



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: 12 September 2024

Appeal Ref: APP/A5270/W/24/3341836

2 St Dunstons Avenue, Acton W3 6QB

- 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 M Al Sharif against the decision of the Council of the London Borough of Ealing.
 - The application reference is 234005FUL.
 - The development proposed is the subdivision of the site and erection of a part 2-storey, part single storey side extension to form a new 5-bed dwelling house with basement level, front extension, hip to gable roof extensions, and installation of rear dormer window to the existing house.
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Decision

1. The appeal is allowed and planning permission is granted for the subdivision of the site and erection of a part 2-storey, part single storey side extension to form a new 5-bed dwelling house with basement level, front extension, hip to gable roof extensions, and installation of rear dormer window to the existing house at 2 St Dunstons Avenue, Acton W3 6QB in accordance with the terms of the application, Ref 234005FUL, subject to the conditions set out in the schedule of this decision.

Procedural matter

2. While the appellant has described the proposal as in the above heading the plans additionally show new roof lights on the main roof slopes of the existing and proposed dwellings and photo-voltaic (PV) collectors on the flat roofs of the proposed rear dormers. I have assessed the appeal scheme on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a 2-storey, detached dwelling that occupies a triangular shaped plot at the junction of St Dunstons Avenue and Goldsmith Avenue within a predominantly residential area. It stands at the end of a long row of similar dwellings along the same side of St Dunstons Avenue that are broadly consistent in age and style, to which No 2 belongs. On the other side of the site is a footway beyond which is a detached 3-storey apartment block called Goldsmith House. The site, therefore, marks a point where there is a notable transition in the existing built form.

5. The proposal is to alter, extend and subdivide the appeal property to form a semi-detached pair of dwellings, with each in a separate plot. The completed dwellings would be modern in style with clean lines, pronounced rectangular front bays, sizeable rear dormers, large-glazed units, an upper-level terrace and green sedum flat roofs. A detached garage would be demolished and removed to make way for the new built form.
6. The contemporary design would set the completed dwellings apart from the more traditional style of the dwellings that address St Dunstons Avenue. Even so, creating a definitive end stop to these properties would not look out of place given the site's position at the interface of one group of properties with another. The highway frontage to the site, which gently curves to follow the highway, and the relatively open road junction are also features that would allow a strong visual statement to be made. As such, I share the appellant's stance that the site offers an interesting opportunity for a bespoke scheme.
7. From what I saw, the area to which the site belongs, while having a coherent residential character and some general consistency in built form, is also capable of successfully accommodating a variety of dwellings in terms of their design and general appearance. I observed that various external alterations and extensions to the Dunstons Avenue properties have disrupted any strong sense of uniformity or rhythm to these buildings when seen from the road. Consequently, the proposed loss of the curved tiled front bay to No 2, which is a repetitive feature on other properties along Dunstons Avenue, would not be obtrusive in the local street scene.
8. The finished dwellings would be more substantial in-built form than the existing dwelling and their bold design would draw the eye. In doing so, my view is that the appeal scheme would enliven the streetscape by introducing diversity and visual interest. The introduction of rectangular front bays, while clearly different in size, materials and colour to those on Goldsmith House, would still take their architectural cue from this adjacent building.
9. The proposal would also be visible from along the footway that runs along the side of the site. From this vantage point, the 2-storey element of the new dwelling would be set back from the new boundary wall that would step down in height towards the back of the new building. Although closer to the side boundary of the site than the existing dwelling, this arrangement would ensure that the presence of the completed development would not be unduly imposing. While I observed that upper-level front terraces are an unfamiliar feature of other properties along St Dunstons Avenue and Goldsmith Avenue, this aspect of the new dwelling would be modest in size and largely inconspicuous in its front elevation.
10. The Council raises no objection to the front roof lights, hip to gable alterations and in its Statement of case now finds the rear roof extensions to be acceptable. From my inspection of the plans, I have no reason to reach a conclusion on these aspects of the proposal. I also note that the Council has recently granted planning permission for a new dwelling at the side of No 2, which establishes a sizeable footprint and built form on this part of the site.
11. Taking all these points together, I conclude on the main issue that the proposed development would not cause significant harm to the character and appearance of the host building and the local area. Accordingly, there is no conflict with Policies D3, D4 and D6 of The London Plan or Policies 7.4 and 7B

of the Ealing Development Management Development Plan Document. These policies generally aim to ensure that development in built areas compliments their street sequence and building pattern; achieves high quality design and has a positive visual impact. It also complies with the policies of the National Planning Policy Framework, which state that development should be sympathetic to local character and add to the overall quality of the area.

