



Appeal Decision

Site visit made on 30 March 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/A5270/D/22/3313451

40 Newnham Gardens, Ealing, Northolt, UB5 4LN

- 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 Redouane Kherouf against the decision of the Council of the London Borough of Ealing.
 - The application Ref 224039HH, dated 19 September 2022, was refused by notice dated 14 November 2022.
 - The development proposed is part-single, part-two storey side and rear wraparound extension.
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Decision

1. The appeal is allowed and planning permission is granted for part-single, part-two storey side and rear wraparound extension at 40 Newnham Gardens, Ealing, Northolt, UB5 4LN in accordance with the terms of the application, Ref 224039HH, dated 19 September 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 2a; 04; 04a and 05a.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of neighbouring occupiers of Kenyon Court, with particular regard to outlook.

Reasons

3. Kenyon Court is set back from the building line of the appeal property and is angled away from it such that the gap between the two properties widens out towards the rear. Although it has the appearance of a 2 storey house, it is subdivided into flats with the ground floor flat entrance at the front of the building and the first floor flat entrance on the side of it. The proposed 2 storey side extension would run along the boundary with Kenyon Court and because of its

closeness to it would effectively create a passageway between the two properties, narrow at the front and widening out towards the rear.

4. First floor residents of Kenyon Court would only need to take a few steps along the passageway to enter or leave the flat. As such, the impact of the proposed development would be fleeting, and any sense of enclosure or overbearing effect would be momentary. Also, the front and rear garden at either end of the side passage would reduce the sense of enclosure to some degree. Overall, I conclude that there would not be any significant harm to the living conditions of occupiers of Kenyon Court and the proposal would not therefore conflict with Policies D3 of the London Plan (2021) (LP), Policy 7B of the Ealing Development Management Development Plan Document (2013) (DPD) and SPD4 - Residential Extensions which require new development to provide a high standard of amenity for adjacent users. Policy D6 of the LP and Policy 7.4 of the DPD, referred to in the Council's decision, relate to housing quality standards and local character respectively and are not relevant to the proposal.

Conditions

5. In addition to a standard condition in relation to the time limit for the commencement of development, a condition confining the approval to specified plans is necessary for certainty and a condition regarding materials is necessary to safeguard the character and appearance of the area.

Conclusion

6. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR