



Appeal Decision

Site visit made on 9 July 2024

by Jonathan Edwards BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2024

Appeal Ref: APP/A5270/W/24/3337433
229-231 Allenby Road, Southall UB1 2HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Chauhan against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 234274FUL.
 - The development proposed is described as retention of front canopy extension including removal of roller shutter boxes and roller shutters (part-retrospective).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the header is from the appeal form and the Council's decision notice. It is different to that on the application form, although the appeal form says the description has changed. My assessment is based on the amended description.
3. The appellant has submitted plans that were not before the Council at the time it determined the planning application. These include extra annotation that clarify the original shopfront elevation of the appeal property is to be retained. I am satisfied no injustice would be caused by considering the revised drawings as the Council has had the opportunity to comment upon them and they do not change the fundamental aspects of the development.
4. I saw that the canopy has been erected. I have had regard to my observations but my assessment is based on the appeal drawings.

Main Issues

5. The main issues are (i) the effect of the development on the character and appearance of the area, and (ii) its effect on crime and safety.

Reasons

Character and appearance

6. The appeal property has a shop at ground floor level with 2 additional storeys above. It lies at the end of a parade of similar buildings all with shops or commercial units on the ground floor. The long line of units extends along one side of Allenby Road from the appeal property, beyond the junction with Somerset Road and up to Sunnycroft Road. It is evident that the properties as

originally built all would have had consistent flat frontages that would have followed the gentle curve of the road.

7. The extension has had an obvious effect on the street scene. The marked projection forwards of the parade fails to respect the original building line. Moreover, its fairly thick, grey metal frame contrasts sharply with the brickwork and the relatively thin white window frames on the upper floor of the host building and the other properties in the row. By virtue of its design, size and position, the canopy obscures the shopfront and detracts from the appearance of the principal elevation of the building.
8. Other units in the parade have had front extensions. The nearest of these at 235 Allenby Road (Allenby Superstore) is modest and smaller than the canopy subject of this appeal with a thinner wooden frame. It looks like a traditional shop awning in terms of appearance and scale and so it is more sympathetic in design compared to the larger and more substantial extension at the appeal property.
9. Some of the units closer to the junction of Allenby Road with Somerset Road have front additions that project a marked distance towards the carriageway. However, like the appeal development, these show a lack of respect to the form and appearance of the host properties. As such, they do not set a precedent that should be followed in order to achieve a high quality of design.
10. Furthermore, the appeal property is set away from the other large canopies in the row so that the front extension is to a degree seen in isolation. Also, by being at the end of the row, the canopy is visible for a significant distance away when approaching the parade along Allenby Road from the south. From this direction, the extension appears as a prominent and discordant addition to the host building. The appellant has indicated a willingness to accept a condition that would remove the side glazed panels from the extension. However, such a revision would not address the identified incongruity of the addition and the subsequent harm to the visual attractiveness of the locality.
11. For the above reasons, I conclude the development causes harm to the character and appearance of the area. In these regards, it would not accord with policies 7.4 and 7B of the Ealing Development Management Development Plan Document 2013 (DPD) and policy D3 of the London Plan 2021 (the LP). Among other things, these look to ensure development is of a high quality design that complements and responds positively to local distinctiveness. The Council's refusal reason also refers to DPD policy 4B but this contains no provisions relevant to this main issue. Also, LP policy D4 is not strictly relevant as it sets out how design quality will be analysed and maintained rather than stipulating any design requirements.

Crime and safety

12. With the removal of the shutters as shown on the appeal plans, I would assume the front extension would remain open, even at night or when not in retail use. The Council is concerned that at such times, people could either sleep within the canopy or use it as cover to carry out anti-social behaviour. However, there is little evidence to indicate that the parade currently attracts any undesirable activities. Also, the front windows of residences on the opposite side of the road provide a degree of perceived and actual surveillance of the parade. The open front and glazed side elevations allow sight of the

interior of the extension from the surrounding area. Therefore, people inside the extension are not well hidden as suggested by the Council.

13. As such, I conclude the development is designed so as to not encourage crime and it would not meaningfully increase the risk of anti-social behaviour. Also, it would not prejudice public safety. In these regards, it would accord with LP policy D11 and the aim to maintain a safe and secure environment.

Other Matter

14. The extension allows the display of goods and so would attract customers to the shop. However, any benefits to the business are fairly modest and do not outweigh the harm identified in respect of the first main issue.

Conclusion

15. For the reasons given above, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR