



Appeal Decision

Site visit made on 11 August 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2020

Appeal Ref: APP/F5540/D/19/3243467

14 Milnthorpe Road, Chiswick, London W4 3DX

- 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 Brian Fitzgerald against the decision of the Council of the London Borough of Hounslow.
- The application Ref 00766/14/P2, dated 8 October 2019, was refused by notice dated 3 December 2019.
- The proposed development is ground and 1st floor side extension, loft conversion and rear extension at ground floor.

Decision

1. The appeal is allowed, and planning permission is granted for erection of a part single storey, part two storey side extension, a rear roof extension with front roof window and a single storey rear extension at 14 Milnthorpe Road, Chiswick, London W4 3DX, in accordance with the application, Ref 00766/14/P2, dated 8 October 2019, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the approved plans: EX00, EX01, EX02, EX03, EX04, EX05, EX06, EX07, EX08, EX09, EX10, EX11, PO1, PO2, PO3A, PO4A, PO5A, PO6A, PO7A, PO8, PO9, P10, and P11.
 4. The roof light hereby permitted shall be 'conservation style' and installed to be flush with the existing roof slope of the host dwelling.
 5. The development hereby permitted shall conform to the Flood Risk Assessment dated August 2020.

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.

Procedural Matters

3. The description of the proposed development set out within the above banner heading has been taken from the application form. During the course of the
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application, the Council suggested an amended description of the proposed development to which the appellant agreed. This amended description is included on the appeal form and decision notice. For clarity and precision, the amended description of the proposed development set out within the above decision has been taken from the decision notice.

4. The proposed drawings originally submitted as part of the application featured some inconsistencies in how the roof form was illustrated. As part of the appeal, the appellant has provided revised drawings which correct these inconsistencies. While neighbouring occupants have not had the chance to provide comments on these revised drawings, I consider that they would not be prejudiced by my acceptance of them as the scheme would remain broadly unchanged. I therefore accept the revised drawings and have considered the proposal on this basis.
5. During the course of the appeal, the appellant provided a complete and accurate version of the Flood Risk Assessment at my request. As the Council have had an opportunity to comment on this revised version, they would not be prejudiced by my consideration of this updated document as part of my recommendation.

Main Issue

6. The main issue is whether the proposal would preserve or enhance the character or appearance of the Chiswick House Conservation Area (CHCA).

Reasons for the Recommendation

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that with respect to development affecting buildings or other land in a conservation area, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."
8. The appeal site is situated within the CHCA. The Chiswick House Conservation Area Appraisal states that the special interest of the CHCA is largely derived from the historical and architectural merit of Chiswick House and its landscaped grounds, as well as the high-quality design of houses within the surrounding area. Milnthorpe Road is comprised of semi-detached and detached dwellings of varying architectural form, scale and style, many of which appear to have been subject to considerable extensions. As such, the character and appearance of the immediate streetscene is markedly heterogenous with no distinct sense of visual uniformity.
9. The appeal site accommodates a semi-detached dwelling and a detached garage on the western side of Milnthorpe Road. The appeal dwelling has a hipped roof, the ridge of which is set below that of No 12, the attached dwelling to the north. As seen from the street, this difference in the ridge heights of the two properties is noticeably incongruous and detracts from the character and appearance of the streetscene. While both dwellings appear asymmetrical at roof-level due to the difference in their ridge heights and No 12's side-facing dormer window, they both feature similar materiality, fenestration, entrance canopies and bay windows at ground- and first-floor levels.
10. As the proposed raised roof ridge would match the height of No 12's ridge, the proposal would resolve a notable incongruity between the appeal property and

No 12 and so would therefore improve the visual coherency of the semi-detached pair, as well as the overall quality of the streetscene. In this respect, the proposal would enhance the character, appearance and special interest of the CHCA. As shown on the revised drawings, the proposed two-storey side extension would measure less than half the width of the appeal property, be set back from the front façade of the appeal property by 1m and would be set down from the raised roof ridge by 0.48m. This element of the proposal would therefore have a suitably subservient appearance that would respond positively to the original proportions of the appeal property. While the Residential Extensions Guidelines Supplementary Planning Document 2017 (the SPD) requires that two-storey side extensions should be set down from the ridge of the host property by at least 0.5m, I nonetheless consider that the proposed two-storey side extension would appear appropriately subordinate to the appeal property, and that the resultant appearance of the appeal property would integrate well within the varied and diverse character of the streetscene. As such, I consider this marginal shortfall to be acceptable in this case.

