



Appeal Decision

Site visit made on 15 July 2019

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2019

Appeal Ref: APP/F5540/W/19/3224551

79 Grantham Road, Chiswick, London W4 2RT

- 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 and Mrs Hollis against the decision of the London Borough of Hounslow Council.
 - The application Ref P/2018/2950, dated 26 July 2018, was refused by notice dated 20 September 2018.
 - The development proposed is demolition of existing retail unit and erection of a two storey building to provide two terraced houses including basement level with two front and one side lightwells, car parking, cycle and bin shelters with associated amenity space and roof alterations to No. 79.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development on the application form does not include all elements of the proposal. The appellants used the revised description used by the Council in the decision notice when completing and submitting the appeal form and, as this more accurately states the development, I have used that for the purposes of this decision letter.
3. I note that the design of the proposal was amended in response to pre-application enquiry comments from the Council in 2014 and that the appellants have expressed concern that the amended application was subsequently refused. Whilst I understand the frustration when a generally positive pre-application response results in refusal, 4 years had elapsed between the pre application enquiry and the application the subject of this appeal during which time a new development plan had been adopted. In any event, in determining this appeal I must consider the whole case based on the reasons for refusal, planning policy and any material considerations.

Main Issues

4. The appeal site is within the Chiswick House Conservation Area (CHCA). Accordingly, the main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the development preserves or enhances the character and appearance of the CHCA; and

- the effect of the proposed development on the living conditions of future occupants in terms of the provision of outdoor private amenity space.

Reasons

Character and Appearance

5. The appeal site is located at the foot of Grantham Road. No 79, the host building, is an end of terrace 2 storey traditional property dating from the Victorian/Edwardian period. A single storey, flat-roofed, disused retail unit adjoins the east facing elevation of No 79. The site sits at the eastern end of the CHCA which is centred on Chiswick House and is characterised by a number of attractive tree lined streets of Victorian /Edwardian terraces similar to Grantham Road. The terraces have a broadly similar character as a result of traditional designs, similar heights of building and plot widths, use of materials and repeating frontage details.
6. The site faces onto the junction of Grantham Road and Edensor Road beyond which is an open, spacious roundabout junction of 5 roads. To the east side of the roundabout beyond the boundary of the CHCA the housing style is more modern with developments of low rise apartment blocks arranged along the approach roads and facing onto the roundabout.
7. The proposed design for the 2 houses would be a contemporary interpretation of the Grantham Road Terrace but to a similar building line, height and massing. However the eastern unit (Unit B) would have a wider frontage than either the host dwelling or Unit A (Approximately 8 metres compared to 5.5/6 metres on the rest of the terrace). As a result the hipped end of the dwelling at a full two storeys in height would be positioned close to the back of footpath as Grantham road turns into Edensor Road. The effect of this would be overbearing and result in the loss of the open character at the junction. In failing to allow more of a stand-off from the back of footpath line I am not persuaded that the development would respect the urban grain as suggested by the appellants.
8. The effect of this on the character of the area would be compounded by the fact that the unit would also be narrower in depth to the rest of the terrace and the roof proposed on Unit B is proposed to be an asymmetric pitch. Viewed from across the junction looking back into the CHCA therefore the development would appear both incongruous in its context as well as intruding on the open character of the eastern end of the CHCA.
9. It has been put to me that the development would be further from the roundabout than is the case with the apartment blocks to the east of the roundabout. However it is not the relationship to the roundabout that is the issue: it is the overbearing effect of Unit B on the junction of Grantham Road with Edensor road which is entirely separate to the roundabout. The new building would be much closer to this junction than is the case with the apartment blocks facing the roundabout. The appellants have also referred to No 58 Corney Road on the opposite junction but again the changes to this house are not as overbearing on the junction of Corney Road and Grantham Road as would be the case with the appeal site.
10. For the reasons above, the proposed development would be harmful to the character and appearance of the area. The proposed siting and massing of Unit B would conflict with Policy CC1 and CC2 of the *Hounslow Local Plan 2015* (HLP) the latter of which requires development to respond meaningfully and sensitively to the site characteristics amongst other things. In addition, the introduction of Unit B in the form proposed would harm the significance of this part of the CHCA and

would fail to preserve or enhance its spacious character. Therefore the proposal would be contrary to Paragraphs 193 to 196 in the *National Planning Policy Framework* (the Framework) and Policy CC4 of the HLP which seeks to conserve and enhance the significance of the Borough's heritage assets including its conservation areas.

