



Appeal Decision

Site visit made on 12 February by M Long BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 May 2024

Appeal Ref: APP/A5270/D/23/3328140

69 Western Road, Ealing W5 5DT

- 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 Kurt Boyer against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 230929HH.
 - The development proposed is described as 'Loft conversion with dormer face, French doors with juliet railing. Privacy glass used to prevent overlooking to neighbouring gardens. Terrace.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Government published on 19 December 2023 a revised version of the National Planning Policy Framework (the Framework). Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Ealing Town Centre Conservation Area (CA).

Reasons for the Recommendation

5. The CA, in part, derives its significance from historic Victorian and Edwardian housing which share commonalities in terms of materials and architectural details. The appeal property forms part of a terrace designed with a great deal of uniformity, much of which remains. There is also a neighbouring terrace of similar design on this side of Western Road. The rears of these terraces are characterised by rhythmical pairs of outriggers which mostly retain their

- original pitched roof forms. I noted some box dormer extensions to the rear elevations of the terraces. Even so, the terraces have an overriding semblance of scale and design which positively contributes to the setting of the CA and adds to its significance.
6. The Ealing Town Centre Conservation Area Management Plan 2007 confirms amongst other things that roof extensions should be within the existing roof slope, should not exceed the height of the ridge and seeks to maintain the quality of the CA by resisting over-scale roof extensions that are detrimental to the historic environment.
 7. The large size of the closet wing dormer, including its protrusion above the ridge of the outrigger, would dominate and detract from its traditional profile. The substantial glazed terrace screens would also introduce an uncharacteristic contemporary element to the roofscape. Together, these elements would combine to unacceptably detract from the appearance of the host dwelling and the rhythmical pattern of the outriggers to the wider terrace.
 8. While there would be limited public views, the detrimental effects of the proposal would be appreciable from surrounding properties. In any event, I do not consider that limited public visibility obviates the needs to achieve good design. Indeed, paragraph 131 of the Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
 9. My attention has been drawn to an approved extension at No 81 Western Road which includes a roof extension to its outrigger. In that instance, the approved closet wing dormer has a more limited depth than the appeal proposal and does not include a terrace with glazed screens. In any case, this single example does not persuade me that the appeal proposal would complement the defining characteristics of the terrace that it sits within.
 10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of CAs. For the reasons described, the proposal would not preserve or enhance the character or appearance of the CA. This would result in less than substantial harm to its significance. Paragraph 208 of the Framework indicates that this harm should be weighed against the public benefits of the proposal. However, no substantive public benefits have been put forward to outweigh the harm to the CA and I apply great weight to the CAs conservation in line with Paragraph 205 of the Framework.
 11. I conclude, the proposal would not preserve or enhance the character or appearance of the Ealing Town Centre CA. In that regard would be contrary to Policies 7C, 7B and 7.4 of the Ealing Development Management: Development Plan Document (2013) which require that developments within CAs retain and enhance characteristic features, avoid the introduction of design that undermines the significance of the CA, that developments achieve a positive visual impact and complement the scale of existing built areas. There would also be conflict with the requirements of Policies HC1 and D3 of The London Plan (2021) which seek to conserve the significance of heritage assets and respond to the existing character of a place.
 12. The Council mention conflict with Policy D4, which primarily relates to the design process and scrutiny. This Policy is principally strategic in nature and

while it has not been decisive, it does not detract from the conflict with the other policies of the development plan.

Conclusion and Recommendation

13. The proposed development would be contrary to the development plan, when considered as a whole. Based on the above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

M Russell

INSPECTOR