



Appeal Decision

Site visit made on 28 February 2025

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26th March 2025

Appeal Ref: APP/A5270/D/24/3353315

67 The Park, Ealing W5 5NP

- 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 David Hawkins against the decision of the London Borough of Ealing Council.
 - The application Ref is 240475HH.
 - The development proposed is the formation of vehicle crossover to St Mary's Road, part demolition of boundary wall, to form access; installation of vehicle turntable and landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted the formation of vehicle crossover to St Mary's Road, part demolition of boundary wall, to form access; installation of vehicle turntable and landscaping works at 67 The Park, Ealing W5 5NP, in accordance with the terms of the application Ref 240475HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100 Rev 03 and 301 Rev 03.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing structure.
 - 4) The dropped kerb in the development hereby permitted shall have a width of 2.4 metres, visibility splays of 1.5 by 1.5 metres, and be free of obstructions higher than 0.6 metres within the visibility splays.
 - 5) The rating noise level emitted from the turntable hereby approved, as assessed under BS4142:2014, shall be lower than the existing background noise level by at least 5dBA, as measured at 3.5 metres from the nearest sensitive façade and 1 metre from upper floor noise sensitive facades, during periods of operation.

Procedural Matters

2. Subsequent to the Council's decision, the Government has published an updated National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

3. The description of development varies between documents submitted, I have therefore used that from the decision notice, as this is a full and accurate description of the proposal that has also been used by the appellant for their statement.

Main Issues

4. The main issues are the effect of the proposal on:
 - The character and appearance of the appeal dwelling and that of the local area, with reference to the Ealing Green Conservation Area; and
 - Parking standards.

Reasons

Character and Appearance

5. The appeal site forms part of a recent housing development and is occupied by a 3 bedroom 3 storey house with a relatively large wraparound garden. The boundary of the appeal site with St Mary's Road, is defined by a substantial historic brick wall with gate piers and timber gate that predates the house itself.
6. The appeal site sits within 1 of 3 defined character areas of the CA, which the Ealing Green Conservation Character Area Character Appraisal (the CACA) define as being very varied in character that has developed gradually with buildings arranged according to an informal layout, following the line of streets and property boundaries.
7. In line with the duty imposed on me by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
8. Section 5.2 of the Ealing Green Conservation Area Management Plan (2008) (the CAMP) states that the removal of existing traditional boundaries will be resisted and that proposals to replace or develop boundaries will be appropriate in their materials and of high quality design that is compatible with the historic character of the CA. The CAMP forms part of the CACA in defining in detail the significance of the CA and its various elements that contribute to this. I find from observations on my site visit that the substantial boundary wall to the St Marys Road frontage, due to its age, layout, materials and architectural detailing, contributes to the significance of the CA.
9. The proposal would remove a section of the boundary wall on the appeal site on St Mary Road to create a wide inset gated vehicle and pedestrian entry to the site with matching brick visibility splays. On the site boundary, on either side of the proposed entrance and either side of the proposed gates, the design would replicate the design of an existing wall pier. This existing pier would need to be removed to create the proposed opening in the boundary wall existing wall. The proposed gate piers and the walls of the visibility splay would be constructed in brick to match existing. The proposed gate would be an electronic sliding timber gate that would match the height of the existing and proposed walls and would reflect the materials of the existing and retained gateway near to the junction with The Park. However, the proposed gateway, as a whole, would be of a simpler

design, with a secondary and subservient appearance compared to the original gateway

10. Although the proposal does not remove all of the existing historic boundary wall, it would require the removal of a substantial section of it. The proposal would, however, replicate the detail, materials and architectural expression of the original, albeit with an inset gate and visibility splays. This would retain the substantial visual weight of the existing wall and would result in a similar quality of boundary between the appeal site and the highway. The proposal would have a limited presence in street views, where the replicated piers and walls in matching brick and timber gate would blend with the remaining original wall and existing gateway in the wall. As such, the proposal would reflect and accord with the existing character and appearance of the boundary wall on the appeal site, and would preserve the significance of the CA and would accord with the aims and objectives of the CAMP accordingly

