



Appeal Decision

Site visit made on 25 November 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2019

Appeal Ref: APP/R5510/W/19/3236505

Harefield Hospital, Hill End Road, Harefield UB9 6JH

- 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 Mr Vincent Berry (Royal Brompton and Harefield NHS Foundation Trust) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 9011/APP/2018/1854, dated 17 May 2018, was refused by notice dated 7 March 2019.
 - The development proposed was originally described as *"The development provides a fully enclosed storage area for hospital waste generated by the adjacent ITU and imaging departments. The waste will be picked up on a daily basis and taken to the hospital's central waste disposal area. With a Western Red Cedar clad exterior, green roof and planted surround the building sits well within the landscaped surround to the Hospital."*
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Decision

1. The appeal is allowed and planning permission is granted for a hospital waste store with new hedge planting at Harefield Hospital, Hill End Road, Harefield UB9 6JH in accordance with the terms of the application, Ref: 9011/APP/2018/1854, dated 17 May 2018, and the plans numbered: PL 001 Rev A, PL-002 Rev A, PL-003 Rev C and PL-005, subject to the following condition:
 - 1) Within 3 months of the date of this decision, a scheme of landscaping shall be submitted to the local planning authority for written approval. The scheme shall include details of the species mix, numbers and density of planting, and the arrangements to ensure its establishment and long term management. Thereafter the approved planting shall be carried out in the next available planting season and managed in full accordance with the approved details for the lifetime of the approved development. Any trees or plants within the landscaping scheme, which fail to establish, die, are removed, or become seriously damaged or diseased, shall be replaced in the next available planting season with others of the same species. Replacements shall be subject to the same.

Preliminary Matters and Main Issue

2. The proposal was originally described in the terms set out in the banner heading, above. The Council's decision notice described the proposal more concisely as 'Retention of hospital waste store (Retrospective Application) with new boundary hedge planting'. At my site visit I was able to see that the development has already been constructed. Section 73A of the Town and

Country Planning Act 1990 (the Act) makes allowance for the submission of a planning application for development which has been carried out before the date of the application, and I have considered the appeal accordingly. In the interests of brevity, I have adopted the more concise description of development in my decision above, but I have omitted the words 'retention' and 'retrospective application' because these are not an act of development as described in Section 55 of the Act.

3. The appeal site is within the Metropolitan Green Belt. Nonetheless, the main parties are in agreement that the development is not inappropriate development in the Green Belt. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 145 of the National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless it falls under one of the specified exceptions. This includes limited infilling which would not have a greater impact on the openness of the Green Belt than the existing development.
4. I do not have any substantive evidence before me to support the appellant's claim that the development has replaced a building on the site. However, the development is single storey and is closely associated with the much more substantial three storey hospital buildings. Whilst there has been an increase in the amount of development within the hospital grounds, when having regard to its location, scale, degree of containment and the built up character of its surroundings, the development could reasonably be regarded as limited infilling, and in my judgement, its effect on the openness of the Green Belt is no greater than the existing development. Accordingly, I agree that the development is not inappropriate development in the Green Belt for the purposes of the Framework, and as such, there is no requirement for me to consider the matter as to whether or not very special circumstances exist.
5. Taking the above into account, the **main issue** is:
 - Whether the development preserves or enhances the character or appearance of the Harefield Village Conservation Area and the setting of the nearby locally listed building.

Reasons

6. The appeal site lies within the Harefield Village Conservation Area (HVCA). In determining this appeal, I have a duty to pay special attention to the desirability of preserving or enhancing its character or appearance. The HVCA encompasses a wide area, including some surrounding fields. I consider that its significance derives from the variety of architectural styles and the spacious and verdant character, which is enhanced significantly by mature trees and notable open spaces, including the village green.
7. Harefield Hospital is located in the northern part of the HVCA. It is mostly set behind a belt of mature trees on the western side of Rickmansworth Road, apart from where it becomes open to view at the Hill End Road entrance. To the east is housing of different ages and styles, set behind boundary treatments ranging from timber fencing, brick walls and hedges, such that the overall character of the street scene is varied.

8. The original hospital buildings are included on the Local List of Buildings of Architectural or Historic Importance and, as such, can be regarded as a non-designated heritage asset. The Main Block is significant for its symmetrical curved design, but this is only appreciated very narrowly, predominantly from the north and south within the hospital grounds. Therefore, its overall setting, and particularly the appeal site to the east, makes a very limited contribution to the significance of this non-designated heritage asset.
9. The appeal building is visible from Hill End Road and Rickmansworth Road, including from the residential properties along those roads. Nevertheless, its scale is subordinate to the three storey Main Block and in the context of the hospital setting and wider surroundings. The timber cladding is to a high quality and combined with the 'green roof', helps to integrate the building into the landscaped setting that surrounds the hospital buildings. Moreover, its profile is in keeping with that of the Main Block, and due to its siting and detachment, it does not visually obscure or alter the symmetry and curvature of the Main Block. Consequently, the effect of the development on the significance of this non-designated heritage asset, as a development within its setting, is very minor.
10. In addition, the proposal includes a mixed native species hedge to the east and north of the building. Once established, the hedge would reduce the visibility of the building from outside the site, without unduly obscuring views of the Main Block behind. The ground around the building is unmade and there is ample space between the building and boundary fence, so I have no reason to doubt that the hedge would not establish successfully and be maintained. The details of the planting and long term maintenance can be secured by a condition, as has been suggested by the Council, and I consider that this would be reasonable and necessary.
11. The Council is not bound to accept the advice of its consultees, but I note that there were no objections from the Council's Design and Conservation, or Landscape Sections. For the reasons set out above, I do not consider the development to be incongruous or harmful to the street scene, nor do I consider that it has compromised the spacious and verdant character of the area. I also find that the development does not directly affect the fabric of the non-designated heritage asset, and does not cause indirect harm, or loss to, the non-designated heritage asset as a development within its setting, thereby preserving its significance.
12. I conclude that the development preserves the character and appearance of the HVCA and the setting of the nearby locally listed buildings. In this regard, the proposal does not fail to comply with Policies 7.4 and 7.8 of the London Plan (2016), Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012), and Policies BE4, BE10, BE13, BE19 of the Hillingdon Local Plan: Part 2 Saved Unitary Development Plan Policies (2012). These policies require, amongst other things, development to: achieve a high quality of design in all new buildings; preserve or enhance Conservation Areas and the setting of historic buildings; harmonise with the existing street scene; and, complement the character of the area. There is also no conflict, in this regard, with paragraphs 190, 193, 197 and 200 of the Framework.

Other Matters

13. I have also had careful regard to the variety of other issues raised by interested parties that have not already been encapsulated above. This includes concerns over the security of the building and public health and safety issues, including odour, vermin and waste transportation arrangements. These matters were before the Council when it determined the appeal planning application and did not feature in the reasons for refusal. Based on the evidence before me, I have no reason to disagree with the Council in this regard. In any event, such matters are ultimately management issues for the hospital and are regulated by other means. I also note there is acknowledgement that the matters have improved.
14. The fact that the building was erected before obtaining planning permission is not a reason in itself to dismiss the appeal. Nor is the potential to site the building in another location within the hospital grounds. I have determined the proposal on its own merits and found it to be acceptable. Any future proposals would also be considered on their own merits and therefore I do not consider any precedent would be set by allowing the appeal.
15. I noted the comment about the need for more car parking, but that is not a matter related to, or which is appropriate for the appeal proposal to resolve. The effects on archaeology did not feature in the reasons for refusal and there is no evidence that would lead me to take a different view.
16. Consequently, whilst I appreciate the genuine concerns of the interested parties, none of the other issues raised alter or outweigh my findings on the main issue.

Conditions

17. I have considered the planning conditions that have been suggested by the Council against advice in the Framework and the Planning Practice Guidance, making amendments where necessary to ensure they meet the relevant tests.
18. As the appeal is retrospective there is no requirement for a condition imposing a time limit to commence the development. The approved plans contain some landscaping details, but detailed planting specification and long term maintenance arrangements are necessary as already outlined, so a condition is imposed accordingly. I consider a period of one month to prepare and submit the landscape details to be too short so I have amended this to three months.
19. A condition requiring details of security measures is not relevant to planning so it is not imposed.

Conclusion

20. For the reasons given and having taken into consideration all matters raised, I conclude that the appeal should be allowed.

Adrian Caines

INSPECTOR