



Appeal Decision

Site visit made on 25 November 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2019

Appeal Ref: APP/F5540/W/19/3235451

Land adjacent to 89 High Street, Cranford, Hounslow TW5 9RX

- 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 Resham Singh Kleir against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00608/89/P6, dated 5 March 2019, was refused by notice dated 12 July 2019.
 - The development proposed is the use of land for the storage of motor vehicles.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have amended the description of the proposed development to improve accuracy and clarity.
3. Section F of the appeal form shows that the appeal is against the refusal of permission to vary or remove a condition(s). No condition or planning permission is listed on the application form or the Council's decision notice or in the appellant's Grounds for Appeal document. I am satisfied that this is an appeal under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission, rather than an appeal under section 73 of the Act to vary or remove a condition.

Main Issues

4. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2019 (the Framework) and development plan policy
 - the effect of the proposal on the character and appearance of the Cranford Village Conservation Area (CVCA)
 - the effect of the proposal on highway and pedestrian safety
 - if the proposal is inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate development in the Green Belt

5. Policy GB1 (Green Belt) of the Hounslow Local Plan 2015-2030 (HLP) outlines the Council's approach to development in the Green Belt. Policy 7.16 (Green Belt) of the London Plan 2016¹ (LP) also provides guidance for determining development proposals in the Green Belt.
6. Both policies predate the current version of the Framework, and whilst generally consistent, differ in certain respects relevant to this appeal, and so I have given them less than full weight in my decision. I have given significant weight to the Framework as a material consideration in determining this appeal.
7. The proposed development does not include the erection of any buildings. Paragraph 146 of the Framework states that certain other forms of development are not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it.
8. The proposed development would be for the storage of 30 cars on land that is said to have been vacant since 2006, although Section 6 of the application form states that it is used for storing motor vehicles. A block plan accompanying the application shows a hand-drawn and unscaled indication of how the vehicles would be positioned within the site, adjacent to the sides by The Parkway to the northeast and housing in Cranford to the southwest, with access from High Street. However, unlike for 89 High Street and the other dwellings along this road, there is no drop crossing by the access point and vehicles entering the site from the road would need to traverse a grass verge to do so.
9. Very limited information about the proposed use has been provided. I note the reference to 'airport parking' contained in the appellant's statement of case. However, no details of what this would entail, including hours of operation, are provided. There are also inconsistencies in the appellant's evidence, such as in terms of the number of employees associated with the use and whether the use is existing or not.
10. From the evidence, and my observations on site, the proposal would be a material change of use² to the land for the storage of motor vehicles. Whilst this use could also be classed as 'local transport infrastructure' it has not been demonstrated to my satisfaction that it would be infrastructure that is required to be located in the Green Belt³.
11. In any event, the proposed storage of motor vehicles would significantly reduce the visual openness of the Green Belt at this location, when compared to the existing vacant land that I observed on site. Consequently, it would be inappropriate development in the Green Belt and would conflict with Policies GB1 of the HLP and 7.16 of the LP and with the Framework.

¹ The Spatial Development Strategy for London consolidated with alterations since 2011

² Paragraph 146 c) of the Framework

³ Paragraph 146 e) of the Framework

Character and appearance of the CVCA

12. The appeal site is located in a visually prominent position on the northeastern edge of the CVCA, at the junction of The Parkway, a dual carriageway, and High Street, a broad, two-way street. This part of the CVCA has a predominantly residential character and appearance, with a variety of house types, grass verges, and mature trees located along High Street.
13. The CVCA is a designated heritage asset and its significance is derived from the traditional street layout and associated residential buildings, together with the mature landscaping to be found there. Government guidance states that in considering the impact of a development proposal on the significance of such an asset, great weight should be given to the asset's conservation⁴.
14. The appeal site is generally level and comprises compacted soil and low-level scrub vegetation. Timber fencing forms the site boundary, with concrete blocks placed in a gap in the fencing on High Street to prevent vehicular access. The site is at a somewhat lower elevation than The Parkway, to the northeast, and is readily visible from surrounding streets and from neighbouring dwellings to the southeast and southwest.
15. The appeal site's location means that it is seen within the context of the dual carriageway and the traffic-light controlled junction. As a vacant site, it does not currently make a positive contribution to the significance of the CVCA, other than as a limited buffer between the dwellings and the dual carriageway.
16. The proposed storage of 30 vehicles would be a more visually intrusive use of the site and would be a large and incongruous feature within the CVCA. It would, in my view, cause less than substantial harm to the significance of the CVCA. In accordance with paragraph 196 of the Framework I have considered this harm against the public benefits of the appeal development.
17. The appellant refers to the public benefits of the proposed 'airport parking' use but does not explain what these would be. No evidence has been provided to show an unmet public demand for such a facility, which in any event, would be operated as a private business.
18. Reference is made to the dumping of waste on the appeal site and the costs that the appellant has incurred removing such waste, as well as the use of the land for substance abuse, although I note that this is disputed by a neighbouring third party. Whilst the avoidance of such activities would be of benefit to the local community, there is no substantive evidence that such activities have taken place at the site, and even if they had, the proposed development would not be the only means of preventing this. I therefore give this very limited weight.
19. I also note the appellant's comments regarding a former use of the site by Travellers and the impacts this had on the appearance of the site and on the local community. I note that the site is not currently used by Travellers and that the only access point is blocked. Regardless of the stated impacts on the local community there is no evidence that such a use is likely to recur in the future, were the site to be left undeveloped.

