



Appeal Decision

Site visit made on 17 November 2025

by **Mr C J Tivey BSc (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/F5540/D/25/3374964

22 Church Street, Chiswick, London W4 2PH

- 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 N Anden against the decision of the London Borough of Hounslow Council.
 - The application Ref is P/2025/2081.
 - The development proposed is for a side infill and rear extension, replacement of the side conservatory with an extension, a first floor extension, loft conversion, and internal reconfiguration to improve layout and functionality.
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Decision

1. The appeal is allowed and planning permission is granted for a side infill and rear extension, replacement of the side conservatory with an extension, a first floor extension, loft conversion, and internal reconfiguration to improve layout and functionality at 22 Church Street, Chiswick, London W4 2PH in accordance with the terms of the application, Ref P/2025/2081, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P001, P004, P100A, P101A, P102A, P103A, P104, P120A, P121A, P122A and P123A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The windows to be fitted on the front and side roof faces of the dwelling, as proposed to be extended, shall be black-framed and of a traditional conservation style.
 - 5) Prior to the completion of the development hereby permitted, the Juliet balcony, identified on Drawing P104 shall be installed so as to prevent access onto the flat roof over the proposed dining area.

Preliminary Matter

2. The appellant submitted some revised drawings with their appeal documentation which sought to address some of the issues raised by the Local Planning Authority (LPA) within their reasons for refusal, as well as rectifying some minor drafting errors within the existing and proposed drawings.

3. The corrections on the existing drawings relate to the design of the existing railings to the front of the property whereby Drawing 020 showed the existing front boundary treatment as plain-topped railings with taller gates at the northern end of the site in the same design, when in fact, the existing wrought iron railings and gates have spear-head finials and the gates also have a curved top. In addition, Drawings 021 and 022 showed the existing rear balcony with one horizontal balustrade instead of two. Two small errors on the proposed drawings submitted with the application were that Drawing P101 mistakenly showed an additional proposed side window in the ground floor piano room, even though the actual proposed ground floor plan correctly did not show one; and Drawing P120 whilst correctly showing a second rooflight, was mistakenly not shown on the roof plan. Therefore, these drawings submitted rectify what I consider to be minor drafting errors.
4. The requested amendments to the proposed scheme are threefold: 1. Rather than permitting access onto the flat roof over the proposed dining area, the appellant now shows a Juliet balcony to be installed across the proposed French windows, thus preventing access onto it; 2. The existing chimney on the western corner of the building is now shown to be retained; and 3. Notwithstanding that solid timber gates were proposed to the front bin store area, the appellant now proposes to retain the existing curved-top wrought iron gates.
5. I consider that the proposed amendments would not result in a fundamental change to the scheme and by virtue of the fact that it would lessen the overall effects and, in part, tackle some of the Council's reasons for refusing planning permission, I consider that the acceptance of these would not cause unlawful procedural unfairness to any party. I have determined the appeal on this basis.

Main Issues

6. The main issues in this appeal are whether the proposed development would preserve or enhance the character or appearance of the Old Chiswick Conservation Area, the effect of the proposal upon the living conditions of the occupants of neighbouring properties, with specific reference to privacy; and the effect of the scheme upon pedestrian safety.

Reasons

Character and Appearance

7. The appeal site is located within the western area of the Old Chiswick Conservation Area and is surrounded by a number of Listed and Locally Listed Buildings that have been identified as positive contributors within the Conservation Area Appraisal (CAA). The CAA highlights key local views and focal points within the conservation area and makes specific reference to views southeast along Church Street which include the appeal site, itself a post second world war dwelling which is slightly unusual in its appearance. Nonetheless, the site's location comprises a high quality historic environment comprising vernacular architecture with the exception of the appeal dwelling, 21 Church Street and nos 2 – 6 Burlington Lane which are of more modern construction.
8. The appeal dwelling has a small, pitched roof situated behind a parapet which would both be extended to provide more habitable accommodation at second floor level. It would increase the overall scale and massing of the host building;

however, it would remain in proportion with it whilst maintaining a significantly lower ridgeline than both adjoining buildings. The retention of the redundant chimney stack would be a benefit, and have a neutral effect upon the visual amenities of the area, along with the retention of the bi-folding metal gates.

