



Appeal Decision

Site visit made on 25 August 2026

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2026

Appeal Ref: APP/F5540/C/25/3366748

19 Park Drive, London W3 8ND

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act").
 - The appeal is made by Mr Ben Lockspeiser of Lock&Busch Gardens against an enforcement notice ("EN") issued by the Council of the London Borough of Hounslow.
 - The EN was issued on 1 May 2025.
 - The breach of planning control as alleged in the EN is: Without planning permission, the erection of an outbuilding positioned to the principal elevation of the house.
 - The requirements of the EN are to:
 - i. Demolish the outbuilding
 - ii. Remove all resultant debris from the Land
 - The period for compliance with the requirements is: One month
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the 1990 Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the 1990 Act.
-

Decision

1. The appeal is dismissed, the EN is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the 1990 Act.

Preliminary Matter

2. Since the appeal was lodged, a revised National Planning Policy Framework ("the Framework") has been published. This has not raised any new matters which are determinative to the outcome of this appeal. However, I have referenced the revised paragraph numbers where necessary.

Appeal on Ground (a) and the Deemed Planning Permission

3. An appeal under ground (a) is that planning permission should be granted for the matters alleged. The **main issue** is the effect of the development on the character and appearance of the surrounding area, including the significance of the Gunnersbury Park Conservation Area ("CA").

Reasons

4. The appeal site is within the CA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
5. The CA covers an area that includes Gunnersbury Park (an 18th Century Grade II* Listed park and garden that incorporates a large Grade II* Listed mansion and a smaller Grade II Listed mansion as well as other Listed Buildings), a cemetery,

housing that bounds the northern and western sides of the park, and Gunnersbury Park Estate to the east of the park.

6. The appeal site is located within the Gunnersbury Park Estate which consists of rows of two-storey 1920s terraced dwellings. The dwellings are set back from narrow tree-lined roads by small front gardens bounded by low walls and fences. The dwellings are mixed in their design. However, they include common original features such as bay and box windows, mock Tudor timber cladding, feature gables and door canopies. Limited alterations have been made to the dwellings' front elevations which has ensured that the Estate's original character remains largely unspoilt.
7. Consequently, the significance of the CA derives from its historic and aesthetic values.
8. The appeal site comprises a mid-terrace, two-storey dwelling. It is set back from the road by a small paved front garden bounded by a low wall adjacent to the pavement. A wall and a picket fence form the boundary treatments between the appeal site and the neighbouring properties. The front elevation of the property has a bay window to the ground and first floors and a canopy above the front door. To the rear of the dwelling is a garden. Beyond the rear garden is a narrow road that provides access to garages positioned within the dwellings' rear gardens. The garage within the rear garden of the appeal site is not owned by the appellants.
9. The breach of planning control is the construction of an outbuilding within the front garden of the dwelling. It is a relatively large timber building with a mono-pitch roof and double doors to the front. It extends between the ground floor bay window and the low front boundary wall and is positioned adjacent to the boundary shared with 17 Park Drive.
10. Owing to the scale of the outbuilding, the modest height of the boundary treatments, and an absence of vegetation within the front garden and along the boundary with 21 Park Drive, the outbuilding appears visually prominent when travelling along Park Drive in a northerly direction. Furthermore, it partially obscures the ground floor bay window of the appeal property, which is a characteristic feature of the dwellings in the CA.
11. During my site visit, I observed several timber outbuildings situated within the front gardens of other properties along the street. However, these structures were either of a smaller scale than the outbuilding at the appeal site, exhibited a less substantial and visually dominant form, did not obscure ground floor bay windows, or were not readily visible from the street. As such, the outbuilding at the appeal site is materially different from these examples and appears incongruous within its context.
12. For these reasons, the outbuilding detracts from the character and appearance of both the host dwelling and the wider street scene. It also harms the significance of the CA and does not preserve or enhance its character or appearance.
13. Policy HE6(1) of the Framework requires that I attach substantial weight to the CA's conservation. Consequently, in accordance with Policy HE6(4) of the Framework, I must weigh the substantial harm against the public benefits of the development.

14. The outbuilding is used by the appellant and their family to store their bikes. They assert they cycle daily as their chosen mode of transport, which aligns with the Council's active travel initiatives. They also participate in the Sustainable Travel, Active, Responsible, Safe programme (STARS).
15. The storage of the appellant's family bikes is a private rather than public benefit. I appreciate that the use of bikes as the family's mode of transport provides some public benefits through a reduction in vehicle emissions. However, I am not persuaded that the same public and private benefits could not be achieved by storing the bikes in a less harmful location. Accordingly, I afford these benefits limited weight. The limited public benefit I have identified therefore, would not outweigh the substantial harm to the significance of the CA.
16. The proposal would harm the character and appearance of the surrounding area, including the significance of the CA. It conflicts with Policies CC1, CC2, CC4 and SC7 of the London Borough of Hounslow Local Plan 2015-2030, adopted 2015. These policies, amongst other things, seek to ensure all new development conserves and takes opportunities to enhance the Borough's special qualities and heritage; promote and support high quality urban design; and support the extension and improvement of residential properties provided the development maintains the character of the area and does not harm the built environment.

