



Appeal Decision

Site visit made on 13 September 2022

by Ms Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2022

Appeal Ref: APP/R5510/C/21/3278533

164 Field End Road, Pinner, HA5 1RH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Ms Lauren O`Keefe against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice, numbered HS/ENF/018712, was issued on 27 May 2021.
 - The breach of planning control as alleged in the notice is "without planning permission, the installation of shop front and display of fascia sign".
 - The requirements of the notice are to: (i) Remove the fascia sign; (ii) remove the shopfront, to include but not limited to the following: roller shutter, obscure glazed windows; door and window frames; (iii) reinstate the pre-existing shopfront to replicate the traditional design, appearance, and arrangement of the former shopfront. It would need to include but not limited to the following: recessed, single door entrance; timber entrance door with glazed fanlight; panelled stall riser; clear glazed shop windows; flat panel, timber fascia sign; (iv) Remove from the land all debris, waste, building materials, plant, equipment and machinery resulting from the works carried out in compliance with the works above.
 - The period for compliance with the requirements is: 3 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended. 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 Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Main Issue

2. The effect of the shop front and fascia sign on the character and appearance of the street-scene with particular regard to the character and appearance of the Eastcote Morford Way Conservation Area.

Reasons

3. The site is a two-storey terraced property in a 1930s shopping parade. It has a commercial use on the ground floor with a residential use above. It is within the Eastcote Conservation Area which is characterised by suburban "Metroland" development influenced by the Metropolitan Railway from London. It comprises a residential street, Morford Way, and a shopping street which contains the appeal property.
4. Houses date from around the 1920s and Morford Way has a spacious, mature landscape character with grass verges. The houses are characterised by hipped

tilled roofs, brick and render facings, bays and multi-paned casement windows. The shopping parade was designed by Frank Osler who also designed some of the houses on Morford Way. It is constructed of brick and features steeply pitched tiled roof forms, incorporating gables, and decorative chimney stacks. The upper floor windows are mostly multipaned casements. The two commercial and residential elements of the conservation area complement each other with their Arts and Crafts/Tudorbethan influenced architecture and together, they have the look of a garden suburb development. The significance of the conservation area is derived from its age, its Metroland development, and its garden suburb type architecture and layout.

5. The parade of shops has been altered over the years and most of them have modern shopfronts without stallrisers. Nevertheless, the shopfront which was replaced by the unauthorised shopfront was of a traditional design. It had a recessed entrance with a fanlight above; a timber panelled stall riser; and a well-proportioned non illuminated fascia sign. It may not have been the exact original but even if it was not, it was characteristic of the shopfronts of the 1930s era and appropriate to the Arts and Crafts influenced design of the parade. It therefore made a positive contribution to the conservation area.
6. The loss of the shopfront and its replacement with a flat metal frame, obscure floor to ceiling glazing, an external roller shutter and a deep sign that projects above both the canopy over the door to one side and above the fascia sign to the other side, is at odds with the Arts and Crafts/Metroland style of architecture and garden suburb character of the area. I appreciate that the shutter is perforated which allows some light to penetrate into the streetscene when shut, but it is housed in an external box which is bulky and obtrusive on the frontage. The removal of the privacy film from the shop windows would not go far enough to remedy the harm.
7. I acknowledge that most of the other shopfronts and many of the fascia signs in the parade are modern and display characteristics of the shopfront and fascia sign subject of this appeal. I also acknowledge that Policy DMHB 13 of the Hillingdon Local Plan Part Two – Development Management Policies (DMP) indicates that new shop fronts should take account of the surrounding street scene and their relationship with surrounding shopfronts. However, this policy also seeks to retain shopfronts of architectural or historic interest and indicates that shopfronts should complement the original design of the building of which it forms part. Furthermore, I have a statutory duty under S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The existence of the other shopfronts does not justify development which further erodes the character and appearance of the parade.
8. For the above reasons, the appeal shopfront and fascia sign harm the character and appearance of the area and fail to either preserve or enhance the character or appearance of the conservation area. Given that the shopfront affects only a small part of the conservation area, I consider that the harm to the significance of the conservation area to be less than substantial and at the lower end along the scale of less than substantial harm.
9. Paragraph 199 of the National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The Framework advises that less than substantial harm must be weighed against the public benefits of the scheme.

10. No public benefits of the development have been put forward. Consequently, I find that there are no public benefits to outweigh the less than substantial harm to the conservation area.
11. I conclude that the development harms the character and appearance of the area and the significance of the conservation area. Therefore, it conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies; and Policies DMHB 1, 4, 11 and 12 of the DMP. In combination, these policies seek to ensure that development is appropriate to the identity and context of Hillingdon's buildings and townscapes; protects the public realm, conserve heritage assets, including conservation areas, Metroland suburbs and planned residential estates. In addition, it conflicts with DMP Policy DMHB 13 which seeks to retain shopfronts of architectural or historic interest and DMP Policy 13A which seeks to ensure that advertisements and signs complement the scale, form and architectural composition of the building.

Other Matters

12. The appellant asked me to consider the fascia sign separately for advertisement consent. However, even if I were to do so, I would not permit it because, even individually, it has an unacceptable effect on amenity due to its appearance, for the reasons explained above. Similarly, the shopfront would also be unacceptable, even without the fascia sign.

Conclusion

13. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Ms Watson

INSPECTOR