



Appeal Decision

Site visit made on 18 November 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2020

Appeal Ref: APP/F5540/W/20/3256059

10 Windmill Road, Chiswick, London W4 1SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Lamington UK against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01218/10/P15, dated 28 February 2020, was refused by notice dated 1 June 2020.
 - The application sought planning permission for variation of condition 2 (approved plans) to allow increase third floor level to provide seven additional rooms of planning permission 01218/10/P12 approved 13/05/2019 for variation of condition 2 (approved plans) to allow the increase in the number of rooms from 78 to 86, extension to the basement, and external alterations of planning permission 01218/10/P11 approved under appeal on 25/09/2018 for the demolition of existing building and redevelopment with the erection of a three storey, plus lower ground and set-back fourth storey, 78 bedroom apart-hotel (Class C1) and associated works to the public highway including the creation of a shared surface loading bay and a disabled parking bay, without complying with a condition attached to planning permission Ref 01218/10/P12, dated 13 May 2019.
 - The condition in dispute is No 2 which states that *The development hereby permitted shall be carried out in accordance with the following approved plans: P100, P101, P110, P111, P112, P113, P120, P121, P122, P123, P130, P201B, P202B, P211F, P212K, P213D, P214D, P215C, P216C, P220F, P221E, P222H, P223G, P224E, P230E, P231E, P232F, P240D, P250, 2015-2385-DWG-206.*
 - The reason given is to provide certainty.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed revisions to the approved plans on the character and appearance of the area.

Reasons

3. There is a detailed planning history to the appeal scheme. Most recently, planning permission was granted at appeal¹ for the demolition of the existing building and redevelopment with the erection of a three storey, plus lower

¹ APP/F5540/W/17/3177092

ground and set-back fourth storey, 78 bedroom apart-hotel (Class C1) and associated works to the public highway including the creation of a shared surface loading bay and a disabled parking bay. That planning permission has been amended by an approval for a variation of the plans condition (condition 2) to make a number of minor elevational changes and add a roof storey to contain additional guest rooms². There was then a subsequent request for further changes which was refused by the Council and dismissed at appeal³. The appeal before me follows an application to make an alternative amendment, following my colleague's decision to dismiss the most recent appeal.

4. The changes this time around have omitted the relocated plant room and subsumed it into the revised roof storey section and thus significantly reduced the height of the building as was proposed under the most recent dismissed appeal. A slope to the roof storey would also feature as the building would face Windmill Road. That said, I remain concerned about the span of the roof storey. It would be inset in places but its spread across more of the building's main section would noticeably increase its bulk and mass, particularly when viewed from Chiswick Common and against the much lower scaled buildings making up Jonathan Court.
5. As my colleague has pointed out before, the appeal site is something of a transition in terms of building heights and scales from High Road, vis Jonathan Court, to the two storey dwellings that face onto the common on Windmill Road. No 214 High Road is a substantial building in terms of height and mass and the two to three storey structures at Jonathan Court are noticeably smaller. The revisions to the scheme before me tend to lean more towards the scale of No 214 than Jonathan Court, unbalancing the transition in scale and thus appearing overly large for its context which is as much smaller scale development as large. The use of a contrasting material to the roof storey would make it appear distinct and thus read as slightly separate but in terms of the north elevation particularly there would be a full four storey brick wall that would, along with the extended span of the roof storey, loom awkwardly over Jonathan Court. More so than the scheme that is approved.
6. With the above factors in mind, the proposed changes would cause harm to the character and appearance of the area. Such that it would render the scheme in conflict with Policies 7.4 and 7.6 of the London Plan 2016 and Policies CC1 and CC2 of the Local Plan⁴. Amongst other things, these policies seek to ensure a high quality and contextually appropriate design and appearance in architecture and urban design and thus that the varied character of the borough's places is recognised.

Conclusion

7. For the reasons set put above, the appeal is dismissed.

John Morrison

INSPECTOR

² 01218/10/P12

³ APP/F5540/W/19/3234744

⁴ London Borough of Hounslow Local Plan Volume One 2015-2030