



Appeal Decision

Site visit made on 24 October 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal Ref: APP/F5540/W/23/3322250

45B Blenheim Road, Chiswick, Hounslow, London W4 1ET

- 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 Louise Burton against the decision of London Borough of Hounslow.
 - The application Ref 00124/45B/P2, dated 1 March 2023, was refused by notice dated 27 April 2023.
 - The development proposed is replacement of existing conservatory frames and roof (existing white uPVC conservatory frames and roof to be removed).
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Decision

1. The appeal is allowed and planning permission is granted for replacement of existing conservatory frames and roof (existing white uPVC conservatory frames and roof to be removed) at 45B Blenheim Road, Chiswick, Hounslow, London W4 1ET in accordance with the terms of the application, Ref 00124/45B/P2, dated 1 March 2023, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Location Map Scale 1:1250@A4 (undated), Block Plan Scale 1:500@A4 (dated as amended 23.04.2023), Existing Elevations Scale 1:100@A3 (dated 22.02.2023), Existing Floor Layout & Roof Plan Scale 1:100@A3 (dated 22.02.2023), Proposed Elevations Scale 1:100@A3 (dated 23.04.2023), Proposed Juliet Balcony Railings Scale 1:10@A3 (dated 22.02.2023).
 - 3) No aluminium frame shall be erected on the development hereby permitted unless and until details of the aluminium frame profile and finish (including photographic sample board), have been submitted to and approved in writing by the local planning authority. The aluminium frames shall thereafter only be erected in complete accordance with the approved details.
 - 4) The Juliet balcony hereby permitted shall not be erected unless and until details of the balcony finish (including photographic sample board) have been submitted to and approved in writing by the local planning authority. The Juliet balcony shall thereafter only be erected in complete accordance with the approved details.

Preliminary Matter

2. The description of the development on the application form does not explicitly refer to the Juliet balcony railings that are shown on the submitted drawings.

However, it is clear from the evidence that they form part of the proposal. The Council considered the railings to form part of the development in the determination of the planning application, and I have considered the appeal in the same manner.

Main Issue

3. The main issue is whether or not the proposed development would conserve or enhance the character or appearance of the Bedford Park Conservation Area.

Reasons

4. The appeal site lies within the Bedford Park Conservation Area, which covers the area between Abinger Road, Woodstock Road, and the railway line at Turnham Green. Its significance lies in the collection of buildings and spaces that reflect the Victorian era in which the suburb was constructed. The 'artistically designed' houses of moderate size with red brick and tile materials are of particular historic interest. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of conserving or enhancing the character or appearance of a Conservation Area.
5. The appeal property shares many of the characteristics that are important within the Conservation Area, including the external facing materials to its front elevation. However, the property has been subject to a number of significant alterations, including a two-storey rear extension, a rear roof extension and dormers, and the addition of the conservatory that is the subject of this appeal. The evidence indicates that the rear façade does not form part of the original structure of the building. Therefore, whilst the rear elevations of buildings can be important in the Conservation Area, the appeal site offers limited value to the preservation of the special features of historic interest.
6. The rear elevation of the building is visible from some public vantage points on Abinger Road. Therefore, any changes to it have the potential to affect the character or appearance of the Conservation Area. However, available views of the site are limited to a small part of the road and are partially restricted by the presence of mature street trees and boundary treatments. Therefore, any visual effects would be very localised.
7. Buildings in the Conservation Area traditionally have white painted timber windows with carved frames and slim glazing. It is clear from the evidence that the loss of original features, such as the timber frames, is placing pressure on the Conservation Area. It is, therefore, important that special attention is paid to the design and fabric of developments coming forward in order to prevent the further erosion of the special character of the Conservation Area.
8. However, the uPVC materials used in the existing conservatory already represent a departure from the traditional materials, and it is common ground between the parties that the conservatory is unattractive in its current form. The proposed aluminium window frames and roof would not restore the original features of the building. However, no alterations are proposed to the conservatory dimensions, and the proposed window frames would be white and of a size and shape that would be broadly similar to the existing uPVC frames. Accordingly, there would be no material difference in the appearance of the frames and roof when compared to the existing scenario. There is also no

substantive evidence before me to indicate there would be a material difference between uPVC and aluminium in terms of light refraction.

9. The proposed Juliet balcony railings would introduce a new feature to the conservatory that is not currently present. However, given the alterations that have already taken place on the rear elevation of the property, and the limited public views, the railings would not cause further material harm to the character or appearance of the Conservation Area.
10. I have had regard to the Residential Extension Guidelines Supplementary Planning Document: A Guide for Householders 2017 (SPD) which applies to alterations as well as extensions. The SPD indicates that replacement windows in Conservation Areas are normally expected to replicate the original materials. Whilst the proposal does not directly comply with this aspect of the SPD guidance, having taken account of the existing uPVC materials, the development would preserve the character and appearance of the Conservation Area.
11. Overall, I conclude that the development would preserve the character and appearance of the Conservation Area. It would therefore be in accordance with policies CC1, CC2, CC4 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (LP) and the National Planning Policy Framework. Amongst other things, these policies collectively seek to ensure development conserves the special qualities of designated heritage assets and maintain local character.

Other Matters

12. Permitted development rights in the area have been restricted by way of an Article 4(2) Direction. However, whilst this means planning permission is needed, it does not provide a reason in itself for the appeal to be dismissed. As such, the Article 4(2) Direction is not determinative in my decision.
13. Concerns have been raised about the colour of the existing downpipe. However, the downpipe does not form part of the proposal before me and is thus outside the scope of the appeal.

Conditions

14. The Council provided a list of suggested conditions, which I have considered with regard to paragraph 56 of the Framework and the Planning Practice Guidance.
15. In addition to the standard time limit condition, I have included a condition to define the permitted drawings to provide certainty.
16. The Council suggested a condition requiring materials to match the existing building. This condition is unnecessary as the proposal is for a replacement conservatory made with different materials to the existing.
17. The Council also suggested a condition requiring full details of materials to be submitted for approval. However, many of the details requested do not apply to the proposed development and it would therefore be unnecessary and unreasonable to impose it in the form suggested by the Council.
18. I have therefore amended the wording of the suggested condition to require details of the profile and finish of the aluminium frames; and the finish of the Juliet balcony to be submitted for approval. In allowing the appeal, the

principle of the use of aluminium frames and a Juliet balcony is established, and some details of these structures have been provided with the appeal documents. However, in the interests of preserving the character and appearance of the Conservation Area, it is reasonable and necessary that the Council should agree the details of the structures which could include their thickness and RAL colour. The trigger for these conditions enables some development to take place, including the demolition of the existing conservatory, before the details are approved.

Conclusion

19. The proposal is in accordance with the development plan when read as a whole. There are no material considerations before me that indicate a decision should be taken otherwise than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal is allowed.

E Catchside

INSPECTOR