Living Conditions

11. It is a matter of agreement between the parties that the internal space standards would be met by the proposal and that there would be no adverse impact on living conditions for neighbouring occupants as a result of the development.
12. The proposal would result in each house having 2 bedrooms and 2 public rooms, including the proposed media room in each basement, a total of 4 habitable rooms. The houses should therefore have no less than 60m² of usable amenity space to comply with policy SC5 of the HLP.
13. The appellants state that the standard can be achieved by considering the total space provided by front and rear garden areas together. Whilst the policy does not state that front gardens cannot be taken into account, it does state that the space should be usable and afford privacy and security. The layout of the amenity space to the front of each property is somewhat compromised by the car parking space and refuse storage area. Moreover it would not be private and secure space being open to the street. It would not therefore be space that the occupants would be likely to use for normal day to day use such as play space or sitting out space. I note from the appellants' Appendix 3 to their statement that the minimum standard for private amenity space in housing across London set out in the emerging *Draft London Plan 2017* would result in a lower requirement. However the Borough of Hounslow has its own standard expressed in adopted policy which reflects the suburban location of the Borough and its green and more open character compared to many other London Boroughs. In that context the higher standard of the HLP should be met.
14. It has been put to me that the availability of local parks and open space in the vicinity can justify a more flexible approach in applying the policy and support a lower level of on-site amenity space. However for this to be the case such space would have to be close to the property. The nearest public open space of any size is at Dukes Meadows and is just over 400 metres from the appeal site. Whilst some of the route to this open space from the appeal site would be on pedestrian and cycle paths either via the riverbank footpath or via the River Promenade Approach, I am not persuaded that this open space is close enough to provide a satisfactory alternative to full provision of on-site amenity space.
15. The result of the proposal is that the living conditions in respect of future occupants of the two houses would be compromised in respect of available external private amenity space.
16. The Council in HLP Policy SC5 requires that housing should be designed to be of the highest quality internally and externally and meet the demands of everyday life. The standards required to achieve this quality are set out in the supporting text to the policy. The proposed development would fail to meet the required standards. Thus the policy objectives of Policies SC5 would not be achieved. Consequently, the proposed development would be unacceptable in terms of its harmful impact on the living conditions for future occupants of the new houses in terms of the provision of outdoor amenity space.

Other Matters

17. I acknowledge that the proposal would contribute two new houses at No 79 Grantham Road in a reasonably sustainable location. In that way it would make a small contribution to meeting housing needs in Hounslow and London as a whole as sought by HLP Policy SC1 and *London Plan 2016* (LP) Policy 3.3. Also, it would constitute the effective use of land on a small housing site as encouraged by the Framework at Paragraphs 68 and 117 and in LP Policy 3.4. However Paragraph 122 of the Framework requires that making efficient use of land must take into account the desirability of maintaining an area's prevailing character and setting including residential gardens and in this case the proposal fails. The LP carries a similar caveat at Policy 3.4 as does HLP policy SC1(f).
18. It has been put to me that the Council has a housing shortfall. However Hounslow's Five Year Housing Land Supply taken from the Housing Trajectory 2017/18 to 2031/32, provided following my request to the Council and copied to the appellants, shows that there is currently a 5 year supply of available and deliverable housing land. This is based on the higher housing land requirement for Hounslow set out in the LP which the appellants refer to. Moreover the recently published *Housing Delivery Target* (HDT) results for Hounslow show that in the last 3 years the Borough achieved a 79% delivery rate i.e. above the 75% threshold trigger point for the 'tilted balance' set out in the Framework at Paragraph 11d). Accordingly, the policies which are important for the determination of the appeal are not out of date in the terms of Paragraph 11 of the Framework and the 'tilted balance' does not apply. Although the appellants refer in their statement to higher annual requirements again in Policy H1 of the *Draft London Plan 2017* and in the evidence base for a new Hillingdon Local Plan these requirements are not part of adopted plans. The new housing requirement will be determined and provided for in the new local plan and is not a justification to allow housing that would be harmful to the character and appearance of the CHCA and that does not meet standards.
19. Even if I concluded that the harm to the significance of the heritage asset would be less than substantial, allowing me to weigh public benefit in the balance, as set out in Paragraph 196 of the Framework, I am not persuaded that sufficient benefit exists. I have been invited to conclude that the development would allow what is a dilapidated retail unit to be removed and replaced by an attractive residential development but for this benefit to carry weight I must be satisfied that the replacement development would represent a net gain. For the reasons above I am not persuaded that proposed positioning , scale and design of Unit B achieves this.

Conclusion

20. For the reasons given above, whilst the principle of redeveloping and infilling the site at No 79 would be acceptable, the harm arising from the proposed method of doing so, in terms of character and appearance and living conditions, would conflict with the relevant policies of the Framework, HLP and LP. Thus, I conclude that the appeal should be dismissed.

P. D. Biggers

INSPECTOR