



Town and Country Planning Act 1990  
Section 78 Planning Appeal

# London Borough of Hillingdon Appeal Statement

**Appeal By:**  
Mr Malkit Purewal

**Proposal:**  
Retrospective single storey front extension

**Appeal Site:**  
Carter House  
Arveja Café  
Colham Mill Road  
West Drayton  
UB7 7AE

Our Ref:  
Your Ref:

2963/APP/2021/2734  
APP/R5510/W/22/3290644

# 1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its non determination of planning application reference 2963/APP/2021/2734, for the retrospective erection of a single storey front extension.
- 1.2 The LPA's case is set out in the Statement of Case detailed below. It is understood that copies of relevant planning policies have been sent to PINS with the Appeal Questionnaire.

## 2. LPA Comments on Appellant's Statement of Case

### 2.1 Site and Locality

The application relates to a two storey, corner plot building, characterised with a flat roof, currently being used as a café, use class E(b), located at the junction with Colham Mill Road and Station Road, West Drayton. The building set back from the public highway and with associated parking for the site to the West.

The surrounding area on Colham Mill Road is primarily residential, with Station Road being characterised by mixed use buildings, primarily shops at ground floor with residential at first floor level.

### 2.2 Proposed Scheme

The application is seeking retrospective planning approval for the erection of a single storey front extension, in the form of a gazebo, to be used for additional seating for the café at ground floor level.

The extension has been finished in dark grey with a mono pitch roof, with large glass window panes on the front and side elevations, matching the existing front door to the café.

The width would be 9.45 metres, projecting outside of the existing building line and it would have a height of 3.1 metres and a depth of 3.4 metres.

### 2.3 Planning Considerations

The main planning issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original building, the impact on the visual amenities of the street scene, the impact on the amenity of adjoining occupiers and the availability of parking.

### 2.5 Impact on Neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

Given the siting at a corner plot, with no residential property adjacent to the proposed single storey front extension, it is considered that there would be no unreasonable impact to the amenities of the occupiers of neighbouring properties. The proposal would sit within the site itself and not impede the public highway to the front.

It is considered that the development would accord with DMHB 11 of the Hillingdon Local Plan Part Two (2020) in its limited impact to the amenities of neighbouring occupiers.

## 2.6 Impact on Street Scene

Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) states:

A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context;
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Policy DMHB 13 relates to Shopfronts and states:

A) New shopfronts and alterations to existing shopfronts should complement the original design, proportions, materials and detailing of the building of which it forms a part and the surrounding street scene.

B) The Council will resist the removal of shopfronts of architectural or historic interest, particularly those listed on the Register of Locally Listed Buildings.

C) New shopfronts must be designed to allow equal access for all users.

D) Inset entrances on shopfronts should be glazed and well-lit to contribute to the attractiveness, safety and vitality of the shopping area and avoid blank frontages to the street.

E) Blinds, canopies and shutters, where acceptable in principle, must be appropriate to the character of the shopfront and its setting. External security grilles will not normally be permitted, unless they are of good quality design.

F) In order to improve and maintain the quality of the public realm, the design of shopfronts should be of a high quality, taking into consideration:

- i) retention and maintenance of active shopfronts at all times; ii) the relationship between the shopfront and upper floors; iii) the relationship with surrounding shopfronts and buildings; iv) the use of materials which are appropriate to and enhance the character of the local area; and v) the value of existing architectural and historic features.

The position of the extension is harmful. The extension relates poorly to the main building, projecting past the existing side boundary wall and also in front of the existing side wall.

The Appellants case draws attention to a previous appeal decision on the site and this is relevant as the previous Inspector stated that:

*“The appeal site is in a prominent location on the corner of Colham Mill Road close to its junction with Station Road. It marks a transition point between a predominantly residential environment along Colham Mill Road and the mixed uses along the busier and more vibrant Station Road”.*

It is this delicate position that makes the extension unacceptable. The failure to respect the established plot widths and building lines, as well as create an appropriate transitional building in the street, results in a cumbersome and poorly designed addition to the host building.

The proposed extension has been designed with a lightweight appearance due to its construction materials, awnings and degree of glazing. However, this lightweight appearance is undermined by the thick, raised plinth on which it sits, which rises above the footway and creates an awkward relationship with the street visible from multiple viewpoints.

Awnings and front projections to the ground floor shops on Station Road are not common and as a result, this poorly designed addition is at odds with the established character and appearance of the area. It is notable (as stated above) that the front extension is on the elevation with Colham Mill Road, with the properties on this side of the site being residential.

The extension overall fails to respect the character and appearance of both the residential and mixed use areas, appearing as an overdominant, incongruent addition to the host property and streetscene, due to its bulk, design and materials. The proposal would not meet the aims of Policies DMHB 11 and DMHB 13 of the Hillingdon Local Plan Part Two (2020).

## **2.7 Traffic Impact/Pedestrian Safety**

The proposal would retain parking for the use of the patrons of the café, with sufficient cycle storage available for use.

Therefore it is considered that there are no highways objections and the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

## **2.8 Urban Design/Access and Security**

The information provided fails to show that the development has a level step free access in accordance with London Plan policy D7 (2021). Where the development otherwise acceptable, details of this would have been conditioned for submission and/or sought during the course of the application. A poorly designed, inaccessible change to the frontage could not be supported, but the submission has not confirmed this on the application drawings and/or through supporting information.

## 2.9 Other Issues

### Landscaping

Policy DMHB 14: Trees and Landscaping requires:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

There are no TPO's or Conservation Area designations affecting the site. The proposal has identified flower beds to be implemented on the hard standing adjacent to the building. In this instance, no information has been provided with regards to the details of the soft landscaping or maintenance thereafter. This would however, not form a reason for refusal in this case.

## 3. Conclusion

- 3.1 Overall the Local Planning Authority raises concerns with the design, siting, relationship to established building lines, bulk and materiality of the development. The result of these factors is an overdominant, incongruent addition to the host building which fails to respect the character and appearance of the wider area and prominent position, at odds with Policies DMHB 11, DMHB 12, DMHB 13 of the Hillingdon Local Plan Part Two (2020).
- 3.2 Importantly no information has been provided on step free level access, not in accordance with Policy D7 of the London Plan (2021).
- 3.4 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included below.

## 4. Recommended Conditions

- 4.1 Within 3 months of the date of this permission, details of the step free access arrangement via the principal private entrances, and all other points of entry and exit,

shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure step free and inclusive access for all in accordance with London Plan Policy D7 and Local Plan Policy DMHB 13.