For the reasons given, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR