



Appeal Decision

Site visit made on 8 October 2019

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 17th October 2019

Appeal Ref: APP/A5270/W/19/3234334

Rear of 71 Huxley Gardens, Park Royal NW10 7EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr C Christodoulou, SJC Developments Ltd against the Council of the London Borough of Ealing.
 - The application Ref 191702FUL, is dated 12 April 2019.
 - The development proposed is for a new three-bedroom detached dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for a new three-bedroom detached dwelling to the rear of 71 Huxley Gardens. This is in accordance with the terms of the application, 191702FUL, dated 12 April 2019 and subject to the conditions contained within the attached schedule.

Procedural Matter

2. On the 16 October, in the time between the appeal being submitted and the writing of this appeal decision, the Local Planning Authority (LPA) granted planning approval for this development. Therefore, as no reasons for refusal have been supplied there are no main issues upon which to base my decision. In the interest of expediency I therefore allow the appeal as detailed below, and subject to the same conditions as the permission by the Council.

Reasons

3. The appeal site is situated on the corner of Huxley Gardens and Brentmead Gardens, a residential area consisting mainly of a mix of terraced and semi-detached properties.
4. The proposal would result in the construction of a three-bedroom, detached, single-storey dwelling in the rear garden of No 71 Huxley Gardens. The property would have front and rear gardens, off-road parking for two cars and two cycle spaces.
5. The LPA have now fully assessed the effects of this development and found no reasons for refusal. They consider the proposed development complies with all appropriate policies and material considerations and have therefore granted approval subject to conditions. I therefore have no reason or evidence to dispute this decision and arrive at a conclusion that differs from that of the Council.

6. I acknowledge a representation from a neighbouring resident but consider the LPA have addressed all planning issues raised by this interested party.

Conclusion

7. For the reasons detailed above I conclude that the appeal should succeed, and planning permission should be granted.

D Hilton-Brown

INSPECTOR

Schedule of Conditions

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with drawing title number(s): 20418/32_Rev A (Proposed New House Elevations), 210418/31 (Proposed New House Floorplans), 20418/30_Rev A (Proposed New House - Site and Block Plan).

Reason: For the avoidance of doubt, and in the interests of proper planning.

3. All external materials to be used in the development shall match the existing building and those shown on the approved drawings and as described on the planning application form.

Reason: To ensure that the materials harmonise with the surroundings in accordance with the Council's policies 1.1 and 1.2 of the adopted Local Development Framework (Core Strategy 2012) and policies 7.4 and 7.6 of the London Plan (2016) and 7.4 and 7b of the Ealing Development Management DPD (2013).

4. Prior to occupation refuse and recycling storage areas shall be provided and brought into use prior to the first occupation of the development permitted and retained thereafter.

Reason: To provide adequate refuse storage in accordance with policy 5.16 of the London Plan (2016).

5. Two (2) cycle storage spaces shall be provided onsite for the dwelling. Such provision shall be brought to use prior to the occupation of the development and retained thereafter.

Reason: In the interests of the future occupants of the development in accordance with policies with policies 3.5 and 7B of the Ealing Development Management Plan (2013), policies 1.1 (e) of the Adopted Ealing Development (Core) Strategy (2012) and the London Plan (2016) policy 5.16.

6. Notwithstanding any information submitted with the application, no development shall take place on the site until an Arboricultural Method Statement, detailing all tree work and tree protection measures to be carried out, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall, thereafter, be fully installed prior to any other work commencing on the site, and shall remain in place until completion of all work associated with the construction of the building. All tree work and protection measures shall be carried out in accordance with the approved method statement.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs and hedges growing within or adjacent to the site which are of amenity value to the area in accordance with policy 5.10 of the Adopted Ealing Development Management DPD (2013), and policy 5.10 of the London Plan (2016).