9. Furthermore, whilst it is now proposed to install a Juliet balcony to the proposed master bedroom, I consider that the installation of a balustrade around the adjoining flat roof to match that to be installed on the existing balcony would provide a good degree of balance to the rear elevation.
10. All in all, I consider that the proposal would preserve the character and appearance of the Conservation Area and consequently no harm would be caused to the designated heritage asset. I find that the proposal complies with Policies CC1, CC2 and CC4 of the Hounslow Local Plan (2015 – 2030) adopted September 2015 which require development proposals to recognise the context and varied character of the Borough's places, seek to ensure that all new development conserves and takes opportunities to enhance their special qualities and heritage, along with Policies D4 and HC1 of the London Plan (2021) which seek to ensure that development delivers good design and that development proposals affecting heritage assets, and their setting, should conserve their significance by being sympathetic to the asset's significance and appreciation within their surroundings.

Living Conditions

11. The existing balcony on the eastern side of the rear elevation is adjacent to 21 Church Street, but aside from the replacement of its balustrading and the provision of a new wooden decking surface this would remain as existing. Bearing in mind that access is now to be prevented to the other flat roof area by the Juliet balcony, there would be no material increase in overlooking of neighbouring residential properties as a result of the proposal. Consequently, I consider that the proposal complies with Local Plan Policy SC7 that supports the extension and improvement of residential properties, provided all extensions and alterations maintain the character of the area and do not result in harm to the amenity of neighbouring residents.
12. I am aware of the third party concerns with regard to the nature of the proposal in relation to their property. I noted on my site visit that the existing front conservatory that will be removed is separated from no 21 by a small gap between the brick walls; and that the front/side extension would be built up against this. However, a Party Wall Agreement would be required for any such works and is not a determining factor in this appeal.

Pedestrian Safety

13. The Council's third reason for refusal referred to the proposed front boundary treatment, stipulating that by reason of its height, design and external appearance it would lead not only to an unsatisfactory development, dominating, out of scale and character with the prevailing pattern of development in the locality, but also prejudicing the safe functioning of the pedestrian pavement. This does not appear to be elaborated upon within the Council's Officer report, aside from the fact that it is stated that the proposed front railings would match the appearance of the area.
14. In reality, the only actual change proposed to the front boundary treatment would be the replacement of a short section of wall and railings where in front of the

existing conservatory to railings that match those already found across the frontage of the appeal property. There would be no deviation from the existing alignment and with the metal gates already in situ, I consider there would be no material increase in potential hazards to users of the adjacent footway. Consequently, I find no conflict between the scheme and the policies cited within the Council's decision notice.

Other Matters

15. There are a number of listed buildings within the vicinity of the appeal site, including 1 - 3 Pages Yard to the rear, 6 & 7 Church Street and Wistaria opposite. I consider overall that the appeal scheme would have a neutral effect upon their setting and consequently, pursuant to section 66 of the (1) of the Planning (Listed Buildings and Conservations Areas) Act 1990 their settings would be preserved.

Conclusion and Conditions

16. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
17. As the Council had not suggested they be imposed, in addition to the standard time limit condition, I consider that it is appropriate that the materials to be used in the construction of the external surfaces of the development match those used on the existing building, and that the development be carried out in accordance with the approved plans. Furthermore, and also in the interests of preserving the character and appearance of the conservation area, I consider that the Council's first suggested additional condition about the rooflights being of a black-framed traditional conservation style is appropriate. In addition, I have also imposed a condition requiring the Juliet balcony to be installed so as to prevent access onto the flat roof over the proposed dining area, in the interests of protecting the amenities of neighbouring residents from overlooking.

C J Tivey

INSPECTOR