



Appeal Decision

Site visit made on 7 July 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2025

Appeal Ref: APP/F5540/W/25/3363507

3a York Parade, Great West Road, Brentford TW8 9AA

- 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 Roland Mahilaj against the decision of the Council of the London Borough of Hounslow.
- The application Ref is P/2023/1390.
- The development proposed was originally described as: "Erection of a two storey office/ commercial storage building (Use Class E) (for use by a construction company) with an enclosed retained side access route to the remaining rear courtyard and which is accessed from York Parade's private rear access road, located in the rear service courtyard of the existing three storey terrace mixed-use commercial and residential building (Use Classes E and C3), following the demolition of the rear courtyard's existing disused light industrial outbuilding".

Decision

1. The appeal is allowed and planning permission is granted for erection of a two storey office/commercial storage building (for use by a construction company) with an enclosed retained side access route to the remaining rear courtyard and which is accessed from York Parade's private rear access road, located in the rear service courtyard of the existing three storey terrace, following the demolition of the rear courtyard's existing outbuilding at 3a York Parade, Great West Road, Brentford TW8 9AA in accordance with the terms of the application, Ref P/2023/1390, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The existing floor plans (Drawing No. SF100) indicate that the ground floor (No. 3) of the main building within the appeal site is a commercial unit, and the proposed floor plans (Drawing No. 500.1 Revision 01) indicate that this space would be used as storage. However, the description of development as provided in the application form refers to the main building as including a commercial use (Use Class E). At the time of my site visit, its ground floor was occupied by a retail shop. I have therefore determined the appeal on the basis that this Class E use is to be retained.
3. The application form description of development also refers to both Use Class E and commercial storage. The appellant's appeal statement sets out that the primary use of the proposed outbuilding would be for storage. As Class E does not include storage within its list of permitted uses, for clarity I have deleted reference to Class E in my above decision.
4. At the time of my visit, the appeal site contained a detached wood and metal canopy-style structure with a sheeted roof. This outbuilding was used for the storage of building materials. Based on the evidence before me, it is unclear as to

whether the above development and use benefits from planning permission. I have thus deleted reference to this outbuilding as being disused and light industrial in my above decision.

Main Issues

5. The main issues are:

- whether the location outside of a town or neighbourhood centre is acceptable, with particular regard to the development plan;
- the effect of the proposed development on the character and appearance of the surrounding area;
- the effect on the living conditions of neighbouring residents, with particular regard to noise and disturbance and external space; and
- the effect on highway safety, with particular regard to vehicle and pedestrian safety.

Reasons

Location

6. Policy TC3 of the Council's Local Plan 2015-2030 (LP) (adopted 2015) seeks development to be located in one of the Borough's four town centres where retail floorspace or other main town centre uses are proposed. Such proposals in other locations can however also be considered when based on sequential and impact assessments.
7. The appeal site includes a commercial premises facing Great West Road (A4). It is not within a town centre or neighbourhood centre as defined in the LP. The LP Appendix 2 Glossary does not provide a definition of "main town centre uses". The supporting text to LP Policy TC3 however advises that main town centre uses, as outlined in the National Planning Policy Framework (The Framework), includes offices along with various other use types.
8. LP Policy TC3 further sets out that where development is proposed outside of town centres, proposals should demonstrate through a sequential assessment that suitable locations within town centres are not available; followed by edge-of-town centre sites and large neighbourhood centres; with small neighbourhood centres then considered for smaller proposals that are suitable to the proportions of the centre. Only then should out-of-centre sites be considered, and these should be accessible and well connected to town centres.
9. The proposed building would provide office and commercial storage space for a construction company. Office use is included in the Framework's definition of town centre uses. However, LP Policy TC3 also sets out that the effect of the proposal, either individually or cumulatively, on the vitality and viability of existing town centres only needs to be considered through the preparation of an impact assessment when the proposed non-retail main town centre use is over 2,500sqm.
10. The proposed commercial floorspace is significantly below the abovementioned threshold. It would be to the rear of an existing terrace that contains various businesses, including a car sales premises. The adjacent outbuilding rear of Nos 1-

2 York Parade is used by a construction company. Additionally, I found the appeal site to be near to a bus stop on the A4, and within reasonable and accessible walking distance to Brentford town centre.

