



Appeal Decision

Site visit made on 27 November 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/A5270/W/24/3349409

17 Highfield Road, Acton, Ealing, W3 0AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Waleed Mohammed against the Council of the London Borough of Ealing.
 - The application Ref is 233844HH.
 - The development proposed is described as "amended application for the erection of front gates and boundary wall."
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Decision

1. The appeal is allowed and planning permission is granted for the erection of front gates and boundary wall at 17 Highfield Road, Acton, Ealing, W3 0AJ in accordance with the terms of the application, Ref 233844HH, subject to the following condition;
 - 1) The development hereby permitted shall be carried out in accordance with the following plans: Site Location Plan and Existing Elevations and Floor Plans drawing no.497-EXT-92

Preliminary Matters

2. The development has been subject to an enforcement notice and related appeal decision¹. Whilst the appeal was dismissed, it did not consider the planning merits of the case and related only to whether the matters alleged in the notice constituted a breach of planning control.

Main Issue

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

Reasons

4. The appeal building is one half of a pair of semi-detached, single storey dwellings which are typical of the area. It is made up of evenly spaced pairs of buildings and short terraces, set behind front gardens/driveways, with grassed verges and street trees. Whilst some of the frontages of the dwellings are open, most have enclosing boundary features. These include hedgerows, walls and fences that vary in their height. Walls and fences vary in respect of their design and materials.

¹ APP/A5270/C/21/3291618

5. The development is to regularise the construction of a boundary wall and gates to the front of No 17 Highfield Road. Submitted drawings detail that, prior to the construction of the wall and gate, the frontage of No 17 was bound by a tall hedgerow. The wall is intended to be of a similar height to the hedgerow and is finished in white render (to match the host dwelling), metal railings and trellis with artificial greenery.
6. The development includes rendered walls, which are not currently a feature of the area. However the wide range of materials used in boundary treatments, and the fact that dwellings in the area use render in their finish, mean that the materials used would not appear as an incongruous addition to the street scene.
7. The development would be taller than most walls along Highfield Road, however hedgerows and fences are a similar height. The use of metal railings is notable in the area, and its use along with the trellis and artificial greenery breaks up the rendered wall and contributes a degree of softness to the street scene. The use of metal railings and greenery echo the railings and hedgerows in the immediate area, ensuring that the proposal would not appear dominant in views along Highfield Road.
8. For the above reasons, the proposal would not have a harmful effect on the character and appearance of the area and would thus comply with Policy 7.4 of the Ealing Development Management Development Plan Document (2013), Policies D3 and D4 of the London Plan 2021 (LP) and the guidance contained within the Ealing Housing Design Guidance (2022). Together and amongst other things, these broadly seek good design, and development that responds positively to local distinctiveness and that complements and has a positive visual impact on its surroundings. The proposal would also comply with the National Planning Policy Framework (the Framework) insofar as it requires well-designed places and development that is sympathetic to local character and that adds to the overall quality of the area.

Conditions

9. The Council has provided a list of conditions. Two conditions relating to the development being in accordance with plans have been suggested. In the interest of certainty one condition is necessary specifying the approved plans.
10. The Council have requested a condition relating to visibility splays. Highfield Road is a straight road with wide pavements. A wide gate provides both vehicular and pedestrian access to No 17. During my site visit I noted that there was good visibility along Highfield Road and its pavement when exiting the driveway. Pedestrians approaching would also have good visibility of any vehicles entering and existing No 17. I therefore do not consider it necessary to attach this condition.

Conclusion

11. For the reasons given above the appeal should be allowed.

Tamsin Law

INSPECTOR