



Appeal Decision

Site visit made on 9 September 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal Ref: APP/A5270/W/25/3366638

28 Princes Gardens, Acton, Ealing W3 0LG

- 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 Ms Mahya Fatemi against the Council of the London Borough of Ealing.
 - The application Ref is 251071HH.
 - The development proposed is front porch and single storey infill extension to dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development would affect the character of a conservation area and under the terms of Regulation 5A of The Planning (Listed Building and Conservation Area) Regulations 1990 there is a requirement that the application is advertised in the local press. The Council stated on Part 2 of its appeal questionnaire that it did not give publicity to the application. However, this was entered in error, and confirmation was subsequently provided that the development was advertised in the local press, and a notice was put up at the site.
3. The Council have provided no written representation within the relevant time limits. Notwithstanding this, there is sufficient information before me to enable a decision to be made based on the merits of the case.

Main Issue

4. As detailed above the Council has provided no written representation in respect of the proposed development. I have therefore defined the main issue based on the submitted evidence and my site visit, as follows:
 - the effect of the proposed development on the character or appearance of the Hanger Hill Garden Estate Conservation Area (CA).

Reasons

5. The application site is located in a primarily residential area. The significance of the CA is defined in part by the quality and uniformity of the well preserved, mock-Tudor architecture. The appeal property 28 Princes Garden (No.28) is part of a two-storey terrace of four dwellings.
6. The terrace includes attractive features including a brick and half-timbered painted façade and recessed front entrance porches. To the rear the properties have paired single storey outriggers and outbuildings. As such, the appeal building is

part of a well preserved example of a traditional terrace, which is also in a prominent position within the CA on Princes Gardens, a leafy landscaped street. Considering this it makes a positive contribution to the significance of the CA.

7. The proposal is for the erection of a porch extension on the front elevation. The extension would enclose the existing recessed porch; the lower walls would be constructed from brick to match the existing dwelling and timber framed French doors and sidelights are proposed. To the rear a single storey, flat roofed, infill extension is proposed that would extend across the rear elevation from the existing outrigger up to the side boundary of the property.
8. It is acknowledged that the appellant has given consideration to minimising the impact and prominence of the developments through their design, colour, size and position. However, external alterations and extensions are not a typical feature in the area, where the majority of dwellings have not been extended. The proposed developments would read as modern and incongruous elements within the terrace which would detract from its traditional appearance and the architectural quality of the building and the overall character of the area.
9. There are examples of dwellings with similar extensions within the wider area. However, there is no evidence before me to demonstrate that all of these developments benefit from planning permission. Further, as detailed above, the host property is part of a well preserved terrace, and the proposal would erode its uniformity.
10. As such, the proposal would harm the character, appearance and significance of the CA as a whole. Paragraph 214 of the Framework explains that where, as I find in this case, the harm to the significance of the CA would be less than substantial, that harm should be weighed against the public benefits. The proposal would provide improved living conditions for the appellant and any occupants of the dwelling and may also improve its thermal efficiency. There would also be economic benefits during construction. I thus give only limited weight to the identified public benefits which would not be sufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
11. For the reasons detailed above the proposed development would have a harmful effect on character or appearance of the CA. As such, it would conflict with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework which, among other things, seeks to conserve and enhance the historic environment.

Other Matters

12. My attention has been drawn to a large number of examples of both authorised and unauthorised developments for front and rear extensions within the wider area. Full details of the planning permissions have not been provided. As such, I cannot be certain that the circumstances in these examples reflect the scheme before me.
13. Further, none of the examples are within the immediate area of the host property; which as detailed above is part of a terrace where none of the dwellings have enclosed recessed porches. While I do not have full details of the background to all of these examples, some of them serve to confirm the harm that alterations of inappropriate design and materials can have. Therefore, they do not justify

allowing further harm to be caused. I have in any event determined the appeal on its own individual planning merits.

14. Age is an identified protected characteristic under the terms of the Public Sector Equality Duty (PSED) set out in s149 of the Equality Act 2010 and I have a duty to have due regard to protected characteristics with the aim of avoiding discrimination and to proactively seek equality.
15. Based on the submitted information the proposed development would improve the living conditions for the elderly occupants of the dwelling. This is a material in my assessment of the appeal. However, I am not certain that the proposed development is not the only means to improve the living conditions of the occupants of the dwelling and in light of this I afford it only limited weight. Which is insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.

Conclusion

16. For the reasons given above the appeal should be dismissed.

C Livingstone

INSPECTOR