



Appeal Decision

Site visit made on 18 May 2024

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

Decision date: 18th June 2024

Appeal Ref: APP/N5090/D/24/3339717
35 Braemar Gardens London NW9 5LB

- 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 Kies Yakrang against the decision of London Borough of Barnet.
 - The application Ref: 23/2916/HSE dated 5 July 2023 was refused by notice dated 6 February 2024.
 - The development sought to be approved is Single storey side and rear extension following demolition of the existing garage. First floor side and rear extension with 2no. side facing windows. Retention of hip-to-gable and rear dormer extensions and 2no. rooflights to front slope
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of the site visit the dwelling pair to the host property (No.36) had been subject to a serious fire which had also made the appeal site (No.35) uninhabitable. I have determined this appeal on the basis that the description of development seeks retrospective permission for the hip-to gable roof extension for which the original roof form is not revealed in the 'existing' drawings. I have determined the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed and intended-to-be-retained works upon the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal site (No.35) is a semi-detached dwelling in a cul-de-sac of similar dwelling pairs dating from the mid twentieth century largely retaining the original hipped roof form and development pattern. In Braemar Gardens the development pattern provided for substantial separation between the dwelling pairs although these have in many cases, been infilled at ground level by ancillary structures such as, in the case of No.35, a flat-roofed garage. At the side and rear of No.35 there is also a flat-roofed kitchen extension overlooking its generally open rear garden.
5. The original rear elevation is surmounted by a full-width and full height rear-facing dormer that gives the host dwelling the unfortunate appearance of a flat-

- roofed three storey dwelling in views from the rear. This dormer is comprised within the hip-to-gable extension for which retrospective permission is sought.
6. The proposal would add a part-width upper floor level to the existing side extension¹ and replace the existing garage door with a window to the front elevation. However, the drawings submitted are regrettably devoid of architectural detail as to how the materials and surfaces would relate to each other leaving significant uncertainty as to the eventual appearance of what is proposed. In several respects the drawings do not correspond to what is found on site² such as the shape and size of the window to the garage which appears, unfeasibly, to carry a flat roof lacking structural depth that itself appears to carry the proposed extension. Similarly the existing/proposed eaves at main roof level show a panel over the entrance drawn, inexplicably, wider than the roof under which it sits; that not being what is found on site. Implementation of what is drawn, if permitted, would result in uncertainty and material differences from what actually appears on the submitted drawings.
 7. Consequently, even allowing for reasonable tolerance in the accuracy of drawn information, what is provided is unclear to what extent the works proposed/sought to be approved would retain the character and appearance of the host dwelling. Even if it were possible to conclude that the proposal supported the objectives of the development plan as to standards of urban design and local distinctiveness set out in Policies CS1 and CS5 of the Barnet Core Strategy DPD (2012) and Policy DM01 of the Barnet Development Management Policies DPD (2012), a 'plans' condition referring to the submitted drawings would be unenforceable.
 8. Therefore for the reasons given and having considered all matters raised, the appeal cannot succeed.

Andrew Boughton

INSPECTOR

¹ To a lesser width than the existing garage which it would surmount.

² Where what is found appears to be sought to be approved retrospectively