11. From my site visit, I observed from the rear garden of the appeal site that neighbouring properties featured large dormers of varied scale and design. The proposed rear dormer would be similar in scale to that of No 18 to the south, which is visible from the appeal site. As the proposed dormer would be comparable to those in the surrounding area and would be discreetly sited to the rear of the appeal property away from public views, this element of the proposal would have an acceptable effect on the character and appearance of the appeal property, streetscene and CHCA.
12. I note that the Council states in the SPD that rear dormer extensions should be set back from the eaves and set down from the ridge of the host building by at least one metre. However, this guidance applies specifically to large semi-detached buildings. For small semi-detached buildings, the SPD states that rear dormers should be set at least 0.3m below ridge level and at least 0.5m from eaves level. Given the modest size of the appeal property, I consider that these guidelines for smaller semi-detached properties are more applicable to the appeal property and so the proposal would be compliant in respect of both these criteria. While I acknowledge that the width of the proposed rear dormer would be greater than what is recommended in the SPD, I consider that the proposed dormer would nonetheless be acceptable as it would appear secondary within the overall proportions of the resultant roofslope. Furthermore, the proposed dormer would have a similar scale and appearance to the rear dormer of No 18 and so would not appear particularly incongruous when considered within the context of the surrounding area.
13. The proposed rear dormer would be larger than that of No 12 and so the rear roofslope of the semi-detached pair would not appear symmetrical when seen within private views to the rear. However, as there is no uniformity in the scale and design of rear dormer extensions within the surrounding area, the resultant relationship would not appear particularly incongruous or prominent. Furthermore, as the proposal would otherwise improve the visual cohesion of the appeal property and No 12 when appreciated within public views, the proposal would be acceptable in this regard.
14. Due to its limited height, depth and width, as well as its discreet siting to the rear of the appeal property where it would not appear particularly prominent from the street, the wraparound element of the proposed ground-floor rear

extension would not appear as an overtly bulky addition and so would preserve the character and appearance of the appeal property, surrounding area and CHCA.

15. For the above reasons, I conclude that the proposal would enhance the character and appearance of the CHCA and so would have a positive effect on its special interest as a designated heritage asset. It would therefore comply with Policies 7.4 and 7.6 of the London Plan (2016) and Policies CC1 and CC2 of the Local Plan 2015-2030 (the Local Plan) which state, amongst other things, that development should have regard to local character and be designed to the highest standard. It would also comply with Policy CC4 of the Local Plan, which states that any development within or affecting a Conservation Area must conserve and take opportunities to enhance the character of the area. The proposal would also comply with Policy SC7 of the Local Plan, which states that the Council will require that all alterations and additions do not harm the existing character and appearance of the building and its context.
16. The proposal would also comply with the National Planning Policy Framework 2019 (the NPPF), which states that great weight should be given to preserving the significance of heritage assets.
17. The proposal would also broadly support the aims of the SPD, which states, amongst other things, that extensions and alterations should complement the original building, harmonise with adjoining properties and maintain the character of the general street scene.

Other Matters

18. There is nothing before me which indicates that the proposed works would result in unacceptable levels of excavation or disruption, nor am I convinced that the loss of brickwork along the shared boundary of the appeal site and No 16 to the south would have an unacceptable effect on drain pipes. Furthermore, as the appeal site is sited to the north of No 16, I do not consider that the proposed works would cause any unacceptable harm to the living conditions of the occupants of No 16 with respect to light.

Conditions

19. The conditions which are imposed are those which have been suggested by the Council, with due regard given to the advice on imposing conditions as set out in the NPPF and the National Planning Practice Guidance.
20. In addition to the standard timescale condition, a condition requiring that the scheme be built in accordance with the approved plans is necessary in the interests of clarity. A condition relating to materials is necessary in the interests of character and appearance.
21. To preserve the character and appearance of the host dwelling and surrounding area, a condition requiring that that the proposed rooflight shall be flush with the existing roof slope is necessary. Lastly, to ensure compliance with the Council's development plan and to ensure the safety of the dwelling's occupants, I have also imposed a condition requiring that the proposed development shall conform with the terms of the updated Flood Risk Assessment.

Conclusion and Recommendation

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

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

S Ashworth

INSPECTOR