
Appeal Decision

Site visit made on 1 July 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

Appeal Ref: APP/A5270/W/25/3364493

Middlesex Business Centre, Unit K10 Bridge Road, Southall UB2 4AB

- 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 Kakar against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 244718FUL.
 - The development proposed is use of shipping containers as storage; installation of metal clad pitched roof over the containers; installation of fence to front and rear elevation; installation of retractable bollards and associated external alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal form has been completed using the description of development on the decision notice, which differs from that on the application form. I have taken this as agreement to the amended description and decided the appeal on that basis.
3. I saw on site that two rows of containers had been stacked mostly two-high either side of an accessway between the neighbouring buildings, with roller shutters fixed in front of those at ground level. A further single-height row with shutters extended into the car park. There were around 40 containers in total. No roof or bollards had been installed, but there was a sliding gate on to an estate road at the other end of the accessway from the car park.
4. Interested parties state that the units are being used as shops and supply photographic evidence to support that contention.
5. Some of these elements and such a use would differ from those proposed, so I have not dealt with the appeal as seeking retrospective permission.

Main Issue

6. The main issue in this appeal is whether the proposal would cause unacceptable highway impacts in terms of parking, vehicular and pedestrian safety.

Reasons

7. The appeal site is a hard surfaced L-shaped plot of land forming a gap in a row of buildings on an industrial estate, together with land to the rear of a neighbouring unit. The site has two accesses, one at either end via the sliding gate to a busy estate road and another via a pre-existing gate to a less busy side road.

8. Many of the units on the estate have retail character, with shopfronts, stock trolleys and displays on forecourts. The site was busy during my visit, at 11.30am on a weekday during school term and the route into the industrial estate was gridlocked when I later returned at around 3.30pm on the same day.
9. There is no footway on the estate road adjacent to the site, which serves around a dozen units and was heavily parked at the time of my site visit, despite restrictions in some cases. I observed vans having difficulty accessing and delivering to units, due to pedestrians, parked vehicles and goods.
10. The proposal is for two rows of containers, seven on either side of a central aisle double stacked to total 28 with a roof over, bollards at the car park end of the aisle and reinstated metal fence at the estate road end. The application form states that the last use of the site was for storage and parking.
11. The Council's transport and highways officers consider that pressure on parking and the local road network is already unacceptably high, and that the proposal would increase this further. They also consider that the access arrangements are unsafe, with inadequate space between the units.
12. Interested parties state that there is a major traffic and parking issue in the area, allege use as shops, imply that the land was previously used as estate parking and state that use of the containers as shops would exacerbate the issue. I do not have a proposal for shops before me but note the existing issue.
13. Without a transport survey, impact assessment and management plan, I cannot be sure the proposal would not result in the effects predicted by the Council's officers. Should that occur, it would indeed cause unacceptable highway impacts in terms of parking, vehicular and pedestrian safety.
14. This would be contrary to Policy T4 of the London Plan, which requires proposals to reflect and integrate transport access, capacity, and connectivity; and to provide assessments and, where appropriate, mitigation measures for identified adverse transport impacts. I attach significant weight to this conflict.

Other Matters

15. The appellant states that the containers would be covered and that the result would appear like neighbouring structures. However, the Council has not refused due to the effect on character or appearance. Furthermore, such benefits neither address nor outweigh the access harms I have found.
16. Whilst the appeal site may be privately owned, permission is nonetheless required for its development. The Secretary of State requires development to ensure safe, suitable access for all users, including appropriate parking. The proposal would not do this, whether temporary or permanent.
17. The appellant states that the site is private, not open to the public, that pedestrians do not tend to use it as it is industrial, and that it would be accessed once a week. I found the site open during my site visit, with pedestrians passing through, and the estate generally to have retail characteristics.
18. I have no evidence as to whether the proposed fence or retractable bollards would create safe or adequate access and so am not persuaded that these would address

the harm I have identified. I also have no evidence as to the electricity supply to the units, which is a matter for the statutory undertaker.

Conclusion

19. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR