



Appeal Decision

Site visit made on 10 October 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2023

Appeal Ref: APP/F5730/W/23/3319869

**Unit 6, Park Royal Metro Centre, Britannia Way, Ealing, Park Royal
NW10 7PA**

- 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 as amended by the Planning and Compensation Act 1991 for a storage unit for ancillary storage purposes on a temporary basis (retrospective) for which a previous planning permission was granted for a limited period.
 - The appeal is made by Mr. Michael Appiah-Kusi against the decision of Old Oak and Park Royal Development Corporation.
 - The application Ref 22/0197/FULOPDC is dated 22 December 2022.
 - The application sought planning permission for a storage unit for ancillary storage purposes on a temporary basis (retrospective) granted planning permission for a limited period Ref 172666OPDFUL, dated 11 April 2018.
 - The permission is subject to a condition requiring the cessation of the use and removal of the buildings or works on or before 10 April 2020.
 - The reason given for the condition is that the proposal was for a temporary period.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site encompasses an existing industrial/commercial unit and its forecourt/parking area. It is part of a larger grouping of similarly designed units positioned either side of this part of Britannia Way. There is a consistency in the appearance of the buildings, including the use of red framing to the windows and entrances. Parking areas are provided to the fronts, and in some cases to the sides, of the units.
4. The buildings have a somewhat functional and utilitarian appearance, but the area appeared to be orderly and the buildings well maintained. Overall, it compares favourably to those northern parts of Britannia Way that are outside of the Metro Centre.
5. The existing storage unit is a shipping container positioned on one of the parking spaces immediately in front of the building. At the time of my visit the shipping container was surrounded by parked vehicles and so not highly visible. The previous Inspector was content that the container would not be harmful to the character and appearance of the area. Indeed, I acknowledge that a

shipping container would not be a completely alien or unexpected sight in such an environment.

6. However, the previous appeal decision must be viewed through the prism of a temporary permission having been sought. I have not been provided with details as to why a temporary permission was required but regardless of that, temporary permissions do not automatically provide justification to allow the proposal on a permanent basis.
7. Indeed, by their very nature such containers are usually seen as being transitory or temporary. Therefore, whilst it is not unusual to see them outside industrial or commercial buildings, it would not normally be expected for them to be positioned permanently in front of a building in the same way the current container is sited. In effect this adds harmful clutter to the area, downgrading the quality of the environment and thereby harming the character and appearance of the area.
8. Although this harm would be limited and localised, Policies P4, D1 and SP2 of the Old Oak and Park Royal Development Corporation Local Plan 2022 (Local Plan) and Policy D8 of the London Plan 2021 encourage, amongst other things, improvements and positive contributions to the public realm and delivering positive frontages. The permanent siting of a storage container would be contrary to these policies. That the appeal site is within a commercial area does not mean that these policies or their wider objectives should not apply.

Other Matters

9. I am mindful that allowing the additional storage enables the existing business to grow. Furthermore, it is said that if the appellant were to move out of the area it would represent a loss to the local economy and the local community. However, I have not been provided with evidence that the container is the only means by which the appellant's storage needs can be met or that other options would necessarily entail them having to move out of the area or be unable to serve their existing communities.
10. I have been referred to Policy SP5(g) of the Local Plan which is said to encourage the design of flexible employment space. However, this application is for a storage unit rather than the provision of flexible employment space per say.
11. The local planning authority has raised concerns that allowing the appeal would create a precedent. However, the storage unit has been in-situ for a number of years and there is no evidence before me to suggest that other similar proposals have come forward as a result.

Conclusion

12. The proposal harms the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR