

Appeal Decision

Site visit made on 12 November 2024

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Reference: APP/A5270/W/24/3344256
259 Acton Lane, Ealing, Chiswick W4 5DG

- 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 Ocarina Management Limited against the decision of Ealing Council.
 - The application Reference is 233763FUL.
 - The development proposed is described in the application form as follows: “create a duplex 'Mews Style' dwellinghouse with associated amenity space and refuse and cycle stores (resubmission)”.
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Decision

1. The appeal is dismissed.

Preliminary points

2. In the banner heading above, the identification of the applicant is taken from the appeal form, since the application form itself lacks clarity, even though the application as a whole identifies the applicant.
3. The ‘National Planning Policy Framework’ was revised in December 2024 and the main Parties have had an opportunity to comment on the new version. In this appeal, I have had regard to the most recent version, of course.

Main issues

4. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or overshadowing).

Reasons

5. The appeal site is located in a closely built-up part of London, where Victorian terraces are interspersed with more modern developments, including blocks of flats. Acton Lane is a busy through route, but the highway does not overly dominate the townscape. The Acton Lane frontage includes some retail and commercial premises but much of the highway is primarily residential in character.

6. The building at number 259 Acton Lane is sited at the end of a terrace of buildings fronting Acton Lane, standing at the corner of Clovelly Road, where it has a side elevation on the return frontage. The original building has undergone various changes during its history, and it has now been converted to create independent flats.
7. One of the new flats is located at the rear of the plot, on the ground floor, with an entrance door from Clovelly Road. It occupies the whole of the rear section of the site, with no private garden space, but it provides an attractive, newly completed, residential unit.
8. It is now proposed to add an additional floor above this existing ground floor flat, substantially remodelling the existing floor plan, to create a more spacious two-storey, two-bedroom flat on the rear part of number 259 Acton Lane, with a small balcony on the first floor.
9. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history (while not preventing or discouraging appropriate innovation or change).
10. It is also recognised that appropriate change may include increased densities and the need to increase housing provision is emphasised. At the same time, of course, the aim of achieving good design standards includes both protecting existing amenities and providing good standards of accommodation in new residential development.
11. Policies in the Development Plan also share these basic principles.
12. In particular, Policy D4 of 'The London Plan' (dated March 2021) is particularly aimed at "delivering good design", while Policy D6 focusses on housing quality and standards.
13. Policy 3.8 of Ealing's 'Development Strategy 2026 Development Plan Document' (adopted in April 2012), and Policies 7.4 and 7B of Ealing's 'Development Management Development Plan Document' (adopted in December 2013) also deal with design considerations and promote good design.
14. The southern frontage of Clovelly Road is occupied by a terrace of two-storey Victorian houses, with a gap in the two-storey frontage close to the junction with Acton Lane, where the corner property has its main frontage to the latter. This creates a more open character, where the built-up frontage is occupied by only a single-storey building, reflecting the urban structure at the junction.
15. The proposed two-storey extension to the existing building at 259 Acton Lane would close up this gap, taking away the open character of the corner and altering the streetscene. It would be out of scale and out of character with the host building at 259 Acton Lane, eroding the significance of the principal frontage and the historic qualities of the streetscene. I am convinced that this would harm the character and appearance of the locality, contrary to planning policies that are aimed at encouraging good urban design.

16. The two-storey structure would also be dominant in relation to its immediate neighbours, in particular number 257 Acton Lane. The rear part of that property is closed off and was not available for inspection at the time of the site visit. Nevertheless, I accept from my view of the surroundings and from the representations that have been made in the appeal, that this private area would be overly dominated by the new structure, because of its close proximity to its neighbour and its height. The proposed development would generate a strong sense of enclosure, and it would have an unacceptably overbearing effect, even bearing in mind the densely built-up urban nature of the surroundings.
17. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed development would make a useful addition to the existing flat. Moreover, I am conscious of the pressures to increase provision of housing accommodation generally.
18. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the surroundings, together with the overly dominant and intrusive impact on its immediate neighbour, outweigh the benefits of the project. Hence, I have concluded that, for both these reasons, the scheme before me would conflict with those national and local planning policies that I have referred to (and thus with the Development Plan as a whole).
19. I have formed the opinion that the proposed development ought not to be allowed, therefore, and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR