
Appeal Decision

Site visit made on 18 October 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th November 2016

Appeal Ref: APP/F5540/D/16/3155267
15 Staveley Road, London W4 3HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Saint-Leger against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01069/15/P4, dated 6 March 2016, was refused by notice dated 15 June 2016.
 - The development proposed is creation of pavement access to enable off-street parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Chiswick House Conservation Area.

Reasons

3. The appeal relates to a property within a suburban street of inter-war semi-detached houses, mostly of a similar design with hipped tiled roofs and rendered walls, and double-height front bays with gables above. The houses have modest front gardens, often set behind low boundary walls of varying sorts, and some provide vehicular access to a car parking space or garage. The front gardens face onto a quite wide paved footpath and there is a tree-lined grass verge beyond that, punctuated by the occasional pedestrian or vehicular crossing.
 4. The proposal seeks a crossing over the verge and pavement to access a single car parking space. This space would occupy a present lawned area and around two thirds the width of the original front boundary and garden would remain, retaining the existing footpath and some garden planting. The Council's single reason for refusal relates to the loss of part of the grassed verge and front boundary wall, and to part of the front garden providing the parking space, failing to preserve or enhance the character and appearance of the Chiswick House Conservation Area within which this dwelling is situated.
 5. The significance of the Chiswick House Conservation Area relates principally to the architectural and historic interest of the grade I listed Chiswick House and its landscaped grounds. Whilst the significance of the surrounding parts are secondary to this, and were included to protect views into and from out of Chiswick House, they nonetheless comprise areas of attractive and spacious
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suburban housing. The lines of trees within the grass verges and the mature front gardens behind low walls contribute to the attractive suburban character of this area. The quite verdant character this provides contributes generally to the high quality of the built environment as befits the surroundings to the centrepiece of Chiswick House.

6. The Council refused permission for a similar crossover with vehicular parking at the neighbouring house at No 13 in 2006. The appellant has provided details, however, of a more recent permission in 2013 to refurbish No 27 which involved the provision of a crossover to access a drive, to which the Council raised no concerns. There is no evidence over when the other existing crossovers and front garden parking spaces in this area were installed. The Council's view is that a majority of these predate the designation of the Conservation Area in 1977 and do not benefit from planning permission.
7. As with the decision over the proposal at No 13, the Council has in this case cited the lack of need for this front garden parking due to that available at the back of the house. However, I accept that the existing garage in the rear garden of No 15 is too small to accommodate the larger modern car and the access to reach this is awkward to negotiate.
8. There is on-street parking stress in this area and so the desire for more secure, off-street parking is quite understandable. The appellant would be able to exercise permitted development rights to remove the front boundary wall and hard-surface the front garden but instead wishes to provide accessible off-street parking for one car in a manner that seeks to be reasonably sensitive to the character and appearance of the property, by retaining a good proportion of the garden and front boundary.
9. However, the Character Appraisal for this Conservation Area does note that the original garages of the houses here are often too small for current parking standards and seeks to resist the consequential pressures for further on-site parking. This pressure results in the 'loss of potential front garden greenery and conflict with well-being of street trees which, along with the loss of grass verges, erodes the strong association of the street scene to Chiswick House and Gardens'.
10. Although not of the same style or materials, the front boundary walls to the appeal property and those along this stretch of the road do add to the attractive suburban character of these houses. The addition of a further access to the ones that currently punctuate the grass verges along this street would not serve to preserve the character and appearance of the Conservation Area. Whilst the loss of garden and front boundary has been minimised in this proposal, if allowed, this would strengthen a precedent for further such proposals, which would result in cumulative harm.
11. The proposal would fail to preserve or enhance the character or appearance of the Conservation Area. It would consequently conflict with the aims of Hounslow Local Plan (LP) Policies CC1, CC2 and CC4, which seek to ensure all new development conserves and takes opportunities to enhance conservation areas and promotes high quality urban design. This scheme would also fail to satisfy LP Policy SC7, which requires residential improvements, including driveways, to maintain the character of the area and Policy EC2, in respect of managing car parking and improving the public realm. The proposal would run counter to the supporting advice in the Council's Residential Extension

Guidelines, regarding development in conservation areas, where the loss of garden walls and areas reduces amenity value.

12. I have applied the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Considerable importance and weight has been given to the harm found to the character and appearance of the Chiswick House Conservation Area with the presumption that preservation is desirable.
13. However, the harm caused by this individual proposal to the Chiswick House Conservation Area would be less than substantial. Where this is the case paragraph 134 of the National Planning Policy Framework requires that this harm be weighed against the public benefits. Whilst appreciating the private advantages of this proposal, there would be no wider public benefit to weigh against the harm found.
14. I have given some weight to the precedent at No 27, and to what might be carried out through permitted development rights, but this would be insufficient to support what is proposed.

Conclusion

15. For the reasons given, having taken into account all other matters raised, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR