



Appeal Decision

Site visit made on 25 November 2022

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 10 January 2023

Appeal Ref: APP/M5270/D/22/3308405

2 Newmarket Avenue Northolt UB5 4HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Artur Wojtyra against the decision of The London Borough of Ealing.
 - The application Ref: 221716HH dated 21 April 2022, was refused by notice dated 31 August 2022.
 - The development proposed is single storey front/side extension; alterations to the ground rear elevation; first floor side extension
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Decision

1. The appeal is allowed and planning permission is granted for single storey front/side extension; alterations to the ground rear elevation; first floor side extension at 2 Newmarket Avenue Northolt UB5 4HA in accordance with the terms of the application Ref: 221716HH dated 21 April 2022 and the plans submitted with it, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 02-Nmkt.Avn/Dsgn.20, 02-Nmkt.Avn/Dsgn.21, 02-Nmkt.Avn/Dsgn.22, 02-Nmkt.Avn/Dsgn.23, 02-Nmkt.Avn/Dsgn.24.
 - 3) No part of the flat roof of the extension hereby approved shall be used for sitting out or accessed other than for the purpose of maintenance and repair.

Main Issue:

2. The main issue is the effect of the proposed development on the character and appearance of No. 2 Newmarket Avenue and adjoining terrace block.

Reasons:

3. 2 Newmarket Avenue (No.2) forms part of a two-storey terrace block found within an area of mixed post-war housing which also include apartment blocks, and grassed areas of public open space including an area to the front of the terrace block. No.2 forms a 'T' end to the terrace block and has enclosed garden to front and rear. The small side garden, partly occupied by a single storey extension, sits adjacent to a large grassed area found at the junction of Newmarket Avenue with Southwell Avenue. The proposed two storey side

extension would replace the existing side extension and abut this open space and, in part, the end of the rear garden to No.75 Southwell Avenue, but at some distance from that dwelling.

4. The Council have confirmed they consider the proposal would not introduce unacceptable impacts upon neighbouring users, and, it is noted, previously approved broadly similar proposals¹ albeit differing in the depth of the side extension and the roof configuration.
5. I note concerns, by reference to the Council's Housing Design Guide, as to the roof form being out of keeping with the original building lacking subordination to the main roof, and its effect due to a prominent location. However, guidance, whilst important, has to be applied having regard to circumstances and with appropriate professional judgement. In this matter the appreciation of symmetry from a frontal view attracts little weight since opportunity to be aware of the entire terrace block frontage are limited. To my mind, although the previously (permitted) design was found acceptable by the Council, the result of the step down roof form, occurring as it does at the intersection between the main transverse roof to the terrace block with the front-back lower roof to No.2 would have been a visually clumsy juxtaposition of roof forms and an uncharacteristic crown roof which would be all the more evident due to the corner location. The end gable appearing in the appealed proposal, however, would be visually congruent with the form of the terrace block, and the resulting continuation of the main ridge line entirely consistent with the design approach of the original building.
6. On that basis I conclude that the proposed development would not conflict with Policies 7.4 and 7B of the Ealing Development Plan DPD (2013) nor, therefore, with the Development Plan taken as a whole. Consequently, taking into account all matters raised, the appeal should succeed subject to the usual conditions as to plans and timing. Although the Council consider there to be no harm to neighbouring users, I note the proposed flat roof areas have potential for overlooking if used inappropriately and therefore consider a further condition ensuring the flat roof areas are only accessed for the purposes of maintenance and repair is necessary and relevant.

Andrew Boughton

INSPECTOR

¹ LPA Ref: 220295HH