



Appeal Decision

Site visit made on 14 May 2026

by **E Everitt BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 June 2026

Appeal Ref: 6003933

1A Villier Street, Uxbridge, Hillingdon UB8 2PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr A Akbar against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 76186/APP/2025/2050, dated 14 August 2025, was refused by notice dated 3 October 2025.
 - The application sought planning permission for *change of use from Industrial to MOT Centre (Sui Generis) along with widening of drop kerb along with installation of new wooden door and new front door* without complying with a condition attached to planning permission Ref 76186/APP/2024/3188, dated 3 April 2025.
 - The condition in dispute is No 2 which states that: *The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers ART/2024/MOT/1A-VS-SPLP A, ART/2024/MOT/1A-VS/FE Rev B, ART/2024/MOT/1A-VS/PE Rev B, ART/2024/MOT/1A-VS/PL02 Rev B and shall thereafter be retained/maintained for as long as the development remains in existence.*
 - The reason given for the condition is: *To ensure the development complies with the provisions of the Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).*
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Full planning permission was granted in 2025 for change of use from Industrial to MOT Centre (Sui Generis) along with widening of drop kerb along with installation of new wooden door and new front door (reference 76186/APP/2024/3188).
3. The appellant seeks to amend the approved elevations to replace the wooden front door with a roller shutter.
4. The application form states that the development was started in May 2025. At the time of my site visit, construction had taken place and I was able to see the roller shutter.
5. Accordingly, the main issue is whether the roller shutter preserves or enhances the character or appearance of The Greenway Conservation Area.

Reasons

6. The appeal property comprises a part single, part 2-storey building in use as an MOT Centre. The surrounding area is predominantly residential in character, albeit

there are some other small-scale commercial uses present including a garage immediately opposite the appeal site.

7. The appeal site is located within The Greenway Conservation Area (CA). As such, I have a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
8. The special interest and significance of the CA results predominantly from a limited traditional materials palette. I observed during my site visit that facades are largely brick, with a broadly consistent colouring evident throughout Villier Street. There is a variety of architectural styles present in the surrounding area, including some more modern development, and examples of properties featuring materials including render and pebbledash. Nonetheless, notwithstanding the variation in roof forms, building heights and front boundary treatments, there remains a cohesive appearance to the street scene as a result of the predominance of brick facades. While there is variety in fenestration styles and colouring in the surrounding area, I observed few examples of modern commercial features in the CA with nearby premises instead featuring traditional, largely wooden, fenestration.
9. The Villier Street façade of appeal property is predominantly brick, consistent with facades present elsewhere in the CA. Its historic fenestration, removed as part of the development, was in keeping with that of nearby premises in terms of form, scale and materials. In this regard, the property contributed positively to the CA's character and appearance and its significance as a designated heritage asset.
10. The installation of the roller shutter has resulted in the removal of some historic brickwork as well as the loss of traditional fenestration. The quantum of brick removed is relatively modest in the context of the wider property and surrounding built environment. However, in combination with the modern design of the roller shutter which contrasts starkly with the architectural composition of the property, the loss of the historic materials has diminished the character and appearance of the appeal property. This is irrespective of the slim line form and colour of the roller shutter. Consequently, although the development is of a small scale and has a visual impact which is reasonably limited in extent, it detracts from the character and appearance of the CA.
11. Paragraph 212 of the National Planning Policy Framework (the Framework) states 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. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
12. The Framework and the Planning Practice Guidance require the category of harm to be explicitly identified, and the extent of harm within that category to be clearly articulated. Given the scale of the development, and mindful of the other materials present in the immediate vicinity of the appeal site, I find that the harm to the significance of the CA is at the lower end of the spectrum of less than substantial harm. Nonetheless, the harm is of considerable importance and weight.
13. Paragraph 215 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage

asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

14. The appellant has also put to me that the roller shutter delivers public benefits by making the approved use as an MOT Centre more viable and providing a functional facility for the use. There is not, however, clear evidence that the use would not be viable or functional if constructed in accordance with the approved plans or that these benefits are dependent on the particular scheme before me. Moreover, benefits associated with the viability and functionality of the use, as well as site safety and security, would be primarily private benefits to the appellant. Accordingly, I afford these benefits limited weight in favour of the proposal.
15. In my view, mindful of my duties under the Act, the public benefits of the proposal do not present a clear and convincing justification for the less than substantial harm that would arise to the CA.
16. For these reasons, I conclude that the roller shutter does not preserve or enhance the character or appearance of the CA. In this regard, it is contrary to the relevant provisions of Policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) and Policies HC1 and D3 of the London Plan 2021. Among other things, these policies seek a high quality of design which conserves and enhances the Borough's distinct and varied environment, makes a positive contribution to the local character and distinctiveness of an area and sustains and enhances the significance of heritage assets.

Other Matters

17. The Council concludes that the roller shutter does not impact on neighbouring residential amenity, notwithstanding the potential for it to generate some noise in windy conditions. From the information before me, I see no reason to disagree with this finding. Nevertheless, neither this matter nor the absence of other neighbour concerns regarding the development and its impact lead me to an alternative conclusion on the main issue.

Conclusion

18. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

E Everitt

INSPECTOR