



Appeal Decision

Site visit made on 19 August 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2024

Appeal Ref: APP/A5270/D/24/3342085

27 Beaufort Road, Ealing W5 3EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S. Gul against the decision of the Council of the London Borough of Ealing.
 - The application reference is 240379HH.
 - The development proposed is the creation of an additional vehicular crossover to the property at the junction of Beaufort Road and Beaufort Close.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development firstly, on highway safety for users of Beaufort Road and Beaufort Close; and secondly, on the character and appearance of the local area.

Reasons

Highway safety

3. The proposal is a new vehicle crossover to provide an additional access from the road to the appeal property, which is a detached house that occupies a prominent corner plot within a predominantly residential area. The new crossover would extend across part of highway frontage of the site to Beaufort Road as it curves into its junction with Beaufort Close. The existing access for vehicles from Beaufort Road to the hard surfaced area at the side of the main house, which is mainly used for car parking, would remain unchanged, as would the pedestrian access to the front of No 27 from Beaufort Close.
4. The use of the new crossover would result in motorists turning into or out of the site and across the footway directly onto the adjacent road junction and close to a pedestrian crossing that is marked by tactile paving and a dropped kerb. This arrangement would unduly compromise highway safety for footway and road users due to the obvious and significant potential for conflicting pedestrian and vehicle movements.
5. The tactile paving and dropped kerb could be relocated further away from the new access to encourage pedestrians to follow a different route to cross the junction. However, most footway users are likely to take the shortest and most direct route across the junction, which would cut across the new access.

A change to the formal arrangement for pedestrians to cross the road junction is therefore unlikely to be effective in reducing the risk of accidents.

6. I also saw that vehicles turning into and out of residential accesses close to a road junction and a pedestrian crossing point is a notable feature of some properties along Beaufort Road. A number of these existing accesses also rely on vehicles reversing onto or from the highway. I am unaware of the detailed circumstances of these existing arrangements that were far from ideal with regard to highway safety. These examples do not persuade me that the appeal scheme, which would add to highway danger, should therefore be accepted.
7. I note that the safety record of roads close to the site is good with no recorded instances of injuries over the last 21 years. However, it does not necessarily follow that the proposed access should therefore be regarded as safe.
8. On the first main issue, I conclude that the proposed development would cause significant harm to highway safety. As such, it conflicts with Policies T3 and T4 of The London Plan (LP) and Policy 7A of the Ealing Development Management Development Plan Document (DPD). These policies state that development proposals should not, amongst other things, increase road danger. It is also at odds with the National Planning Policy Framework (the Framework), which states that development should provide safe and suitable access for all users.

Character and appearance

9. The site falls within the Hanger Hill (Haymills) Estate Conservation Area (CA), which is predominantly residential in character and includes a range of house types and styles. The Conservation Area Management Plan (the Management Plan) notes that the Estate derives part of its character from enclosed and planned front gardens, with the original frontages mostly defined by a low brick wall and a hedge, and a metal or timber gate.
10. According to the Council, No 27 is identified as a local heritage asset. This designation signifies that the appeal property has visual, architectural or historic merit even though it is not statutorily listed. The Officer's report also notes that the description of this asset includes the following reference:
"Boundary wall intact and plenty of shrub/small tree planting to mitigate effect of hardstanding to front plot".
11. Part of the low-level boundary wall that runs along the back edge of the footway would be removed to accommodate the new access. In doing so, the proposal would reduce the sense of enclosure around one side of the junction. It would also 'open up' part of the site's highway frontage to reveal more of the hard surface area around the front and side of the dwelling to public view. The combined effect would be to diminish the role of the wall as a distinctive feature that contributes to the significance of the CA and the setting of No 27 as heritage assets. According to the appellant, the boundary wall would be reduced by 7%. However, the visual impact would be proportionately greater given that the new access would be a conspicuous feature in the streetscape.
12. I observed that gaps in front boundary walls are a noticeable feature of several properties along Beaufort Road, including No 25 which is situated on the opposite side of the same junction as the appeal property. While these examples form part of the visual character of the local area, they blend into the street scene of which they form part with varying degrees of success. These

cases do not therefore necessarily set a desirable example to follow. While the proposal would broadly mirror the break in the front boundary wall of No 25, it seems to me additional harm cannot be justified on the basis that some harm exists, particularly in an area that is recognised for its heritage value. To my mind, the cases cited and those that I saw tend to highlight the importance of retaining the remaining front boundary walls that remain intact and occupy a prominent position given that they are a finite resource.

13. The Management Plan identifies several threats to the CA, amongst which is the removal of boundary walls. Accordingly, it notes that the removal of front walls, often to provide an additional off street parking space, will be firmly discouraged. This stance does not necessarily mean that all such proposals should therefore be refused since each development should be assessed on its individual planning merits. Having done so, my own conclusion is that by removing a section of the boundary wall to provide the new access, the proposal would be a visually disruptive and unsympathetic intrusion into the streetscape. As such, it would fail to preserve the character and appearance of the CA and diminish its significance as a heritage asset.
14. On the second main issue, I conclude that the proposed development would cause significant harm the character and appearance of the local area. As such, it conflicts with LP Policies D3, D4 and HC1, DPD Policies 7.4, 7B and 7C, and the objectives of the Management Plan. Together, the policies and guidance aim to ensure that development achieves a positive visual impact; complements the street sequence and building pattern; and conserves the significance of heritage assets. There would also be a conflict with the Framework with regard to the protection of designated heritage assets and the statutory duty. This duty requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the CA.

Public benefits

15. The Framework states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Given the modest scale of the proposal relative to the considerable size of the CA, the identified harm would be less than substantial. In those circumstances, the Framework states that the harm should be weighed against the public benefits.
16. The proposal would provide a more accessible, convenient and safer alternative to transfer a family member with specific needs between their home and a vehicle than the current access arrangements. These needs are detailed in the Client Needs Assessment, which I have carefully considered. A dedicated access that offers an entry and exit point and a route that is free from other parked cars is clearly important to the safety, care and well-being of the family member. By providing a more accessible and safer environment within the site for people with specific needs, the proposal could have a wider public benefit in that the property would be better placed to meet the requirements of future occupiers with similar needs. I also note that other possible options within the site have been explored and these are less well suited to meeting the appellant's requirements. While I am sympathetic to these matters, the benefits of providing an extra access, whether it is regarded as a private or a public benefit, do not outweigh the significant harm that I have identified.

Conclusion

17. The proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR