



Appeal Decision

Site visit made on 22 February 2022

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2022

Appeal Ref: APP/R5510/W/21/3285552

157 High Street, Harlington, Hayes UB3 5DA

- 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 Harish Dass against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 60489/APP/2020/4224, dated 17 December 2020, was refused by notice dated 27 April 2021.
 - The development proposed is change of use from use class c4 (HMO) to use class c3 (dwellinghouses) following loft space conversion, to form a 2 bedroom 3 person flat on first floor & change of use from use class c4 (HMO) to class e provision of medical & health services (e) on the ground floor.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development would preserve or enhance the character or appearance of the Harlington Village Conservation Area;
 - The effect of the development on highway safety; and
 - The effect of the development on the Borough's supply of family housing.

Reasons

Conservation Area

3. The Council's third refusal reason makes reference to the 'Harefield Village Conservation Area'. However, it is clear from the appeal submissions that the appeal site is within the Harlington Village Conservation Area (the HVCA).
4. Insofar as it relates to this appeal, the significance of the HVCA lies, in part, in its distinctive linear form and the variety of buildings of different ages, styles and architectural detailing fronting onto High Street. As a pleasant and relatively unaltered semi-detached dwelling of mid-20th century origins fronting onto High Street, No 157 makes a neutral contribution to the interest and importance of the HVCA as a designated heritage asset.
5. The conversion works to the upper floors would entail dormer windows in the side and rear roofslopes. Both would be highly prominent additions to the roof in an area where dormer windows are not a common feature, such that they would appear incongruous. Furthermore, neither the crown roof design of the side dormer, nor the box-like, flat-roofed rear dormer would relate

satisfactorily to the hipped roof design of the host property. Consequently, the dormers would, through their design and siting, significantly harm the character and appearance of the host building and its surroundings.

6. The proposed commercial use of the ground floor would entail the installation of a shopfront to match No 159 and creation of parking spaces at the front. I note the Council's point that the shopfront to No 159 was likely as a result of its corner position, but as the building is effectively seen as one entity, I do not consider the introduction of a further shopfront to be inappropriate. Nor do I consider that the resultant symmetry of the front elevations would be harmful.
7. However, the creation of the parking spaces would likely necessitate the hard surfacing of the whole of the front garden, and it is unclear whether the hedges along the sides would be retained. Even if it is not currently maintained to its full potential, the front garden still provides some welcome softening and relief between the two hard surfaced parking areas at the neighbouring medical premises. The loss of the greenery to more hard surfacing would result in a continuous expanse of hard surfacing and parked vehicles, which would be harmful to the street scene. I have considered the appellant's suggestion to condition a landscaping scheme, but given the limited space available for any meaningful soft landscaping to be achieved, such a condition would not make this element of the development acceptable.
8. I am not aware of the history and circumstances behind the neighbouring surgery at No 155, but in any event, the site and proposals are not entirely the same, and I have found that the proposed development would be harmful for its own specific reasons.
9. I therefore conclude, on this issue, that the dormers and front parking area would have a significant adverse visual effect on the appeal site and its surroundings. Accordingly, the proposals would fail to preserve or enhance the character or appearance of the HVCA, and would undermine its significance. The proposals would also conflict with the design, landscaping and historic environment protection objectives of Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012); Policies DMHB4, DMHB11 and DMHB14 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) (the HLPDP); and Policy HC1 of the London Plan (2021).
10. The harm to the HVCA would be classed as 'less than substantial', but that is nevertheless a matter of considerable importance and weight. Paragraph 202 of the National Planning Policy Framework (the Framework) requires such harm to be weighed against the public benefits of the proposal. Although it would bring with it some economic benefits, these would be modest given the small scale of the development, and are therefore far outweighed by the harm that would be caused to the character and appearance of the HVCA. As such, the proposals would also be contrary to HLPDP Policy DMHB1 and national policy set out in the Framework.

Highway safety

11. High Street (the A437) is a classified primary road and part of the strategic road network. Indeed, at my site visit I observed a steady flow of traffic past the site. In addition, there are two road junctions and a right turn lane close to the site, as well as a pedestrian crossing a short distance to the south, all of which add complexity to the road environment at this point.

12. The two new parking spaces at the front of the site would necessitate the creation of a new vehicular crossing onto High Street. Unlike the neighbouring medical premises, the vehicles would be unable to leave the parking spaces in forward gear. Having regard to the nature and busy character of the road outside the site, such a manoeuvre would be unsafe for both pedestrians and vehicles. Consequently, the development would increase the risk of conflict arising between vehicles, or vehicles and pedestrians, to the detriment of highway safety.
13. There is parking for up to three cars at the rear of the site via the existing access on Brickfield Lane. However, due to the tandem arrangement, this parking would only be suitable for the residential unit. I have considered whether some of the parking demands of the development could alternatively be met on-street, but the parking restrictions outside the site and in surrounding streets means that opportunities for on-street parking are very limited. I also note that the area has a public transport accessibility level of 2, which is poor, and thus a car-free development would not be appropriate.
14. I therefore conclude, on this issue, that the development would be harmful to highway safety. Thus, it is contrary to HLPDP Policies DMT1, DMT2 and DMT6 insofar as they seek to protect highway safety.

Family housing supply

15. The appeal property is in use as a small house in multiple occupation. Such accommodation is usually occupied as a single household with shared use of facilities. The drawings indicate this is the case. It would therefore still be classified as family sized housing. However, as the proposal would create a three-bed flat, no net loss of family sized housing would occur, and I note from the Council's Statement that it no longer objects on this ground.
16. I therefore conclude, on this issue, that the development would not harm the Borough's supply of family housing, and as such, the proposal complies with Policy DMH1 of the HLPDP in this regard.

Conclusion

17. The development would bring with it some modest economic benefits and would not harm the Borough's supply of family housing. Nevertheless, these matters do not outweigh the significant harm I have found in relation to the character and appearance of the HVCA, and highway safety.
18. For these reasons, I conclude that the proposal conflicts with the development plan when taken as a whole and there are no considerations, including the Framework, to outweigh this conflict. Accordingly, the appeal is dismissed.

A Caines

INSPECTOR