



Appeal Decision

Site visit made on 20 June 2025

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 5th August 2025

Appeal Ref: APP/F5540/W/25/3359329

Flat 3, 33 Grove Park Gardens, Chiswick, London W4 3RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Samuel Caulton-Poynder against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/2598.
 - The development proposed is the creation of a terrace to the rear of first floor flat.
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Decision

1. The appeal is allowed, and planning permission is granted for the creation of a terrace to the rear of first floor flat at Flat 3, 33 Grove Park Gardens, London W4 3RY in accordance with the terms of the application, Ref P/2024/2598, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal site is situated within a conservation area. I have therefore paid special attention to the statutory requirements placed upon decision-makers by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) to preserve or enhance the character or appearance of conservation areas.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the conservation area, and ii) the living conditions of neighbouring residential occupiers with regards to overlooking, privacy and noise disturbance.

Reasons

Character and Appearance

4. The appeal property is located within the Grove Park Conservation Area (CA), in an area which was part of the Grove Park Estate laid out by the Duke of Devonshire in the second half of the nineteenth century, and forming the first large Victorian housing estate in Chiswick. Its significance is derived partly from the above, and partly from the quality of the architectural detail and variety in the properties within the area, which have retained many of their original features, and which sit within tree lined roads, giving the appearance of a leafy, affluent residential suburb.
5. The appeal site consists of a first and second floor apartment located within a gabled outrigger to the rear of the main body of 33 Grove Park Gardens (No 33), a semi-detached three-storey Victorian property previously converted to several

individual apartments. No 33 forms part of a pair of substantially matching properties finished in red brick with steeply pitched slate roofs and full height gable pitched front bays with jettied second floors. They are characteristic of the historic built environment, and their well-preserved frontages contribute positively to the significance of the CA.

6. In contrast to the front elevations, which appear to have retained their original ornate detailing as built, the rear of the properties have simpler, more utilitarian elevational treatment. However, extensions and alterations have occurred in the intervening years, resulting in the rear of properties which do not retain their original form and detail, and which therefore do not make such a positive contribution to the character and appearance, or significance, of the CA.
7. The ground floor apartment beneath the appeal property has previously been extended to the rear. The flat roof of this extension, which projects in front of the line of the gable wall of the appeal property above, is proposed to be utilised to form the roof terrace of the appeal proposal. The first and second floor gable of the appeal property has previously been partially re-built and extended upwards to enlarge the second-floor accommodation, as was apparent from my site visit, from the variation in the London stock brick used. There are two existing windows present at first floor, together with a pair of bi-fold doors with black painted iron railings forming a Juliet balcony. The windows and doors are non-traditional in material and form, being more contemporary in design.
8. The existing Juliet balcony railings would be removed, and the bi-fold doors would provide access to the roof terrace. The terrace would be enclosed by means of a glass balustrade. This would be 1.07m high and clear glazed to the rear and side elevation facing No 31, with roughly 2.07m high obscure glazing to the side facing No 35.
9. My attention has been drawn to a similar glass balustrade and first-floor terrace to the rear of No 23, and to the presence of significant numbers of more extensive roof terraces on properties to the opposite side of Grove Park Gardens from the appeal property, which can be seen from satellite views. From Google satellite imagery it is clear this is the case, to both first and second floor levels. As there is already a pattern of such roof terrace development established within the area, the appeal proposal would not form precedent.
10. The removal of the iron railings from the Juliet balcony would be a visual improvement. The clear glass balustrade to two sides of the roof terrace would essentially be visually permeable, with little visual impact. The obscure glazed panel to the No 35 side of the roof terrace, would relate more closely to the more contemporary fenestration of the existing windows and doors of the rear elevation of the appeal property, resulting in a more coherent pattern of development to the rear of the appeal property.
11. The proposal would not be an intrusive form of development, nor out of scale and character with the prevailing pattern of development to the rear of properties in the locality. Its location, to the rear of No 33, would not be prominent within the CA, the proposal being screened from views from the public realm, and of limited prominence in private views. As a result, the proposal would not affect the way in which the CA, as a designated heritage asset, would be experienced.

