



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By: Cadent Gas Ltd

Proposal: Upgrading of the existing gas supply via the installation of external gas pipe apparatus.

Appeal Site: Cowley House, Cowley Road, Uxbridge, UB8 2AJ and Cowley House , Cowley Road, Uxbridge , UB8 2AJ

1. Introduction

Our Ref:
Your Ref:

15841/APP/2022/912
APP/R5510/W/23/3330779

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant listed building consent for upgrading of the existing gas supply via the installation of external gas pipe apparatus.
- 1.2 The LPA refused Listed Building Consent on 06.04.2023 for the following reason (as stated on the decision notice):
 1. The proposal would be harmful due to the cluttering of the elevations and disrupting of notable architectural features, in particular the cornice and would not respect the significance of the building and would alter its character and appearance in a detrimental way. There would also be harm to the historic fabric with the fixings and the openings, and no information or floor plans have been provided to demonstrate that there would be no harm to the internal fabric of this statutorily listed building. Therefore the proposal would fail to preserve the significance of the Grade II Listed Building by posing 'less than substantial harm' to the significance of the designated heritage asset, and adversely affect the visual amenity of the street scene and character of the area. Further, the proposed development would not deliver public benefits sufficient to outweigh the harm posed. As such, the proposal is contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 (2012), Policies DMHB 1, DMHB 2 and DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policies D3 and HC1 of the London Plan (2021) and Chapters 12 and 16 of the National Planning Policy Framework (2021).
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The appellant advises that it is acknowledged that harm to the significance of the listed building results from the proposals due to their position on the exterior, however this harm is well within the bracket of 'less than substantial harm' as established by the NPPF. The proposed works would not detract from an appreciation of the architectural interest of the building as an example of 18th Century residential development of some status nor would the installation result in the loss of key architectural features which contribute towards the character and appearance and significance of the listed building.
- 2.2 The Council considers as the harm identified is less than substantial harm, a balanced judgement in relation to NPPF 2021 para 202 and public benefit has been carried out and it is not considered that the public benefits outweigh the identified harm. This is particularly so given that the public benefits identified would also be achievable with a more sensitive, less intrusive and ultimately less harmful proposal. Indeed the Council has recently granted consent under application reference 15841/APP/2023/1831 for the Repair of gas supply via the installation of minor external gas pipe apparatus. A copy of this permission is attached as Appendix 2.

3. Conclusion

- 3.1 For the reasons set out in the delegated report and this statement the proposal would be harmful due to the cluttering of the elevations and disrupting of notable architectural features, in particular the cornice and would not respect the significance of the building and would alter its character and appearance in a detrimental way. There would also be harm to the historic fabric with the fixings and the openings, and no information or floor plans have been provided to demonstrate that there would be no harm to the internal fabric of this statutorily listed building. The Inspector is therefore respectfully requested to dismiss the appeal.
- 3.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 3.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 2 – Copy of application reference 15841/APP/2023/1831

Appendix 3 – The LPA's Recommended Conditions