



Appeal Decision

Site visit made on 17 January 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 29TH February 2024

Appeal Ref: APP/F5540/W/23/3322997

56-57 Ferry Quays Courtyard, High Street, Brentford TW8 0AH

- 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 Linden Hill – Capital Assets - ESA3 Limited against the decision of the Council of the London Borough of Hounslow.
 - The application Ref: 00607/56-57/P13 dated 22 December 2022, was refused by notice dated 24 March 2023.
 - The development proposed is erection of two additional floors above the existing second floor to create 3 residential apartments (Use Class 3) and associated and ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's second reason for refusal relates to whether the proposal has demonstrated that it would maximise on site carbon reduction in line with development plan policies. The Council has confirmed that the additional information provided by the Appellant at the appeal stage (including a revised Energy Strategy and updated roof plan to show the inclusion of PV panels), has addressed this reason for refusal, subject to the imposition of appropriate conditions. I address this further below under my second main issue.
3. The National Planning Policy Framework (Framework) was revised in December 2023. I have written to the Appellants and the Council to invite them to consider whether the revised Framework has any relevance to the appeal. Both the Appellant and the Council submitted representations in this regard, which I have taken into account.

Main Issues

4. The main issues in this appeal are:
 - a) the effect of the proposed development on the character and appearance of the existing property and of the Conservation Area, and
 - b) whether the proposed development would meet sustainability objectives, including with regard to maximising on-site carbon reduction.

Reasons

Issue a) Character and Appearance

5. The appeal property is a three storey building on the south side of Brentford High Street, fronting the High Street with further development to the rear, accessed via an arch leading off the High Street and from Town Meadow to the west. Reflecting the mixed use of the area, the property has commercial uses on the ground floor with residential above. The building, dating from around 2004, is a replacement of earlier nineteenth century buildings, and the information presented by the Appellant indicates that the replacement building loosely echoes the style of the earlier building. The site lies within the designated heritage asset of the St Paul's Brentford Conservation Area.
6. The proposal would seek to add two additional floors; the fourth storey would be in brickwork to match the existing building, with the fifth storey within a mansard roof. The extension would incorporate three flats. At ground level, there would be new shopfronts to incorporate some traditional detailing.
7. There is no issue with the principle of the proposed extension to incorporate additional flats and this would accord with both the London Plan and the Hounslow Local Plan as well as national guidance in the Framework to boost the supply of housing. Indeed, planning permission exists for an additional floor to create two additional flats, under the Council's ref: 00607/56-57/P11 granted in August 2021.
8. Brentford High Street is a long road and subject to extensive large scale redevelopment, both as recently completed and also under construction. Along the High Street there are small pockets of older development, which point to the history and earlier development of the local area. The grouping of the appeal property together with the adjoining buildings at Nos 58 and 59, as well as No 60 (Grade II* listed) is one such example. To the immediate east is No 55 High Street, Grade II listed, which was the former Brentford Fire Station.
9. The site also lies within the St Paul's Brentford Conservation Area which includes this part of the High Street and land further to the north. Its significance relates to the development of this part of Brentford, particularly during the mid to late nineteenth century development. Although much of the Conservation Area is focussed on the residential streets to the north of the High Street, it extends to include an area of Brentford on the south side of the High Street. Here the buildings are more varied in age and make a contribution to an understanding of the expansion and development of this part of Brentford, including a number of listed buildings and buildings making a positive contribution to the character and appearance of the Conservation Area. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that in respect of development within a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
10. The appeal property is an attractive building, but unassuming given its scale and form in relation to the buildings on either side. There is no particular historic merit to the appeal building taken in isolation. However, as a result of its scale and modest appearance, it does not appear as a dominating presence nor detract from the street scene. Given its siting and the wider grouping

including two listed buildings, it is my view that the cluster of buildings within which the appeal building is sited, makes a positive contribution to the street scene and to the character and appearance of the Conservation Area. The group of buildings, taken as a whole, form an attractive cluster that references the historic development of this part of the High Street and Brentford.

11. I do not agree with the Appellant's contention that there is a disjointed nature in terms of scale and articulation of the appeal property and its immediate neighbour at 58-59. In street scene views, they read as two separate buildings rather than a disjointed architectural presence.
12. The fourth floor would look to continue the design, materials and pattern of fenestration of the existing. However, the design of the mansard roof would be poorly detailed in terms of its siting in proportion to the scale and massing of the main building, the relationship with the boundary to the adjoining building as well as the arrangement of and size of the fenestration in relation to the windows on the lower floors. Whilst I appreciate that the full extent of the mansard would not be read from the street because of the angle of view, it would still be seen as a poorly formed addition which would not be sensitively integrated with the rest of the building. Whilst, and as referenced by the Appellant, the revised Framework does, at paragraph 124 e) encourage the use of mansard roof extensions on suitable properties where their external appearance harmonises with the original building, I have found that the proposal before me would not harmonise with or respect the appearance of the existing building. It would not therefore comply with the Framework in this regard.
13. The proposed development would become the tallest building within the group and therefore much more prominent. I consider that it would become visually over dominant, particularly as the poorly formed mansard would become the tallest feature within the group and would be particularly visible when approaching from the east. The proposed extension would detract from the street scene. In turn, it would detract from the group of buildings of which it forms part and would become a visually discordant feature within the Conservation Area; it would not preserve the character and appearance of the designated heritage asset of the St Paul's Brentford Conservation Area.
14. I therefore conclude that the proposal would neither respect the character or appearance of the existing building nor preserve the character and appearance of the designated heritage asset of St Paul's Brentford Conservation Area. This would conflict with Policies CC1, CC4 and SC4 of the Hounslow Local Plan, Policies GG2, D3 and D4 of the London Plan and the Framework with particular reference to Section 12 and 16, all of which, amongst other matters, seek for a high quality design which respects the local context and the significance of heritage assets.

