



Appeal Decision

Site visit made on 13 February 2024

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 March 2024

Appeal Ref: APP/F5730/C/22/3303832

Premises known as building adjacent to 858 Coronation Road, Park Royal NW10 7QE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by HA & SH Limited against an enforcement notice issued by Old Oak and Park Royal Development Corporation.
- The enforcement notice was issued on 27 May 2022.
- The breach of planning control as alleged in the notice is without planning permission, the construction of a two storey extension.
- The requirements of the notice are:
 1. Demolish the two storey extension;
 2. Remove from the Property all debris resulting from compliance with the above step.
- The period for compliance with the requirements are: 2 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld in the terms set out below in the Formal Decision.

Preliminary Matters

1. At my site visit access was made available to the building by the freeholder, who advised they had repossessed the property. Although the appellant was not present, I was able to view the property sufficiently to understand the cases made by the appellant and LPA in their written submissions.
2. The Old Oak and Park Royal Development Corporation (OPDC) is a Mayoral Development Corporation and the Local Planning Authority (LPA). Planning powers were transferred from the Council of the London Borough of Ealing in April 2015.
3. The development relates only to the two-storey extension. The LPA advises that separate enforcement action has been taken against use of the Land as a shisha lounge, entertainment venue and restaurant. That matter is not before me.

The appeal on ground (a) and the Deemed Planning Application (DPA)

4. Appeals on ground (a) are made on the basis that planning permission should be granted for the development alleged in the notice.

Main Issue

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

Reasons

6. Coronation Road is a local distributor road containing large and small industrial units within an area designated as a Strategic Industrial Location (SIL). The Land comprises a former industrial building located between motor vehicle workshops and a hand car wash.
7. On the southern side of the road the Land is accompanied by a mixture of small and medium sized industrial and commercial units. Many of those units are aligned with Johnsons Way to the rear, leaving their frontages on Coronation Road appearing in an irregular fashion. In many cases the resulting front yards are used for vehicle parking, and that was also the case on the Land prior to the development.
8. The development is the erection of a two-storey extension to the front of a brick-built industrial building. It consists of retractable glass frontages in gold/sand coloured steel frames at ground and first floors, with glass sides at first floor and a lightweight retractable roof. It extends over the entirety of the former yard at its street frontage, and metal roller shutters have been installed on the ground floor frontage immediately abutting the pavement.
9. Despite the mix of traditional and modern industrial buildings, the glazed extension to the building stands in sharp contrast to the brick and timber of the original building, and the prevailing industrial character of the surrounding area. Although partially glazed frontages are found on some substantially larger buildings in the vicinity, none were of the type or design of the development.
10. There are other front extensions to buildings in the area, but none which extend across the entire front yard/parking areas. Its forward extension, beyond other structures in the area, increases its prominence in the street scene, and draws attention to the incongruity of its design, and its mass abutting the footway.
11. I note the somewhat uncoordinated character resulting from a variety of commercial and industrial uses in the area, but these are not justification for a structure of this design in this location. I also note the appellant's claim that the Land is within a mixed commercial area, not an Industrial one, but the LPA advise that land nearby designated as a Neighbourhood Centre is not within the SIL.
12. The appellant advises that a planning condition could require the facing materials to be coloured to match those of the host building. But the colour of the steel frames and roller shutters would not make the extension acceptable in terms of its overall design, character, siting, mass, and appearance as a largely glazed structure.
13. In conclusion, the development is harmful to the character and appearance of the area. It conflicts with The London Plan (2021) Policy D3, and Old Oak and Park Royal Development Corporation Local Plan (2022) Policies SP2, SP9, D3 and D5. Together these policies require high quality development and well-designed buildings, with materials and finishes which positively respond to local character and context.
14. The development therefore conflicts with the development plan, and there are no other material considerations that require a decision to be made other than in accordance with the development plan.

15. The appeal on ground (a) therefore fails, and the DPA is refused.

The appeal on ground (g)

16. Appeals on ground (g) are made on the basis that the time for compliance with the requirements of the notice is too short.

17. The Notice requires demolition of the two-storey extension and removal of the resulting debris within 2 months.

18. The appellants consider 8 months would be required to remove the steel and glazed structure and the steel columns supporting the retractable roof, and that building contractors would need to be appointed to undertake the works.

19. They also advise that major structural works have been undertaken in opening the building frontage to accommodate the extension. That does not appear to be the case. At my site visit I noted that the original double-storey height roller shutter doors had been removed, but the steel frame of the building remained in place. Parts of the shutter mechanism also remained in place, along with the timber cladding above the shutter doors. Therefore, although new works have been carried out in constructing the extension, and a timber staircase and walkway to it, I saw no evidence of any structural alterations to the original building.

20. The retractable roof, retractable glazed panels at ground and first floors, and the timber frames supporting them, are lightweight structures which could be removed relatively swiftly. The floor structure and stairs and walkway serving it may take longer, but I have seen no convincing evidence that they could not be removed within 2 months.

21. The appeal on ground (g) therefore fails.

Conclusion

22. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Formal Decision

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

Peter White

INSPECTOR