11. I therefore conclude that the proposed location outside of a town or neighbourhood centre is acceptable when having regard to the development plan. It therefore complies with Policy TC3 of the LP and in turn, complies with Policies SD6 and SD7 of the London Plan.
12. The first reason for refusal also cites conflict with LP Policy TC2. However, as this is a permissive policy relating to certain proposals within town centres, it is not relevant to the appeal proposal.

Character and appearance

13. The recently extended adjacent outbuilding rear of Nos 1-2 York Parade has a tiled pitched roof, light-coloured render and painted bricks on its external elevations. The proposed outbuilding would fully adjoin the side and rear elevation of this adjacent building. It would have a similar pitched roof design and would be notably smaller in scale in terms of height and bulk. The proposal would thus not form an intrusive or harmful development in terms of visual impact.
14. The application form sets out that the proposed brick and roof materials would match the primary brick and roof materials of the main building within the appeal site. The proposed building's windows would be UPVC and its doors would be wooden. I am satisfied that suitable precise external material specifications could be secured by means of planning condition.
15. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. It thus complies with Policies CC1 and CC2 of the LP which require, amongst other things, development proposals to respond meaningfully and sensitively to the site and the layout, massing and height of surrounding buildings, and to function well in their effect on surrounding areas. For the same reasons, I have also found no conflict with Policy D4 of London Plan.

Living conditions

- Noise

16. Upper floors on the main building rear elevation of the appeal site contain several windows, as do the other terraced premises to each side. There are also nearby rear balconies to each side. The submitted evidence indicates that the first and second floors within the appeal site contain a single flat and that the adjoining buildings to each side include residential uses.
17. Road noise was audible from within the proposal site, along with occasional air conditioning noise. The outbuilding rear of Nos 1-2 York Parade is used by a construction company. A variety of other established business premises are also nearby. Whilst my visit was only a snapshot in time, I observed several parked cars along the neighbouring rear boundaries and towards the end of the rear access road, and I also observed one of these parked cars exiting this access road.
18. I therefore found the surrounding ambient noise environment to be typical of a suburban mixed-use area. The appellant has agreed to a condition to limit the hours of use of the appeal proposal to between 8am to 5pm Mondays to Fridays,

8am to 1pm on Saturdays, with no use on Sundays or Bank/Public Holidays. This would avoid adverse noise and disturbance impacts beyond normal working hours and times when many residents would likely be sleeping.

19. Given the above context along with the nature and scale of the appeal proposal, the noise it would generate would not adversely disturb the living conditions of surrounding residents. Subject to condition, the proposal thus complies with Policy CC2 of the LP and D14 of the London Plan. Collectively, these policies require, among other things, development proposals to avoid significant adverse noise impacts on health and quality of life, and to mitigate noise quality issues.

- External space

20. Policy SC5 of the LP requires provision of outdoor space for flatted developments, through a combination of private outdoor space and communal open space. The precise requirements of this policy are dependent on the number of residential flats and the number of habitable rooms.
21. The proposed building would be sited further away from the main rear elevation than the existing canopy structure. It also includes a pedestrian access passage from the rear access road to the space between it and the main building.
22. Due to the amount of upper floor habitable windows in the vicinity, it would not be possible to provide amenity space that is fully private in function. The private outdoor space requirements of LP Policy SC5 and Policy D6 of the London Plan are therefore not relevant to the appeal proposal.
23. There would be sufficient space to store cycles within the resultant external space to be retained for upper floor residents within the appeal site. Based on the submitted evidence and what I saw on site, this external space would adequately function as amenity space for these residents, despite its limited soft landscaping.
24. I therefore conclude that the proposal would provide acceptable external space for residential occupiers of the appeal site, in compliance with Policy SC5 of the LP. The third reason for refusal also cites conflict with LP Policy CC1. However, this policy does not refer to living conditions and is thus not relevant to this main issue.

Highway safety

25. As already set out above in the second main issue, during my visit I saw several parked cars along the neighbouring rear boundaries and towards the end of the rear access road. This road is also particularly narrow along the side boundary with Nos 1-2 York Parade. This naturally limits vehicle speeds and the size of vehicles driving towards the appeal proposal.
26. Whilst this road turns sharply around the rear of York Parade, the chamfered elevation of the building rear of Nos 1-2 provides adequate visibility. There are pedestrian access points to the rear of York Parade along this road. I also found that this neighbouring building contains a side access door facing the access road, and I observed a pedestrian entering this door. From what I saw on site, it appears that the rear access road is already in a mixed residential and commercial use.
27. Given this established context, the appeal proposal would not result in an unacceptable highway safety risk in terms of vehicles and other more vulnerable users of the rear access road. I therefore conclude that the scheme complies with

Policies EC1 and EC2 of the LP. These policies require, amongst other things, development proposals to ensure that access to existing strategic transport connections is considered, and to avoid adverse impacts on the transport network. For the same reasons, I have also found no conflict with Policies T2, T3, T4, T5 and T6 of the London Plan.

Other Matters

28. Any conflict with leasehold access and use rights would be a separate private civil matter, and would thus not in itself prevent the grant of planning permission. As the proposed building is not for residential use, the requirements of LP Policy SC7 and its supporting guidance are not applicable. Any future use of the outbuilding as a self-contained residential unit would require additional planning permission.

Conditions

29. I have considered the Council's suggested conditions against the tests in the Framework and the Planning Practice Guidance, and have amended their wording, where necessary.
30. A condition specifying time limits for the development (condition 1) is necessary in the interests of planning certainty. Condition 2 is necessary to clarify the approved plan details. Condition 3 is necessary in the interests of the character and appearance of the area. For precision, I have deleted its references to stonework, masonry, cladding materials and renders, parapet coping, dormers and canopies. Given the location and nature of the proposal, it is not necessary for this condition to require the submission of rendered drawings, elevations or sections. Condition 4 is necessary in the interests of living conditions of neighbouring residents. Condition 5 is necessary in order to encourage sustainable modes of travel. Condition 6 is necessary to ensure adequate provision for waste and recycled materials storage and collection. Condition 7 is necessary in the interests of neighbouring living conditions.
31. As any future material change of use from an office/commercial storage use would require an additional application for planning permission, it is not necessary to impose a condition to control the approved use. Due to the small scale of proposed construction works, it is not necessary or reasonable to impose conditions requiring a Construction Logistics Plan, wheel washing facilities or membership of the Considerate Constructors Scheme.

Conclusion

32. For the above reasons, I have found that the proposal is in accordance with the development plan as a whole, and the material considerations do not indicate that a decision should be made other than in accordance with it. The appeal is therefore allowed.

R Cahalane

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Except for the proposed main building ground floor plan (No. 3) as shown on Drawing No. 500.1 Rev 01, the development hereby permitted shall otherwise be carried out in accordance with the following approved plans and specifications: 100.0; 200.1 Revision 01; 200.2; 300.3; 300.4; 300.5; 500.1 Revision 01.
- 3) No development above ground level shall take place until full details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Such details must include a schedule of materials, sample photographs, and physical samples (where reasonably available). Such details shall also include:
 - (a) Brick, mortars and joint types, and any proposed feature brick panels and brick framing features;
 - (b) Tiles and roof coverings; including capping materials;
 - (c) Window types including reveals, sills and head details;
 - (d) Any other materials, details and fittings to be used (including solar panels, extract vents, rainwater goods, boiler flues, etc.).

The development shall then be carried out in accordance with the approved details and maintained as such thereafter.
- 4) The use of the office/commercial storage building hereby permitted shall only take place between the hours of 8am to 5pm Mondays to Fridays, 8am to 1pm on Saturdays, with no use on Sundays or Bank/Public Holidays.
- 5) Secure and sheltered cycle parking facilities for not less than two bicycles for the employees of and visitors to the development hereby permitted shall be provided within either the building hereby permitted or the site's retained rear yard only. These cycle parking facilities shall conform to the design and layout requirements of the London Cycle Design Standards (or such other guidance as may supersede it), be fully implemented and made available for use prior to the first occupation of the development hereby permitted and be permanently retained thereafter.
- 6) No development (except any demolition, site clearance, ground investigation and remediation work) shall take place until full details of the arrangements for the storing of waste and recycled materials (including details of how the positioning of waste/recycled materials bins in suitable locations for collection would be undertaken and managed) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
- 7) No additional windows, doors or other glazed openings shall be formed in the elevations of the development hereby permitted.

*****End of Schedule*****