Parking Standards

11. The proposal would result in the appeal dwelling having 2 dedicated parking spaces. One in the communal parking area and the proposed space on the appeal site. Whilst this would exceed the standard of up to 1 space per dwelling set out in Policy T6.1 and Table 10.3 of the London Plan (the LP) for new residential developments with 3+ bedroom in Outer London with a PTAL of 2-3, the proposal relates to an existing, albeit relatively recent development. As such, the Policy may be given weight in decision making on parking for existing residential development, in so far as it informs, relates to, and is material to the aims and objectives of the LP with regards to car use in London. Given that the proposal relates to a single additional parking space for an existing dwelling, I have afforded this policy only limited weight in my considerations.
12. As part of their appeal statement the appellant has set out their argument that the proposal would better meet their family needs. The appellant has not, however, provided me with specific information that would lead me to conclude that the proposal would be the only way in which their specific needs could be met. The direct benefits of the additional parking proposed that the appellant has identified would primarily be of a private nature.
13. The Council have, however, identified a potential fall-back position for the appellant in the future, which would be the potential dedication of an existing on street parking space for blue badge holding residents only. An additional parking space on the appeal site would mean that this potential fall-back would not be required.
14. From my site visit, at midday on a weekday, it was evident that on street parking, in the controlled parking area within which the appeal dwelling is located, is in high demand. The potential dedication of an existing on street parking space for a single blue badge permit holder would, therefore, be harmful to local on street parking provision, as it would limit the use of that space for others. The proposal would, however, not result in a need for the fall-back and this potential outcome. Given that this is only a potential benefit, I have given this only limited weight in my considerations
15. I find that the additional parking space on the appeal site would not accord with the aims and objectives of the LP with regard to parking provision and car use.

However, the very limited harm that would result in this regard, would be matched by the harm to the existing on street parking provision that would result from the potential fall-back of a blue badge on street space, which the proposal would make unnecessary. For this reason, I find that, on balance, the proposal would not result in any significant harm to parking standards. Lack of harm in this instance is a neutral factor in my considerations.

Other Matters

16. Concerns have been raised by other parties regarding highway safety. I am satisfied that the proposed turntable, inset gateway and extensive visibility splays would allow vehicles to access or leave the appeal site in a forward direction with good visibility, and without resulting in any significant delay or concomitant harm to highway safety, including pedestrians using the adjacent footway to vehicles using St. Mary's Road.
17. Concerns have been raised with regard to the removal of mature trees on the site, although this appears to have been carried out with the required approvals having been obtained. The proposal, however, does not appear to require the removal of any further trees.
18. For these reasons. I find that the proposal would not result in any significant harm to parking provision, the character and appearance of the appeal site or that of the local area, and would preserve the character and appearance of the CA. Consequently, the proposal would accord with Policy 1.1 of the Ealing Development Strategy 2026 DPD (2012) and Policies 7.4, 7b and 7c of the Ealing Development Management DPD 2026 (2013), Policies D3, HC1 and Policy T6.1 of the LP and Sections 9, 12 and 16 of the Framework. Collectively these seek development that is of high design quality, sympathetic to local character, preserving or enhancing the character and appearance of conservation areas and promotes sustainable transport.

Conditions

19. I have had regard to the conditions suggested by the council should I be minded to allow the appeal and, in the interest of public safety, I have attached the suggested condition regarding kerbs and splays. In the interests of protecting the public and local residents from noise pollution, I have attached the suggested condition regarding the operation of the turntable and noise levels.
20. Along with the standard condition relating to the timing of implementation, I have attached conditions to ensure design quality that require compliance with the approved drawings and materials that match existing.

Conclusion

21. For the reasons given, and with regard to all other matters raised, the appeal is allowed.

Victor Callister

INSPECTOR