



Appeal Decision

Site visit made on 9 July 2019 by Ifeanyi Chukwujekwu BSc MSc PIEMA RTPI (Assoc)

Decision by Mr A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/F5540/D/19/3231153

3 Burlington Road, London, W4 4BQ

- 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 Mrs Angela Rea against the decision of Council of the London Borough of Hounslow.
 - The application Ref 00177/3/P4, dated 28 January 2019, was refused by notice dated 26 March 2019.
 - The development described on the application form is as follows: 1. Proposed replacement of the existing to 0.9m timber board fencing "top up" to existing brickwork wall with like for like new 0.9m high timber board fencing. Existing total fencing height was approximately 2.350m and proposed height is to match the existing (approximately 2.350m). 2. Proposed erection of 4.8m high acoustic timber fencing fixed to steel posts.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. Development has already been carried out. The main issues are as follows: (1) Whether or not the development preserves or enhances the character or appearance of the Wellesley Road Conservation Area (the 'CA'), and (2) the effect of the development upon the living conditions of occupants of no. 1 and 5 Burlington Road, and no. 4 Marlborough Road, having particular regard to sense of enclosure and light.

Reasons for the Recommendation – *Character and appearance*

4. No. 3 is a detached two-storey house with a side garage. It is located on the eastern side of Burlington Road. Though intensively urbanised, the character of the CA is, in part, derived from mainly 19th Century Victorian residential properties with spacious gardens. These are enclosed by a mix of boundary treatments, including tall timber fences, brick walls and hedges. Nonetheless, the height of boundary treatments is, generally, domestic in scale and probably below 2 metres, which is in keeping with guidance within London Borough of Hounslow's Residential Alterations Guidance, Supplementary Planning Document (December 2017) (the 'SPD'). These make the area cohesive and contribute to the quality environment.
5. The boundary treatment at no. 3 is all much taller compared to other means of enclosures and appear in excess of 2 m. The appellant maintains that the appeal

property included similar boundary treatments. However, the appeal boundary treatment is tall and of a scale that harms the external appearance of the host property. The boundary on the northern side is partially visible on Burlington Road. It presents a significant difference in height and scale and forms a visually incongruous feature.

6. The appellant argues that there is a variety of designs in the area, and there are other more prominent boundary treatments within the CA. It is contended that the use of high-quality material would enhance the appearance of the street scene. However, the development is out-of-keeping with the scale of boundary treatments that reinforce the quality of the CA. The presence of other prominent boundary treatments does not justify visually harmful development. In any event, each application should be evaluated on its individual merits.
7. The harm caused is less than substantial nevertheless is of considerable importance and weight. The argument is that the development is a betterment in visual terms when compared to the previous condition of the fence, and the appellant is offering to stain the fence a dark colour to provide a degree of visual relief. However, the focus is on the height of the fence, and the extent of the alterations detract from the pattern of settlement. Improvements to the property benefit the appellant but limited weight is given to this argument.
8. I find that the nature of the development fails to preserve the designated heritage asset. Accordingly, there is conflict with the aims and objectives of policy CC1 of Hounslow's Local Plan, the SPD and 7.1, 7.4 and 7.6 of the London Plan.

Living conditions

9. By virtue of the height of the boundary treatment on the north and south, it creates a sense of enclosure and loss of daylight for the residents of no.1 and no.5 Burlington Road respectively. The approximately 4.8 m height at the rear has a similar, if not more significant visual impact on occupants of 4 Marlborough Road. The appellant claims that the Council has not considered the use of no. 4 Marlborough Road as a pre-school nursery. It is contended that the height of the wall serves as an acoustic barrier from noise generated at 4 Marlborough Road. However, the evidence presented does not show that the noise generated at the school is at an unacceptable level and that a wall of this scale is required to overcome noise-related complaints. I find that the nature and scale of the boundary treatment is materially harmful to the living conditions of the occupants of nos. 1 and 5 Burlington Road and no. 4 Marlborough Road. Accordingly, there is conflict with the aims and objectives to Policies CC1, CC2 and SC7 of Hounslow's Local Plan, the SPD and 7.1, 7.4 and 7.6 of the London Plan.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

Appeals Planning Officer

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal is dismissed.

A U Ghafoor

INSPECTOR