Other matters

12. The Council raises no objection to the parking provision to serve the new dwellings or to the effect of the proposal on on-street parking. From the submitted evidence, I have no reason to reach a different conclusion on these matters. Users of the adjacent footway could generate some noise from activities given that the corridor between buildings could amplify the sound from people talking loudly. However, I doubt that the potential disturbance to existing and future occupiers would be significantly greater than might occur from passers-by at present.
13. Once in place, the appeal scheme would partially obstruct some public views of the mural on the flank wall of Goldsmith House. There would, however, still be ample opportunity to experience and appreciate this visual feature from the footway that runs between the site and Goldsmith House. Given the separation distance between the new development and Goldsmith House, I am not convinced that the proposal would cause a significant loss of natural light to the existing flats of this nearby building.

Conditions

14. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the completed development, a condition is imposed to require that the materials used reflect those specified on the application forms and the drawings. To safeguard the living conditions of the occupiers of nearby buildings, conditions are imposed to prevent the use of the flat roof as a terrace or a roof garden. For the same reason, a condition requiring the approval of and compliance with a Demolition and Construction Method Statement is necessary.
15. To safeguard future residents from noise, a condition is imposed to require an assessment of sound and appropriate mitigation, if necessary, prior to occupation of the completed development. A condition requiring the provision and retention of cycle and refuse storage is necessary to ensure that these facilities are available to future occupiers. A condition is also imposed to require a Basement Impact Assessment and Sustainable Drainage Strategy to ensure that the development is properly drained and does not increase the risk of flooding. Where appropriate, I have amended the Council's suggested conditions for precision and clarity, and to more closely reflect national policy.

Conclusion

16. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

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2 St Dunstons Avenue, Acton W3 6QB

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 546-A01, 546-A30, 546-A31, 546-A32 and the Location Plan, which shows the site edged red.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described on the planning application forms and the approved plans.
- 4) The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of a further specific permission from the local planning authority.
- 5) No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include details of a) noise and vibration mitigation measures and monitoring arrangements for noise and vibration by a suitably qualified noise specialist. The noise and vibration mitigation measures must comply with Approved CoP BS 5228-1 and -2:2009+A1:2014; b) measures to control the emission of dust and dirt during demolition and construction; c) external lighting; d) delivery locations; e) demolition and construction working hours; f) notifications/liaison with interested parties and neighbours; and g) public display of contact details including accessible phone numbers for persons responsible for the site works for the duration of the works in case of emergencies or complaints. The approved Statement shall be adhered to throughout the demolition and construction periods for the development.
- 6) Prior to first occupation of the development hereby permitted, a scheme for the sound insulation of the building envelope shall have been installed in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The scheme shall have regard to the standards in the Council's Supplementary Planning Guidance 10 and the noise limits specified in BS8233:2014. The approved scheme shall be permanently retained thereafter.
- 7) Prior to first occupation of the development hereby permitted, the cycle parking and refuse and recycling storage facilities shall be provided in accordance with the approved plans and permanently retained thereafter.
- 8) No development below ground level shall commence until a Basement Impact Assessment and Sustainable Drainage Strategy have been submitted to and approved in writing by the local planning authority. The Basement Impact Assessment shall include evidence to demonstrate that the development will not increase the potential for land instability or groundwater flooding to the site or the surrounding area. The Sustainable Drainage Strategy shall demonstrate a reduction of flood risk at the site and include a drainage proforma form, a detailed drainage design and a maintenance plan. The approved measures shall be incorporated and completed before the basement hereby permitted is first occupied or used and shall be permanently retained thereafter.