



## Appeal Decision

Site visit made on 20 March 2025

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

**Appeal Ref: APP/R5510/W/24/3355184**

**94 Cowley Mill Road, Hillingdon Uxbridge UB8 2QD**

- 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 Amador Ispir against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 14364/APP/2024/2390.
- The development proposed is the retention of a timber framed canopy.

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - i) The effect of the proposal on the character and appearance of the area;
  - ii) The effect of the proposal on the living conditions of the occupiers of 93 Cowley Mill Road (No. 93);
  - iii) The effect of the proposal on highway safety.

### Reasons

#### *Character and appearance*

3. The appeal site comprises a two storey end property within a Victorian terrace on the corner of the junction of Cowley Mill Road and Mill Avenue. The section of the road where the appeal site is located is predominantly residential in character and whilst there are some shops nearby, these do not incorporate canopies.
4. The host building incorporates a ground floor shop which is occupied by a beauty salon with residential accommodation above. This building is characterised by a gable ended front facade with a traditional shop front on the ground floor and an ornate main first floor window above. The frontages of these properties are mainly used for off-street parking and are separated by low level boundary treatments.
5. Whilst there have been some alterations to the appeal property and others nearby, overall, they still retain their original forms and detailing. These, along with the arrangement of their frontages provide a cohesive and pleasant street scene.
6. The proposal seeks to retain a timber framed canopy ('the canopy') which extends off the front elevation of the ground floor of the appeal property and over most of its frontage. This in itself is uncharacteristic of the wider street scene. Although

largely open along its southern elevation, the canopy does incorporate some hit and miss timber panelling along the top, which conceals some of the detailing of the shop front and is unsympathetic to the appearance of the appeal property.

7. The western elevation of the canopy is enclosed by a tall solid timber panel which is nearly the full depth of the frontage to the appeal property. This disrupts the prevailing arrangement of low-lying boundary treatments and dominates views along parts of Cowley Mill Road. Moreover, the prominent siting and bright colour of part of the canopy does not assist this to assimilate with the appeal property and wider street scene. Thus, the canopy appears unduly incongruous.
8. As such, and whilst the canopy may have some functional purpose for the beauty salon and there is support for this from its customers, the proposal reflects poor design, which visually detracts from the appeal property and the street scene.
9. For the above reasons, the proposal harms the character and appearance of the area and conflicts with Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies DMHB 11, DMHB 12 and DMHB 13 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and Policy D3 of the London Plan (2021). Amongst other matters, these policies require developments to be of high quality, which harmonise with the local context taking into account the surrounding scale and height of adjacent structures.

#### *Living conditions*

10. As the appellant has submitted the application, the onus is on them to show that this does not harm the living conditions of neighbours. To the west and attached to the appeal property is No. 93, a dwellinghouse. Because of the scale and form of the western elevation of the canopy, this encloses most of the shared boundary between the appeal property and No. 93. Consequently, due to its proximity and size, the western elevation of the canopy, to an extent dominates views from the principal window and entrance for No. 93. For these reasons and its orientation, the western elevation of the canopy is also likely to reduce the amount of daylight received to the principal window at No. 93 and cause some overshadowing of this.
11. Therefore, and in the absence of any substantive evidence to the contrary, the proposal harms the living conditions of the occupiers of No. 93. This conflicts with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). Amongst other things, this Policy requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

#### *Highway Safety*

12. Because the canopy only extends over the frontage, this does not impact the visibility of drivers and pedestrians exiting Mill Avenue. However, the western elevation of the canopy does reduce visibility for pedestrians leaving No. 93 and travelling west along the pavement, leading to potential conflict with other pavement users.
13. On the information before me, the frontage was previously available for vehicle parking. However, this area now appears to be used by customers of the beauty salon for waiting and relaxing before and after their treatments.

14. Given the low Public Transport Accessibility Level of 1b, and because the business would necessitate arrival of customers for appointments, the removal of parking from the appeal site is likely to increase pressure on local on-street parking. In turn, this has the potential to create highway safety issues because there are only limited and controlled on-street parking bays nearby, increasing the likelihood of injudicious parking on-street.
15. Whilst the level of impact identified above may not be significant, there would be some harm to users of the highway, which weighs against the proposal. This is in conflict with the overarching aims of Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) and Policy T4 of the London Plan (2021) for managing highway impacts.

### **Other Matters**

16. The submissions include examples of other shops incorporating canopies. On the limited information before me, these are in another area incorporating a greater number of commercial frontages. As such, the context of these is not directly comparable to the appeal site and therefore these examples do not alter my findings on the main issues.

### **Conclusion**

17. For the above reasons, I conclude that the appeal should be dismissed.

*M Aqbal*

INSPECTOR