The Planning Inspectorate

Appeal Decision

Site visit made on 20 October 2022

Decision by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2022

Appeal Ref: APP/R5510/D/22/3303258
60 High Street, Harefield, Hillingdon UB9 6BZ

- 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 Paul Caraco against the decision of London Borough of Hillingdon.
- The application Ref 77161/APP/2022/960, dated 21 March 2022, was refused by notice dated 13 July 2022.
- The development proposed is Drop curb for vehicle access over path and park in front garden.

Decision

1. The appeal is dismissed

Main Issues

2. The main issues are:

   - Whether or not the proposal would preserve or enhance the character or appearance of the Harefield Village Conservation Area (CA); and
   - Whether or not it would lead to a detrimental effect to pedestrian and highway safety.

Reasons

Character and appearance

3. The appeal site forms part of a short residential terrace of cottages, originally thought to be one residential building, set back from the main road and within the Harefield Village CA. This part of the CA's significance derives from its village context and rural, verdant characteristics. The terrace contributes positively to this with the front gardens providing green relief. A number of locally listed buildings are located opposite the appeal site.

4. In terms of the appeal site and terrace, the front gardens of this group of houses are currently retained and form part of their original character. It creates a charm to the setting of the dwelling houses with green space between them and the road, also contributing to its cottage aesthetic and rural setting. To entirely lose this garden area and native perimeter hedge to the road would be out of character with the other dwellings along the row and appear visually intrusive as proposed. It would not preserve or enhance the character or appearance of this part of the CA.

5. As the appeal property sits within a conservation area, any development must be considered within the context of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that I pay particular attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

6. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation. That is still so, irrespective of whether the potential harm is 'less than substantial'. This harm would be 'less than substantial' and in accordance with paragraph 202 of the Framework, the public benefits must be balanced against any harm found.

7. Whilst the proposal would provide an off-street parking space, this would be a private benefit to the appellant. Taking this into account, there are insufficient public benefits identified to outweigh the harm that would be caused by this proposal.

8. In terms of the setting of the non-designated heritage assets, I find it would have a limited effect, but nonetheless a harmful impact to the setting of the heritage assets. This is because they are seen within the same context, although the road in-between separates the sites from one another.

9. To conclude on this main issue, the proposed development would not safeguard the heritage character of the CA and have a negative effect upon the wider setting of the adjacent locally listed buildings. Therefore, the proposal is contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 3, DMHB 4, DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), and Policy HC1 of the London Plan 2021 in their combined broad design and heritage protection aims. In addition, it is contrary to the National Planning Policy Framework (the Framework) in its objectives to protect the historic environment.

Pedestrian and Highway safety

10. High Street was heavily trafficked at the time of my visit as well as being used as a main bus route. A narrow footway leads outside the appeal dwelling into Harefield.

11. There would be no space to turn within the site with vehicles required to reverse onto the road where visibility would be obscured by the adjacent terrace of two storey houses that sits forward of the appeal site. I appreciate the appellant considers a turning plate to be acceptable as a means to avoid reversing out onto the road. However, I have been provided with no details to consider.

12. In any event, combined with the above, a 30MPH vehicular speed and the fact that the opposite public house building is located hard up against the road with no footway directly opposite, would encourage pedestrians to walk on the appeal side of the road. It would thus lead to conflict with both traffic and pedestrians.

13. The Council have not been unreasonable to comment that the gates, as illustrated within the appellant's submission plans, would encourage vehicles to

wait on the road before entering the site. In light of paragraph 56 of the Framework, conditions could be imposed provided they meet the relevant tests set out. Without further detail on the matter at this stage, I could not be certain a condition would be appropriate to ensure no adverse effects on pedestrian and highway safety would arise.

14. The examples of other sites used by the appellant allow vehicles to physically turn within the site to exit in a forward gear. In addition, they are not associated with residential development and are not the same situation as the appeal site that forms part of a terrace. The circumstances cannot be reasonably compared.

15. Therefore, to conclude on this main issue, the proposal would not meet the Policy expectations of DMT 2 and DMT 6 of the Hillingdon Local Plan - Part Two Development Management Policies (2020) and Policy T4 of the London Plan 2021 to safeguard development from adverse highway and pedestrian impacts.

Conclusion

16. Therefore, I find that the matters advanced in support of the proposal do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan. For the reasons given above, I conclude that the appeal is dismissed.

Alison Scott

INSPECTOR