Other Matters

17. The appellant asserts they are willing to paint or apply a facing material to the outbuilding and/or add plants/climbing greenery, so the outbuilding integrates better with its surroundings. They also state their intention to plant a hedge within their front garden. However, I am unconvinced that painting or changing the material of the outbuilding would reduce its scale or prominence. I accept that planting could soften the outbuilding's appearance. However, I could not ensure that it remains in perpetuity. Furthermore, it would take a significant period for a hedge to reach a height and density that would effectively screen the outbuilding.
18. The appellant has also suggested reducing the height of the outbuilding from 1.74m to 1.41m while they have a baby bike seat attached to an adult bike. Then making a further reduction in height to 1.3m in 2-3 years' time when the baby bike seat is no longer required. However, I do not have a drawing before me to show the reduction in heights and therefore, I cannot be sure what the amended outbuilding would look like or whether it would overcome the harm I have identified. Furthermore, the suggested timeframe is imprecise and would not meet the tests detailed within Policy DM6(1) of the Framework.
19. The appellant has directed me to examples of outbuildings located within the front gardens of properties within the CA. I have not been provided with the planning history of these outbuildings and therefore I am unaware whether planning permission was obtained. Notwithstanding this, some examples were on different streets than the appeal site; they differed in their scale, siting, design; or the boundary treatments differed. Consequently, these examples are not directly comparable to the breach of planning control. In any event, I must determine the appeal on its own merits.
20. I acknowledge that the appellant does not own the garage to the rear of their property. However, the rear garden is of a good size with ample space to store a similar sized outbuilding without affecting its usability.

21. I appreciate that if the family's bikes were stored in the rear garden, the appellant's children would exit directly onto the access road as there is no pavement. However, the access road has street lighting and a 20mph speed limit, and vehicles' speeds are restricted due to the narrowness of the road and the requirement to negotiate parked vehicles and corners. Furthermore, it has not been substantiated with evidence that the access road is dangerous.
22. The appellant asserts that exiting via the rear garden gate would compromise the security of their property as the bolt on the gate cannot be secured from the access road. However, the gate is also fitted with a Yale lock which is opened from the access road. Consequently, I am not persuaded from the evidence before me that the Yale lock is insufficient to secure the gate, or that additional mechanisms could not be added to the gate to increase security, if necessary.
23. The appellant states that the outbuilding does not affect the living conditions of the occupiers of neighbouring properties. However, this is a neutral matter.
24. The appellant asserts that the outbuilding screens their refuse bins and No 17's wall which they consider is out-of-keeping. However, the information before me suggests that the wall has planning permission, and the storage of domestic wheelie bins within a property's front garden does not require planning permission.
25. The appellant intends to apply for planning permission in the future to construct a replacement front garden wall. However, I have not been advised that planning permission has been sought in the period since the EN was issued, nor could I guarantee that planning permission would be granted or it would be of a sufficient height to effectively screen the outbuilding.
26. There is nothing before me to suggest that if the outbuilding is removed, the front garden would become unkempt, messy, difficult to maintain or cluttered with debris. If this occurs, then the Council has the power to serve a notice under s215 of the 1990 Act that would require the land to be tidied.
27. The appellant has raised concerns regarding the Council's lack of communication and lack of consistency in dealing with outbuildings within the front gardens of other properties in the CA. However, I have determined the appeal on its own merits having regard to all material considerations.
28. I acknowledge the local support for the retention of the outbuilding. However, this does not outweigh the harm the outbuilding causes to the character and appearance of the surrounding area, including the significance of the CA.

Planning Balance

29. The appeal site is located within west London and therefore, Policy S4 of the Framework is applicable. It requires that development proposals be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.
30. I have found that the public and private benefits of the outbuilding attract limited weight. Set against these benefits, I have concluded that the outbuilding harms the character and appearance of the surrounding area and the significance of the CA.

31. The Framework makes clear at Policy HE6(1) that substantial weight should be afforded to the conservation of designated heritage assets and that any harm to their significance is a matter of considerable importance and weight. In addition, Policy DP3 of the Framework indicates that developments should be refused where, in the absence of clear justification, they fail to respond to their context.
32. Accordingly, I find that the benefits of approving the outbuilding are substantially outweighed by the adverse effects when assessed against the national decision-making policies in the Framework.

Conclusion on Ground (a) and the Deemed Planning Permission

33. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal on ground (a) is dismissed, and the deemed planning permission is refused.

Appeal on Ground (f)

34. An appeal under ground (f) is that the steps required by the EN to be taken, or the activities required by the EN to cease, exceed what is necessary to remedy the breach of planning control or any injury to amenity.
35. The requirements of the EN are to demolish the outbuilding and remove all resultant debris from the land. Therefore, the purpose of the EN is to remedy the breach of planning control.
36. The appellant asserts that a step lesser than the demolition of the outbuilding would be to allow for its retention but with a reduced height. However, for the reasons previously stated, I have found that I could not condition the reduction in the outbuilding's height, nor could I be certain that its reduction would overcome the harm I have identified.
37. Any step lesser than the demolition of the outbuilding and the removal of any resultant debris from the land would not remedy the breach of planning control. Therefore, the EN's requirements are not excessive.
38. The appeal on ground (f) fails.

Appeal on Ground (g)

39. An appeal under ground (g) is that the period specified for compliance within the EN falls short of what should reasonably be allowed.
40. The period for compliance is one month. The appellant requests the compliance period is extended to three months to allow them time to engage with the Council to see if an amended proposal would be acceptable.
41. The outbuilding comprises a simple timber structure. I have no substantive evidence before me that its demolition would be time consuming or complex. Furthermore, I am satisfied that one month would be sufficient for the appellant to explore alternative arrangements to store the equipment kept within the outbuilding while discussions take place with the Council regarding an alternative proposal.
42. Consequently, I do not find that a compliance period of one month is unreasonable. The appeal on ground (g) therefore fails.

Conclusion

43. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the EN and refuse to grant planning permission on the application deemed to have been made under s177(5) of the 1990 Act.

A Berry

INSPECTOR