

Appeal Decision

Site visit made on 14 November 2016

by JP Roberts BSc(Hons), LLB(Hons), MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 November 2016

Appeal Ref: APP/R5510/C/16/3149546

Northwood Coachworks, Station Approach, Northwood HA6 2XN

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Manoj Shah against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The enforcement notice, numbered VA/ENF/9245, was issued on 30 March 2016.
 - The breach of planning control as alleged in the notice is:
Without planning permission, the erection of an open fronted outbuilding and the enlargement of an existing outbuilding with two extensions.
 - The requirements of the notice are:
 - (i) *Demolish and remove the open fronted outbuildings as shown in the approximate position outlined and crosshatched in blue on the plan attached to the notice.*
 - (ii) *Demolish and remove the extensions to the existing outbuilding as shown crosshatched in orange on the plan attached to the notice.*
 - (iii) *Remove from the Land all materials, debris, plant and equipment associated with requirement (i) and (ii) above.*
 - The period for compliance with the requirements is one month.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Decision

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

Appeal on ground (a) – that planning permission should be granted for the development

Main Issues

2. The main issues are:
 - i) whether the development would preserve or enhance the character or appearance of the Northwood Town Centre and Green Lane Conservation Area, and
 - ii) the effect of the development on the living conditions of adjoining neighbouring occupiers with particular regard to outlook and visual impact.
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Reasons

Effect on the conservation area

3. The appeal site lies on the edge of the conservation area, which encompasses the commercial core of Northwood and, in the southern part, residential areas, and contains a number of buildings of architectural distinction. The appeal building is used for carrying out repairs to vehicle bodyworks. The main building is a modern industrial building clad in profiled steel. There is a large rear yard in which the outbuildings subject of the notice have been erected.
4. The yard opens out onto a public footpath called Central Way, which runs between Green Lane and another footpath to the south of the appeal site which runs at right angles to it, connecting Hallowell Road with Station Approach. The site is flanked by the rear elevations of buildings mainly in commercial use at ground floor level with residential accommodation above. The rear elevations have a more mundane appearance and lack the architectural quality of the buildings which face the roads. Several feature paraphernalia such as external steel stairs and fume extraction equipment, which mar the looks of the area. North of the main workshop building the site is enclosed by a rough finished chipboard fence, painted in blue and black and in part, in grey. I consider that the site and its immediate surrounds make little contribution to the significance of the conservation area.
5. The outbuilding shown in blue on the plan attached to the notice is an open-fronted building mainly using the boundary fence to enclose one side and is also constructed in chipboard, with a profiled roof. The outbuildings on the other side of the yard wrap round an existing building, and are also made out of wood with a profiled steel roof.
6. Although the design quality in this hinterland position is not high, the appeal buildings, in both materials and design, have a particularly poor appearance. Whilst I recognise that the site is in industrial use, where a more functional design may be expected, the buildings have a makeshift, ramshackle appearance which fails to constitute good design, sought by the National Planning Policy Framework (the Framework) for all development. The owner of two neighbouring businesses has written to say that the buildings help to improve security and prevent people dumping rubbish over the boundary wall. Although I acknowledge that the buildings may act as a barrier, there are other less harmful ways that this could be achieved.
7. I find that the outbuildings fail to preserve or enhance the character or appearance of the conservation area, but the harm would, in the terms of the Framework, be less than significant. The Framework indicates that this degree of harm needs to be balanced against public benefits; in this case no significant public benefits arise, and thus the harm that I have found weighs against granting planning permission. The development also conflicts with Policy BE1 of the Hillingdon Local Plan (LP) Part 1, which deals with the built environment, and with saved Hillingdon Unitary Development Plan (UDP) Policies BE4 and BE13 which respectively deal with development within or on the fringes of conservation areas and design.
8. The appellant has not refuted the Council's allegation about the harm to the character or appearance of the area, but has merely indicated that the buildings are temporary and intended to be removed when the short lease on

the premises expires. However, I have not been told when the lease expires, whether it might be renewed, or of any other plans to relocate or close the business. I therefore consider that it would be inappropriate to grant a temporary planning permission for the buildings.

Living conditions

9. The site is overlooked by a large number of windows in flats to the north, north-east and west of the site. The first floor flats to the west of the site have an access deck and kitchen windows which face the site and lie just a few metres away from the westernmost outbuildings. Other flats would be somewhat further away, but many would have clear views over the roofs of these outbuildings and whilst they are similar to the roof of the existing structure, the significant increase in the scale of the building creates a substantial surface area devoid of any visual interest. I consider that this is damaging to the outlook and visual impact of neighbours, sufficient to harm their living conditions. The development also conflicts with saved Hillingdon UDP Policy BE19 which deals with the amenity and character of residential areas.

Other matters

10. I have had regard to the benefit of the buildings to an existing business, but I have not been told anything about the contribution they make to its operation or viability. At the time of my visit the westernmost outbuildings were used solely for storage, mainly of low worth items, but the outbuilding nearest the lane was being actively used for car cleaning, and clearly has a useful function. However, the benefits which are likely to result from the building's use do not outweigh the harm that I have found.

Conclusion

11. For the above reasons, I find that the development fails the environmental role of sustainable development, and that it conflicts with the development plan as a whole. I thus conclude that the appeal on ground (a) should be dismissed, that planning permission should not be granted, and that the enforcement notice is upheld.

JP Roberts

INSPECTOR