Additional Heritage Considerations

15. Although not raised as a reason for refusal, both the Appellant and the Council have referenced and considered the effect of the proposal on the nearby listed buildings. When considering whether to grant permission for development which affects a listed building or its setting, I am required under Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any

features of special architectural or historic interest it possesses. The closest listed building to the proposed development is No 55 (former Brentford Fire Station) (Grade II) and its significance relates both to its decorative architectural features in red brick with Flemish Bond and terracotta dressings and symmetrical gable frontages and decorative treatment as well as its historic association with the local architect T H Nowell Parr. Although it stands apart from adjacent buildings including the appeal property and is individually distinctive in the street scene, I consider that its setting, particularly when approaching from the east would be compromised by the greater scale and massing of the proposed development, and in particular the mansard roof form.

16. No 60 High Street (Grade II*) is older, dating back to the 18th century and its significance relates to its retained historical form including the forward projecting shop unit. However, given that it is separated from the appeal property by the larger and more prominent building of Nos 58-59 and approaching along the street from either direction there would be very limited views of the proposed additions in the immediate context of the listed building, I am satisfied that its setting would be preserved.

Heritage Balance

17. I have therefore found that the proposed development would neither preserve the character or appearance of the Conservation Area or the setting of No 55 High Street. Paragraph 205 of the Framework is clear that when considering the impact of a proposed development of the significance of a designated heritage asset, great weight should be given to the asset's conservation. In respect of both impacts it is my view that the proposal would result in less than substantial harm.
18. Paragraph 208 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The addition of three flats in a generally sustainable location would be a public benefit, and would accord with national, London Plan and local policies to make more efficient use of urban land and to boost the supply of housing. However, the Council has contended that it can demonstrate a five year supply of housing land and the Appellant has not sought to dispute this and this modifies the weight that can be attached to this benefit.
19. The scheme before me is different to the one that was granted by the Council in 2021. Each scheme must be assessed on its individual merits and that has been the basis of my consideration in this case. The fact that one permission has been granted does not mean that another and a different scheme cannot also be granted permission, judged on its individual merits. However, the Appellant has not indicated that the scheme for which planning permission has been granted under the reference 00607/56-57/P11 could not be implemented. This scheme would provide two additional flats whereas the scheme before me would provide three, a net gain of one residential unit. Whilst the addition of a further unit is welcomed in terms of its economic and social benefits, the small uplift in numbers materially modifies the weight that can be attached to this benefit.

20. The proposed improvements to the shop fronts would also be of public benefit by improving the appearance of the building and the street scene, but there is no information before me to indicate that such improvements could only be achieved with this particular scheme. This therefore significantly reduces the weight that can be ascribed to this benefit.
21. Whilst the harm both to the designated heritage asset of the Conservation Area and the setting of the Listed building at No 55 would, in my view, be less than substantial, I do not find that the public benefits would be sufficient to outweigh that harm.

Issue b) Sustainability

22. The proposed development was accompanied by an Energy Statement, which has been revised at the appeal stage together with a revised roof plan to incorporate PV panels at roof level. The statement sets out the manner in which the proposal would achieve an on-site carbon saving in excess of 35% relative to Part L 2021, together with a contribution of £1,554 to render the scheme 'zero carbon'.
23. I am satisfied from the work prepared and submitted with the application and the appeal that the Appellant has demonstrated a sound approach to seeking to maximise the reduction in target emissions rate. I also consider that the principle of a contribution to the Council's Carbon Offset Fund to address any remaining shortfall, would be acceptable.
24. The Council has proposed conditions that it would wish to see imposed to secure the proposed carbon reduction and offset payments. Were no other matters of concern and planning permission were to be granted, I agree that conditions could be imposed to require the development to be undertaken in full compliance with the details set out in the submitted Energy Statement (or as finally agreed between the parties) to secure these objectives and to accord with Policy S12 of the London Plan, Policies EQ1, EQ2 and IMP3 of the Hounslow Local Plan and the Framework to maximise carbon savings.
25. However, my conclusion on this matter does not outweigh the harm I have already concluded under my first issue.

Conclusion

26. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR