



Appeal Decision

Site visit made on 6 March 2025

by R Lawrence BSc (Hons), PGDip (TP), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/F5540/W/24/3352832

Chiswick Lodge, 3 Parkside Road, Hounslow TW3 2BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ash Kohli of C and K Investments against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is 00864/3/P2.
 - The development proposed is the conversion and extension of existing building to create 8 self-contained flats (1 x family unit, 6 x 1-bedroom flats and 1 x 2-bedroom).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2024. Those parts most relevant to this appeal have not been significantly amended. I have therefore made my decision with regard to the revised Framework.
3. The current appeal relates to an outline planning application with scale only to be determined. The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines scale as “the height, width and length of each building proposed within the development in relation to its surroundings”.
4. The appeal is accompanied by a tree survey¹. Whilst the appellant indicates this was submitted as part of the original planning application, it is unclear whether the Council received this document. In any event, this provides supporting information which does not represent a fundamental change to the appeal proposal. The timeframes for the appeal have given interested parties and the Council the opportunity to comment on the document. Accordingly, I have had regard to the tree survey in my determination of this appeal.

Main Issues

5. The main issues, based on the reasons for refusal set out in the decision notice, are:
 - the effect of the development on the character and appearance of the area, including on existing trees and whether it would preserve or enhance the character and appearance of the St Stephen’s Conservation Area (CA), and

¹ Arboricultural Impact Assessment and Preliminary Method Statement prepared by Arc Arboricultural, dated 18 December 2023

- whether the proposal, with regard to its scale, would provide suitable living conditions for future occupiers in terms of outlook and adequate amenity space².

Reasons

Character and appearance

6. The appeal site lies within the St Stephen's CA. The statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
7. St Stephen's CA is made up of primarily 19th century residential development, which is significant for its linear pattern of development, its verdant character and for its Victorian architecture. These features, together, create an attractive setting around the church. St Stephen's church, which is locally listed, lies directly opposite the appeal site and is a local landmark. The generally modest scale of the late Victorian dwellings serves to maintain the status of St Stephen's church as a focal point.
8. The existing dwelling is detached, and its architecture reflects the late 19th century. Existing trees, both on and off-site together with the space around the building result in a verdant character. These factors, together with the modest and simple proportions give the building an attractive appearance. The appeal site therefore makes a positive contribution to the street scene and the CA.
9. The proposed extensions would considerably increase the depth and width of the building, including at first floor and roof level. The lack of a set down in height, or a step back from the road, further contribute to this. The resulting lengthy side elevations, and top-heavy proportions, would be visible within the street and would result in an unduly bulky appearance.
10. The increases would erode the space around the building and detrimentally affect the modest proportions of the building. Although I note the variety in terms of the type of extensions and alterations that have been undertaken to properties, there is nonetheless a regular pattern in terms of the depths of extensions at first floor level and above which are considerably smaller than that proposed.
11. Whilst the final detail of the roof form is unknown, it is clear from the indicative plans that the scale of the extensions would lead to a complex roof form with large areas of flat roof. This would appear at odds with the surrounding roofscape, in particular of the Victorian dwellings, where simple, pitched roof forms are prevalent.
12. The increased scale, in particular to the width of the building, would also add a horizontal emphasis, thereby detracting from the original proportions and vertical elements in the building. This would be detrimental to the 19th century style of architecture and the attractiveness of the appeal site.
13. The proposal has the potential to adversely impact upon several off-site trees, including a group of semi-mature sycamore trees. These are in a fair condition, positively contribute to the character and appearance of the CA and appear worthy of retention. The extensions would significantly encroach into the root protection

² The third reason for refusal refers to the provision of 9 flats, however, based on the Council's full case, together with the description of development, 8 flats are proposed.

area (RPA) and would cause a conflict with their crown, which overhangs the boundary. There is a possibility, albeit low according to the tree survey, of roots being present in this area, and in turn there is a likely possibility of harm to the long-term health of the trees. Whilst the presence of the driveway is noted, there would be additional impacts from the increase in built form within the RPA and the conflict with overhanging branches.

14. The tree report does not address their location within a Conservation Area, wherein any significant works to trees would require Conservation Area consent unless otherwise granted as part of a wider scheme. Nonetheless, such protection cannot be relied upon, as it can be difficult for a Council to resist applications for tree works where damage is being sustained or it causes harm to living conditions. I have been referred to the ability to undertake certain rights under common law rights, these are a private matter and would not justify the additional potential for direct adverse impacts to the sycamore trees.
15. There is a lack of evidence before me, as to the effect of the crown reduction or the encroachment into the RPA, either individually or in combination, on the long-term health of the trees. Given the extent of the change to the rooting environment for the trees, together with their maturity, there is considerable potential for direct adverse impacts to the group of trees, and in turn their contribution to the character and appearance of the CA.
16. My attention is drawn to a recent development for extensions at 316 Hanworth Road. That site is a corner plot, wherein it appears the original building was much larger in scale than the appeal building and is a more substantial plot. The completed development, unlike the proposal before me, minimises the use of flat roofed areas. That development is not therefore directly comparable to the scheme before me, which I have assessed on its own individual merits.
17. Drawing the above matters together, the proposal would result in an adverse effect on the character and appearance of the area, would fail to protect existing trees, and it would fail to preserve or enhance the character and appearance of the St Stephen's Conservation Area (CA). I find the harm to the CA to be less than substantial, nonetheless, this is a matter of great weight and importance. The Framework requires that less than substantial harm to the significance of a designated heritage asset (in this case the CA) should be weighed against the public benefits of the proposal.
18. Whilst there is uncertainty as to the status of the existing use of the building, I am mindful of the government's target to significantly boost the supply of homes and that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Nonetheless, even if the proposal were to provide an increase of 8 lawful residential units, this is a relatively modest number which limits the weight to be attached to it. Whilst I have been referred to support within the Framework for the efficient use of land, I am not satisfied the proposal would constitute such, given the harm I have identified.
19. There would be economic and social benefits arising from the construction process and associated employment, although these effects would be temporary, thereby limiting the weight to be attached. Taken together, the potential supply of housing together with benefits arising from the construction process, would not outweigh the great weight to be attached to the conservation of heritage assets.

20. The proposal would therefore conflict with policies CC1, CC2, CC4, SC4 and GB7 of the London Borough of Hounslow Local Plan 2015 (HLP), and policies D3, D4 and G7 of the London Plan 2021 (LP). Taken together and insofar as relevant, these require development to be of a high-quality design which makes a positive contribution to the character of the borough's places, conserves its special qualities and heritage and protects existing trees of value.
21. The proposal would also conflict with the Framework where it seeks to conserve and enhance the historic environment, and that development would be sympathetic to local character.

Living conditions

22. Policy D6 of the LP requires new housing to have a minimum floor to ceiling height of 2.5 metres for at least 75 percent of the gross internal area (GIA), and that housing development should maximise the provision of dual aspect dwellings.
23. The plans before me do not include any detailed sections, such to demonstrate appropriate head heights for each of the proposed units. I observed on my site visit that the existing flat within the roof space, has limited head height in several areas, owing to stepped floor levels and the sloping roof. Whilst the indicative plans include a crown pitched roof which would increase the space at roof level, there is insufficient information to demonstrate that appropriate head heights could be achieved.
24. Furthermore, many of the proposed flats are shown to be single aspect. Although an alternative layout may come forward as part of any subsequent reserved matters application, there is no evidence as to whether this could avoid the use of single aspect dwellings, such to provide a suitable outlook for future occupiers.
25. In respect of amenity space, policy SC5 requires a minimum of 5 sqm of private outdoor space be provided for each 1-2 person dwelling and, in addition, communal external space should be provided at 25 sqm per flat with up to three habitable rooms. The submitted plans do not show the subdivision of the garden and there is an existing shed which occupies a significant portion of it. The description of development applied for does not include demolition of the shed. Accordingly, whilst further details may be forthcoming as part of a reserved matters application, I cannot be satisfied on the basis of the information before me, that the proposal could comply with HLP policy SC5.
26. Accordingly, based on the details relating to scale, there is insufficient evidence that an acceptable scheme could be achieved in terms of the living conditions for future occupiers. In this regard the proposal would conflict with LP Policies D5, D6 and HLP Policy SC5. The proposal would also conflict with the requirements of the Framework, insofar as they require a high standard of amenity for existing and future users.
27. Whilst included within the Council's reason for refusal, my attention has not been drawn to a conflict with HLP Policies SC3 or SC4, or LP Policy D5, in respect of living conditions.

Conclusion

28. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

R. Lawrence

INSPECTOR