



Appeal Decisions

Site visit made on 16 October 2019

by Debbie Moore BSc (HONS), MCD, MRTPI, PGDip

an Inspector appointed by the Secretary of State

Decision date: 1 November 2019

Appeal A Ref: APP/F5540/C/19/3222853

Appeal B Ref: APP/F5540/C/19/3222854

1 Addison Grove, Chiswick, London W4 1EP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (the 1990 Act) as amended by the Planning and Compensation Act 1991.
- Appeal A is made by Mr Anthony Robson against an enforcement notice issued by the Council of the London Borough of Hounslow. Appeal B is made by Mrs Nicola Richards.
- The enforcement notice was issued on 18 January 2019.
- The breach of planning control as alleged in the notice is without planning permission, the erection of a trellis to the front and side boundary wall fronting Addison Grove and Fairfax Road.
- The requirements of the notice are:
 - I. Remove the trellis from the boundary wall fronting Addison Grove and Fairfax Road;
 - II. Remove all resultant debris from the land.
- The period for compliance with the requirements is 1 month.
- Appeal A is proceeding on the grounds set out in section 174(2)(a) and (g) of the 1990 Act as amended. Appeal B is proceeding on ground (g). Since the prescribed fees have not been paid within the specified period, appeal B on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.

Summary of Decision: Appeal A is allowed, the enforcement notice is quashed and planning permission is granted in the terms set out below in the Formal Decision.

Appeal A on ground (a) and the deemed planning application

Background

1. Planning permission and listed building consent were granted in October 1999 for the demolition of close boarded fences and gates to the front and sides of the property and their replacement with a palisade fence and gate and a brick wall with piers. The replacement boundary treatment was erected in 2000. A trellis comprising vertical timbers has been fixed to the back of the new walls along part of Addison Grove and the Fairfax Road frontages. Approximately 460mm of trellis is visible over the top of the walls. The trellis is painted dark grey and has been planted with climbing shrubs.
2. Retrospective applications for planning permission and listed building consent were refused in August 2017. A listed building enforcement notice (LBEN) was served at the appeal property in October 2017 in connection with the trellis. I understand that this was subsequently withdrawn and an enforcement notice under section 172 of the 1990 Act as amended was served.

3. The Council states that the appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which concerns appeals against a LBEN. I have assumed this is an error as the appeal has been made against the enforcement notice under section 174 of the 1990 Act as amended, as set out above.

Main Issues

4. I consider that the main issues are:
- Whether the development preserves the grade II listed building, No 1 Addison Grove, or its setting or any features of special architectural or historic interest which it possesses;
 - Whether the development preserves or enhances the character or appearance of the Bedford Park Conservation Area.
5. The site comprises a detached house set within a spacious corner plot at the junction of Addison Grove and Fairfax Road. No 1 Addison Grove is a three-storey detached gable-fronted house. It reflects the Queen Anne style of architecture that characterises the Bedford Park Estate. It was listed grade II on 2 February 1970 (Ref: 1079613) and dates from the 19th century.
6. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the age and design of the house and its historic interest as an integral element of the Bedford Park Estate. The garden surrounding the listed building allows it to be appreciated as one of the few specially designed detached houses in the area. As such, it makes a positive contribution to the significance of the designated heritage asset.
7. The trellis is not attached to the listed building and the boundary walls on which it is erected were built in 2000. Hence, I do not find that the trellis has caused harm to the special interest of the listed building, as alleged.
8. The boundary treatment and trellis enclosing the garden is visible from the adjoining roads but views towards the listed building, and its architectural features of interest, are preserved. The appellant explains that the contemporary design and colour of the trellis was chosen to avoid creating a pastiche representation of the historic Bedford Park style boundary treatments. The modern and simple design concept avoids conjecture and, moreover, it blends into the background as intended. I accept find that the trellis does not impinge on the key views of the listed building and, thus, its setting is preserved.
9. Bedford Park is described in the Council's character appraisal as probably the best-known and best-preserved later Victorian suburb in outer London. Its significance is derived from the style of architecture, the informal layout of roads and the relationship between the buildings, trees and green spaces. The character appraisal advises that carefully designed front garden walls and fences play a crucial part in the composition of the estate. The intention appears to have been for a variety of boundaries providing interest rather than uniformity. It continues, improvements to fences does not mean using walls or the Bedford Park palisade style where this is not original or is inappropriate.

10. I appreciate that all elements of the Bedford Park Estate were specifically designed to be complementary and reflective of the architects' design ethos. However, it is argued that the Bedford Park palisade style fence has been overused in locations where it was not an original feature, as indicated in the character appraisal.
11. I saw that there is a variety of boundary treatments within the Conservation Area, some are more successful than others. The appellant has not taken the approach of erecting palisade style fencing, opting instead for a contemporary design as described above. In the absence of specific evidence relating to the historic boundary treatment at the appeal premises, I accept that this is an appropriate and pragmatic approach especially as the trellis sits on top of a relatively recently constructed wall. Crucially, the trellis is a low key structure that serves its stated purpose while blending into the background. I consider that its overall impact is neutral.

Conclusion

12. Given the above I conclude that, on balance, the proposal would preserve the special interest and setting of the Grade II listed building and the character and appearance of the Bedford Park Conservation Area. This would satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 192 of the National Planning Policy Framework and would not conflict with Policies CC1, CC2 and CC4 of the Hounslow Local Plan that seek, among other things, to ensure high quality design while enhancing the significance of the borough's heritage assets.

Conclusion

13. For the reasons given above I conclude that Appeal A should succeed on ground (a) and planning permission will be granted. The appeals on ground (g) do not therefore need to be considered.

Formal Decision

14. Appeal A is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of a trellis to the front and side boundary wall fronting Addison Grove and Fairfax Road on land at 1 Addison Grove, Chiswick, London W4 1EP referred to in the notice.

Debbie Moore

Inspector