
Appeal Decision

Site visit made on 20 March 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/A5270/D/25/3359918

26 Rectory Gardens, Northolt UB5 5DN

- 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 M Kuttar against the decision of the London Borough of Ealing.
 - The application Ref is 243887HH.
 - The development proposed is an outbuilding.
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Decision

1. The appeal is allowed, and planning permission is granted for an outbuilding at 26 Rectory Gardens, Northolt UB5 5DN, in accordance with the terms of application, Ref 243887HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250) – dated 08/10/2024, Block Plan (1:500) – BP01, Existing and Proposed Plans - AR 01; and Proposed Elevations - AR 02.
 - 3) The external materials of the outbuilding hereby permitted shall match those used in the existing dwelling.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below, and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. For the purposes of the appeal banner heading and the decision, the description on the planning application form has been used. However, there is additional text within the application form describing the approximate location and maximum dimensions of the proposal. These words have been removed and the decision is based on the precise location and ridge and eaves heights shown on the proposed drawings.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to its height.

Reasons for the Recommendation

5. The appeal site is located on Rectory Gardens, a residential area that is mainly characterised by two-storey, semi-detached dwellings. Many of these dwellings have been subject to alterations including extensions, replacement windows and doors, and various changes to façades and boundary treatments. Indeed, No 26 has been extended to the front, rear and side, and also has a rear dormer window. There is much cohesion in the scale and traditional architecture of dwellings in the area, albeit there is variation in architecture in terms of the alterations and additions that have been carried out.
6. There are also a range of plot sizes and outbuildings of varying size, siting and design are a common feature in rear gardens. The size of the rear garden of No 26 is consistent with the general pattern of development in the surrounding area. The site is also well-contained due to its position between the gardens of neighbouring properties, as well as a garage court and sub-station to the rear.
7. The outbuilding would extend above the height of the existing boundary fencing, and would therefore be visible from neighbouring properties, particularly from first-floor windows. Even so, due to its domestic design, the tile and render finishes indicated which could match the host dwelling, its single storey scale with a roof sloping down towards the boundaries with the nearest neighbouring gardens, and its position at the far end of the garden, the development would evidently appear as an ancillary outbuilding. Furthermore, a sufficient degree of space would be retained between the outbuilding, its host dwelling and neighbouring dwellings, which together with the other factors described would ensure that the development would sit comfortably within its residential context.
8. I conclude that the proposed development would have an acceptable effect on the character and appearance of the area, and would comply with Policies D3 and D6 of The London Plan (2021), and Policies 7.4 and 7B of the Ealing Development Management Development Plan Document (2013) which, amongst other things, require development to be of a high quality design, complement the scale of existing built areas and respond to a site's context. In addition, the proposal would also be consistent with Draft Ealing Local Plan Policy DAA, insofar as it requires development to achieve a high-quality environment and have a positive visual impact.

Other Matters

9. The Council in its report raised the matter of an electricity sub-station, which is located to the rear of the appeal site. The proximity of the sub-station has also been raised by local residents. The evidence suggests that National Grid was consulted by the Council. It was confirmed that there is a line search process that the appellant could undertake in the event that planning permission was forthcoming and that an application could be made for a cable diversion if necessary. Planning permission would not prevent the appellant from following this separate process.
10. There is no objective evidence before me to suggest that the proposal would be used as an independent flat. Furthermore, planning permission would be required for such an alternative use. Therefore, I have assessed the appeal on the basis of an outbuilding as applied for.

11. Reference is also made by local residents to planning permission having been previously refused for a similar development. The evidence before me indicates that this may have been an application for a certificate of lawfulness for a proposed use or development, and not an application seeking planning permission. In any case, the previous application details do not form part of the appeal evidence, and I have determined the appeal proposal on its own merits.

Conditions

12. A standard implementation condition (1) has been imposed, along with a condition (2) listing the approved plans to provide certainty over what has been approved. In addition, a condition (3) is also necessary to ensure the external materials reflect those indicated on the application form and harmonise with the character and appearance of the host dwelling.

Conclusion and Recommendation

13. The proposed development accords with the development plan when taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above, I recommend that the appeal should be allowed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report, and on that basis the appeal is allowed.

M Russell

INSPECTOR