
Appeal Decision

Site visit made on 10 May 2022

by John Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2022

Appeal Ref: APP/F5540/W/21/3285334

104-108 Chiswick High Road, Chiswick, London W4 1PU

- 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 Francis Grech against the decision of the London Borough of Hounslow.
 - The application Ref 00248/104-108/P6, dated 4 May 2021, was refused by notice dated 18 August 2021.
 - The development proposed is described as 'Erection of new build caretaker unit above existing garage'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are the effect of the proposed development:
 - i) on the character and appearance of the host property and the surrounding area, including whether it would preserve or enhance the character or appearance of the Chiswick High Road Conservation Area (CA), and
 - ii) on the living conditions of the occupiers of neighbouring properties, with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site is located close to the junction of Chiswick High Road and Upham Park Road. It lies to the rear of a four storey mixed use development fronting onto Chiswick High Road which contains a commercial unit on the ground floor, and 7 residential apartments above. The site contains two further dwellings, of contemporary design, that front onto Upham Park Road.

5. The site lies just inside the north eastern boundary of the CA, which is centred on Chiswick High Road. The CA extends a short distance into Upham Park Road which provides the context for the proposal. Upham Park Road comprises predominantly of 2 storey Victorian terraced and semi-detached dwellings where the design detail, set back from the pavement, fenestration and roofscape contribute positively to something of a homogeneous character and appearance.
6. The proposal would occupy space above an existing single storey garage. It would extend the host building with a contemporary designed building to a height commensurate with the highest part of the host property. Furthermore, it would sit in very close proximity to the gable wall of No 1a Upham Park Road. As a result, the space between the neighbouring properties, which provides a transition at the juxtaposition between contrasting dwelling styles, would be lost.
7. The front elevation of the proposal would be set back, by a limited amount, from the principal front elevations of the host property and No 1a. However, the highest part of the roof would be above the ridge and would project forward of the existing pitched roof of No 1a. As a result, it would be clearly visible from within Upham Park Road and, given its design, scale and mass, it would appear as a prominent and incongruous feature within the street scene.
8. In light of the above, the contribution the appeal site makes to the significance of the CA would be eroded. The character and appearance of the CA would not be preserved or enhanced by the proposal. Whilst the harm that would be caused to the CA as a designated heritage asset would be less than substantial, paragraph 202 of the National Planning Policy Framework makes it clear that this harm should be weighed against the public benefits of the proposal.
9. The proposal would provide 1 additional residential unit and some employment during construction. Whilst these benefits weigh in favour of the proposal, they attract only very limited weight. I have no evidence before me with regard to the need for caretaker accommodation and as a result I have given this matter no weight. Taken as a whole the benefits do not outweigh the great weight that I am required to give to the harm that would be caused to the significance of this designated heritage asset.
10. I conclude that the proposal would be harmful to the character and appearance the host property and the surrounding area and would not preserve or enhance the character or appearance of the CA. Accordingly, the proposal is contrary to Policies CC1, CC2, CC4 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (LP) and the Residential Extension Guidelines Supplementary Planning Document (SPD). These policies, amongst other matters, expect developments to complement the host building and harmonise with the wider area. They also seek proposals that conserve and enhance the significance of the Borough's heritage assets.

Living conditions – Neighbours

11. The proposal would be in close proximity to the northern boundary of the appeal site. The parties agree that it would lie within 1.34m of the original gable wall of No 1a. In the gable wall is a small obscure glazed window at first floor level which, from what I have seen and read, serves an en-suite. I acknowledge that the close proximity of the proposal would reduce natural light

reaching into the en-suite. I have also considered the comments submitted on behalf of the occupier of No 1a with respect to the natural light passing through the stain glass door linking the en-suite to the master bedroom. However, given the en-suite is a non-habitable room, and the master bedroom is served by a large bay window at the front of the property, I find the effect on daylight/sunlight and outlook would not be significant.

12. I also noted on my site visit that a number of windows, located within a two storey outrigger to the rear of No 1a, face towards the appeal site. From the evidence submitted the windows serve a kitchen at ground floor level and a bedroom on the first floor. The primary view from these windows would be over the communal gardens of the two dwellings to the south. Any views of the proposal from these windows would be oblique and restricted by parts of No 1a. I acknowledge that the part of the proposal that contains the spiral staircase would be more visible from the first floor windows at No 1a. However, this part of the proposal would be located some distance from the windows and would be seen against the backdrop of the existing dwellings, and the four storey buildings beyond. As a result, it would not appear prominent or intrusive.
13. I have also considered whether the proposal would result in a greater sense of enclosure for the occupiers of No 1a. In this regard, I note that the proposal would be sited primarily adjacent to a passageway that runs for the full length of the southern gable of No 1a, which has a solid roof and is tied into the boundary wall. As a result, any view of the proposal from this area would be blocked. Views from elsewhere within the rear garden would be limited given the juxtaposition of the proposal with the garden space attached to No 1a.
14. I note that no daylight/sunlight study was undertaken to demonstrate the effect the proposal would have on No 1a with respect to light. In this regard I have taken into account the representations submitted with regards to the passage of the sun, and how existing buildings located within the appeal site cast shadows over the neighbouring properties during the day. Whilst acknowledging that there would be some additional impact on light entering the curtilage of No 1a, given the location of the proposal adjacent the gable wall, this would be very limited.
15. In light of the above I conclude that the proposal would not have a significantly adverse effect on the living conditions of the occupiers of neighbouring properties, with particular regard to outlook and light. Consequently, the proposal would not be contrary to policies CC1, CC2, CC4 and SC7 of the LP and the SPD. These policies, amongst other matters, seek developments that minimise harm to the amenity of current and future residents.

Other Matter

16. The Council, and third parties, have questioned the need for caretaker accommodation. Whilst noting the comments the Council have not refused the application on this basis. Moreover, I have no evidence before me to make a judgement in this regard. Consequently, I have given this matter no weight.

Conclusion

17. I have found that there would not be harm in regard to the second main issue. However, a lack of harm would be a neutral matter and thus could not, by

definition, be used to weigh in favour of the development. The proposal would conflict with the development plan for the reasons that I have given in regard to the first main issue. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed

John Gunn

INSPECTOR