12. Therefore, I conclude that the proposal would not harm the character or appearance of the CA. Accordingly, it would not conflict with policies CC1, CC2, CC4 and SC7 of the London Borough of Hounslow Local Plan (2015) (the Local Plan), or with Chapter 16 of the National Planning Policy Framework (the Framework), which require, amongst other things, development to deliver a high standard of design which responds to an areas character and which create attractive, distinctive liveable spaces which respect heritage in a manner appropriate to its significance, and to conserve or enhance the significance or setting of heritage assets, and for great weight to be given to the conservation of heritage assets.

Living Conditions

13. The rear Juliet balcony and bi-fold doors serve the principal, open plan, living room and dining/kitchen of Flat 3. This provides views over the private garden to the rear of No 35, and the shared rear garden of No 31. When the bi-fold doors were open, the neighbours would also be able to hear noise from within the appeal property.
14. The Residential Extensions Guidelines SPD (the SPD), acknowledges that there is always going to be some degree of mutual overlooking in dense urban areas, but nevertheless, proposals should not result in a substantial loss of privacy to neighbours. In this regard, the general pattern of development of large semi-detached properties within the road would suggest that this is a low-density suburban neighbourhood. However, the sub-division of properties to individual flats, such as has occurred at No 31 and No 33, has resulted in an intensification of the residential density which makes this policy within the SPD relevant in this case.
15. Whilst the existing Juliet balcony would contain people within the property, the terrace would allow people to move outside, in an elevated position above the neighbours' gardens. There would also be potential for more noise and disturbance from people on the terrace. However, the obscure glazed balustrade to the No 35 side of the terrace would prevent overlooking into the neighbours' windows, such that there would be no loss of privacy into their dwelling. Similarly, owing to the position of windows in the rear elevation of No 31 and the distance to the roof terrace, there would be no loss of privacy to the occupants of the apartments in No 31, even though the balustrade at this end of the terrace would be clear glazed and lower in height.
16. In relation to overlooking of the neighbours' gardens, the size of the proposed terrace, owing to its modest depth, would not significantly increase overlooking over that which currently results from the Juliet balcony.
17. Turning to the potential increase in noise and disturbance, the size of the proposed terrace would restrict its use primarily to that of the occupants of Flat 3. Its modest size would limit its possible use for social functions such as might result in increased noise and disturbance. Therefore, any noise and disturbance would be unlikely to be significantly greater than that already experienced by neighbours because of the presence of the existing Juliet balcony.
18. I conclude that the proposal would not harm the living conditions of neighbouring residential occupiers, having regard to overlooking, privacy and noise disturbance. The proposal would, therefore, not be contrary to Policy SC7 of the Local Plan, which requires, among other things, development to deliver a high standard of design which does not result in harm to the amenity of neighbouring residents.

Other Matters

19. The Council is satisfied that the proposal would not contribute to the risk of flooding and that the fire risk strategy is acceptable. Based on the evidence provided, I see no reason to disagree.

Conditions

20. In addition to the standard time limit condition, a condition specifying the approved plans is necessary to provide certainty.

Conclusion

21. For the reasons set out above, I conclude that the appeal proposal would accord with the development plan, read as a whole. There are no material considerations, including policies in the Framework, that would justify determining other than in accordance with it. Therefore, the appeal should be allowed.

D R Kay

INSPECTOR

Schedule of 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 drawing nos: Un-numbered Location Plan, B241403-1000 Rev A - Proposed Block Plan, B241403-3100 Rev A - Proposed Drawings, B241403-1100 Rev A - Existing Drawings, B241403-1000 Rev A - Existing Block Plan.

***** End of Schedule*****