

Appeal Decision

Site visit made on 7 June 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 20 June 2017

Appeal Ref: APP/F5540/D/17/3170247

62 Park Road, Chiswick, London W4 3HH

- 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 Thomas Menjou against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01255/62/P8, dated 22 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is to demolish the side extension for a double storey side extension, a first floor rear extension, a basement extension and an extension to the existing loft conversion with an additional dormer and roof lights.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council requested that I viewed the proposed development from 2 Chesterfield Road. However, I was unable to gain access to this neighbouring property but I am satisfied that I was able to see the matters raised by the parties from the appeal property.

Main Issues

3. It is considered that the main issues are (a) whether the proposed development would preserve or enhance the character or appearance of the Chiswick House Conservation Area; (b) the effect of the proposed development on the living conditions of the occupiers of 2 Chesterfield Road and (c) the potential flood risk for the occupiers of the appeal property.

Reasons

Character and Appearance

4. The appeal property is a 2-storey detached dwelling with accommodation within the roof located at the junction of Park Road and Chesterfield Road. The property has already been altered by single storey side and rear additions and an addition to the roof. The property is situated within the Chiswick House Conservation Area where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the
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area. Policy CC4 of the London Borough of Hounslow Local Plan (LP) echoes this statutory duty.

5. The reason why the Conservation Area was designated has not been provided. However, based upon the site visit, the Conservation Area principally comprises Chiswick House, which is situated within extensive landscaped grounds, and residential roads. Adjacent to the property there are examples of mainly Victorian and Edwardian semi-detached dwellings. The street trees, verges, front gardens and gaps between properties, including at road junctions, positively contribute to the overall spacious and verdant appearance of the streetscenes within the Conservation Area.
6. The proposed development includes several elements. The erection of the proposed basement below the existing single storey rear addition would not have a detrimental effect on the character and appearance of the Conservation Area. The 2-storey side extension would not be set back from the front elevation of the host property as sought in the Council's Supplementary Planning Guidance: *Residential Extension Guidelines* (REG). However, the REG can only be guidance because it cannot address all the circumstances associated with alterations to a dwelling.
7. In this case, the lack of a set back from the property's existing front elevation is off-set by the proposed side extension's flank wall being sited away from the shared boundary with 64 Park Road. There would be an improvement when compared to the existing relationship between the current addition and No. 64 where no gap currently exists. Further, the alterations to the roof above the proposed side extension, which would result in the removal of the existing awkwardly designed dormer, would represent an improvement to the appearance of the property within the streetscene along Park Road.
8. However, the erection of the first floor extension, together with the associated alterations to the roof, would result in a bulky addition to the property. This element of the appeal scheme would erode the gap at first floor level between the existing property and 2 Chesterfield Road. This gap currently contributes positively to the spacious character of the Conservation Area associated with dwellings at junctions where there is generally an open gap between neighbouring properties. From Chesterfield Road the extended property would appear cramped because of the lack of gap between these neighbouring dwellings. The design of this element of the appeal scheme and the use of matching materials would not overcome the harm which has been identified because of the prominence of the property at this junction.
9. There are some elements of the appeal scheme which could be acceptable but this is a case where they are demonstrably and significantly outweighed by the unacceptable harm caused by the scale and siting of the proposed first floor extension and associated alterations to the roof, particularly when viewed from Chesterfield Road. Although the proposed development would cause less than substantial harm to the significance of the Conservation Area, this matter is not outweighed by any public benefits of the appeal scheme.
10. Accordingly, it is concluded that the proposed development would fail to preserve the character and appearance of the Chiswick House Conservation Area and, as such, it would conflict with LP Policies CC1, CC2, CC4 and SC7.

Amongst other matters these policies require development to conserve and take opportunities to enhance the special qualities and heritage of an area. Further, extensions should maintain the character of the area and the general streetscene. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design.

Living Conditions

11. From what could be observed during the site visit, the window within the side elevation of No. 2 is a secondary opening which serves a kitchen/dining area. The principal windows for this room face northwards towards the rear garden. The outlook from the secondary window is currently towards a boundary wall and the single storey rear addition to the appeal property.
12. The proposed first floor rear extension would increase the sense of enclosure for the occupiers of No. 2 because their outlook would be towards a 2-storey wall. Further, there would be some degree of reduction in levels of sunlight and daylight reaching this opening because of the increase in height and bulk of the appeal property. However, this is only a modest sized secondary window rather than the primary openings for the room and, accordingly, the degree of harm caused to the occupiers of No. 2 would only be limited and their living conditions would not be materially changed.
13. On this issue, it is concluded that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 2 Chesterfield Road and, as such, it would not conflict with LP Policies SC7 and C2 and the REG. Amongst other matters these policies require extensions not to result in harm to the amenity of neighbouring residents and this is consistent with the Framework's core principle of a good standard of amenity for all existing and future occupants of land and buildings.

Flood Risk

14. The property is located within Flood Zone 3 and the appellant submitted the Environment Agency's (EA) form for Householder and Other Minor Extensions in Flood Zones 2 and 3. The completed form and supporting evidence, including details of flood proofing/resilience techniques, together comprise a Flood Risk Assessment. The appellant claims that the flood proofing/resilience techniques could be the subject of a condition requiring such details to be provided before the commencement of development.
15. However, the proposed development includes a basement intended as accommodation to be used by the occupiers of the property for domestic purposes. The EA's form specifically refers to the potential for rapid risk of inundation by floodwater meaning that basement extensions should be avoided in areas at risk of flooding. The concerns of the Council that there is currently insufficient information to determine whether the appeal scheme would result in an unacceptable risk of flooding for the occupiers of the property are, therefore, well founded. For these reasons, it is concluded that the proposed development would amount to an unacceptable flood risk for the occupiers of the appeal property and, as such, it would conflict with LP Policy EQ3 concerning reducing flood risk and provision of flood resilience and resistance measures.

Conclusion

16. Although the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 2 Chesterfield Road, this matter is significantly and demonstrably outweighed by its failure to preserve the character and appearance of the Chiswick House Conservation Area and the unacceptable flood risk for the occupiers of the appeal property. Accordingly, and taking into account all other matters, including the comments of third parties about drainage and construction of the proposed development, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR