



Appeal Decision

Site visit made on 8 June 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2024

Appeal Ref: APP/A5270/D/24/3337306

16 Gordon Road London W5 2AD

- 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 Tomas Gronager against the decision of London Borough of Ealing.
 - The application Ref: 233662HH dated 8 September 2023 was refused by notice dated 1 November 2023.
 - The development sought to be approved is Single storey side/rear (wraparound) extension; first floor side/rear extension incorporating Juliet balcony; alterations to existing two storey rear extension fenestrations involving installation of french door and balustrades to first floor; replacement of window with door; alterations to side elevation fenestration involving removal of two windows; replacement of window with side door and window; installation of 8 rooflights to side extension roof slope; installation of two rooflights to side roof slope; installation of three sets of rooflight to front roof slope; three sets of rooflights to rear roof slope
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development has changed from that appearing on the application form to that appearing on the decision notice. As this description also appears on the appeal form it presumes this more detailed description is not contested by the appellant. Secondly, although a previous permission (Ref: 222095HH) was reportedly not implemented at the time of the Council's decision, by the date of my site visit this work was substantially complete, incorporating significant elements of the proposal addressed in this appeal. The appeal has been determined on that basis and with main issues accordingly:

Main Issue

3. The main issue is the effect of the proposal:
 - upon the character and appearance of the host dwelling and the Haven Green Conservation Area, and
 - upon neighbouring amenity.

Reasons

Character and appearance

4. The appeal site (No.16) is a large two storey detached house within a group of twelve very similar late nineteenth-century properties on the north side of Gordon Road within the Haven Green Conservation Area (HGCA). These are built in stock bricks with an asymmetrical appearance due to off-set front gables decorated with bargeboards and finials, and have projecting timber entrance

porches. The area is characterised by tree-lined streets and consistency in the use of materials¹, spacious plots containing large detached houses and a consistent building line to the street. A feature of the housing group around the appeal site is, notwithstanding a variety of rear extensions at ground level which are not obtrusive, is a notable consistency in their design and in the depth of original two-storey outriggers which project from rear elevations. This characteristic, which is intervisible from a number of viewpoints at the rear, demonstrates constraint upon any rearward extension of upper storeys of these outriggers and is a positive feature of the urban form within this part of the HGCA.

5. The Council's HGCA character appraisal (2008) (HGCACA) refers to threats to the character of the HGCA arising from a number of sources and pressures, and these include extensions that are disrupting the traditional spatial relationship between buildings².
6. The proposal intends to provide additional accommodation to that achieved under a preceding consent³ by extending the depth of the existing, now widened⁴, outrigger by some 3 metres to correspond to the depth of a single storey extension below, together with alterations to fenestration, and additional rooflights compared to the approved (now implemented) works and other minor changes to the approved development.
7. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA) and it is clear that development proposed in such locations must give a high priority to that objective.
8. The appellant suggests that a 'modest increase in scale of the previously approved extension' is acceptable and correctly asserts that the location of the appeal site within the HGCA does not indicate that the works are unacceptable in principle, pointing to Council guidance. However, whilst in many locations, according to the nature of the works and the disposition and character of the CA, alterations at the rear of non-listed buildings in a conservation area may occur without harm to overall character and appearance, in other cases an assessment may direct that retaining consistency of built form should attract considerable importance where it appears the significance of the Conservation Area is to some degree expressed in the pattern of development. That is the case here for the reasons I have set out, moreover the intervisibility between adjacent plots around the appeal site increases the weight attached to the retention of that consistency, notwithstanding the alterations proposed would not be apparent in the street scene.
9. The proposal would therefore conflict with policies 7C and 7.4 of the Ealing Development Management DPD (2013) which seek that planning decisions should complement existing building pattern and avoid proposals that undermine the significance of heritage assets.

Neighbouring amenity

10. The Council consider that there would be an unacceptable impact upon outlook and access to daylight in garden areas and some habitable rooms of No.14, the

¹ There are some examples of a detractive use of render

² Page 24 of the HGCACA

³ The appellant states as arising from refusal 231392HH which was for a loft conversion

⁴ Permission granted 222095HH

eastward neighbour of the appeal site, due to the northern aspect of these neighbouring gardens and the shading effect of the extension in the afternoon period. The appellant suggests that the Council have failed to take into account the effect of the development previously permitted (and now substantially complete) in this regard and that the significant size of gardens would mitigate the effects of shading/outlook.

11. However, it is plainly apparent that even a 3m northward extension adjacent to a shared boundary is likely to reduce access to sunlight/daylight for neighbouring users on the eastern side in the afternoon period to some, if small, degree. I have nothing before me to explain the extent and degree of that effect, but even if such were demonstrated to be not unacceptable, that would not outweigh the harm I have identified with regard to the first main issue.
12. To conclude: the proposal would cause harm to the significance of a designated heritage asset and this should be given considerable importance and weight. Notwithstanding that the suggested impact upon outlook from, or access to daylight /sunlight for, neighbouring users is potentially negligible as the appellant suggests, my reasoning directs that the conflicts I have identified with the development plan with regard to the first main issue are not outweighed by any other considerations and therefore, taking all matters raised into account, the appeal cannot succeed.

Andrew Boughton

INSPECTOR