⁴ Paragraph 193 of the Framework

20. From the evidence, I am not satisfied that the proposed use would generate any significant public benefits. Consequently, the less than substantial harm caused to a designated heritage asset by the proposal would not be outweighed.
21. The appellant refers to another car storage use on the opposite side of The Parkway to the appeal site. I am not fully familiar with this use and in any event, each proposal should be determined on its individual merits, which is what I have done in this case. Furthermore, this other location is outside the CVCA and is also less visible from surrounding streets due to taller boundary fencing and several mature trees on the grass verge.
22. Therefore, the proposed development would adversely affect the character and appearance of the CVCA and would conflict with Policies CC1 (context and character), CC2 (urban design), and CC4 (heritage), contained in the HLP.

Highway and pedestrian safety

23. The appeal site is next to a traffic-light controlled crossroads where High Street (speed limit 20mph) and The Parkway dual carriageway (speed limit 40 mph) meet. The currently blocked entrance to the appeal site is a short distance to the southwest of this junction on High Street.
24. The appellant has provided very limited evidence regarding the proposed use of the site and no indication of the expected numbers of associated vehicle movements over a given time period. No evidence, such as the detailed design and dimensions of the vehicular access and visibility splays for drivers leaving the site, has been provided to demonstrate that vehicles could enter or leave the appeal site safely.
25. No evidence is provided to show what the likely effects of the proposal would be on traffic movements through the area, including vehicles using the traffic-light controlled crossroads, where I note a number of collisions have occurred in the recent past⁵. From my observations on site during the early afternoon, The Parkway, and to a somewhat lesser extent High Street were both busy roads.
26. No works are proposed to the public highway, which means that drivers would need to cross an existing grass verge without a dropped crossing to enter or exit by the existing access.
27. No 89 High Street has a dropped kerb vehicular access close to the appeal site entrance. However, this is further from the junction than the appeal site access, and the number of vehicles using this access is likely to be significantly less.
28. The appellant has provided a hand-drawn layout plan of the site showing where vehicles would be parked. This shows more than 40 vehicle parking spaces, well in excess of the stated number on the application form. Furthermore, the spaces shown are not of a standard size and given that there is no intention to surface the appeal site, it is not clear how such spaces would be marked.

⁵ Paragraph 5.16 of the Council's officer report.

29. For these reasons the proposed development would adversely affect highway and pedestrian safety in the area and would conflict with Policies CC2 and EC2 (sustainable transport) of the HLP, and Policy 6.13 (parking) of the LP.

Other Considerations

30. The appellant states that the proposal would prevent unauthorised uses from occurring, as are said to have taken place in the recent past. These include the occupation of the site by Travellers, the dumping of waste, and various forms of anti-social behaviour. The appellant states they have incurred considerable expense in addressing these matters.
31. As set out above, the site is currently vacant and the proposed use would not be the only means of preventing such unauthorised activities from occurring again. I therefore give this only limited weight.
32. Five people would be employed at the appeal site according to the appellant's statement of case, which is different to what is stated on the application form⁶. No details of the work that the five people would undertake is provided. From the limited and inconsistent evidence, I therefore give this only very limited weight.
33. The appellant states that the proposal would bring the site into a productive use. Whilst this may be the case, I have already determined that it would adversely affect highway and pedestrian safety and detract from the character and appearance of the CVCA. Consequently, I give this very limited weight.
34. The appellant requests that should I be minded to dismiss the appeal, that a temporary 18-month consent be granted so as to allow for relocation of the business. When I visited the site there was no sign of a business operating. Whilst a temporary consent would limit the harm to the openness of the Green Belt, it would not address the harm to the character and appearance of the CVCA or to pedestrian and highway safety that I have identified.

Conclusion

35. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I find that the other considerations in this case, as set out above, do not clearly outweigh the totality of the harm to the Green Belt that I have identified, bearing in mind the great importance the Government attaches to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed development would therefore conflict with Policies GB1 of the HLP and 7.16 of the LP and with the Framework, in this regard.
36. For the reasons given above and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR

⁶ Section 18 – *Employment* of the application form indicates no staff would be employed.