



Appeal Decision

Site visit made on 30 July 2024 by I Chukwujekwu BSc MSc MIEMA CEnv MRTPI

Decision by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2024

Appeal Ref: APP/N5090/W/24/3341714

73 King Edward Road, Barnet, London EN5 5AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by G.V. Building Services (UK) Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 24/0569/CON sought approval of details pursuant to condition No 15 of a planning permission Ref 22/0501/FUL, granted on 9 June 2022.
 - The application was refused by notice dated 27 March 2024.
 - The development proposed is demolition of the existing dwelling and erection of a two storey plus lower ground floor level detached dwellinghouse with integral garage, associated refuse/recycling store, cycle storage, amenity space and provision of 2no off-street parking space.
 - The details for which approval is sought are: means of enclosure, including boundary treatments.
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Decision

1. The appeal is dismissed.

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.

Main Issue

3. The main issue is whether sufficient and consistent information has been provided to enable a proper assessment of full compliance to the condition.

Reasons for the Recommendation

4. On my visit to the site, I observed that the front boundary facing the street is enclosed with construction hoarding. The drawings submitted in support of this appeal is a close boarded elevation with some dimensions which the appellant suggests is a hedgehog fence. However, there is no indication of a scale for this drawing, and neither is there any indication of where the fence would be located on the site. I therefore am not able to assess what, if any, means of enclosure is proposed to the front of the property.
5. The appellant has also provided some images however, this does not include a plan showing the full details of the means of enclosure for the whole site. They suggest that there was some confusion by images uploaded prior to completion and acknowledge that these do not match the design uploaded due to it being

incomplete. Further images suggested to be after completion have been provided. These are closeup images of close boarding with a tape measure. It is unclear what these images are meant to demonstrate in respect of the site as a whole taking into account the ground levels. I also note that an image uploaded prior to completion shows that the fence is close to a mature tree. As pointed out by the Council's planning officer, no detail has been provided as to the method of installation around the base of the mature tree which the Council suggest is scheduled for retention. Nor has any information been provided regarding any changes in ground levels.

6. The reasons given for the condition are: *'To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.'* I am not convinced that the drawing of a boarded fence and submitted details provides sufficient information to determine that the boundary treatment would not cause harm with regard to the considerations stated in the reason for the condition.
7. I find that the information provided is insufficient and inconsistent to enable an assessment of full compliance with the condition. Thus, it cannot be determined that the proposed means of enclosure would not cause harm to the appearance of the surrounding area, living conditions of occupiers of adjoining residential properties and highway safety. As such, the proposal would not comply with Policies DM01 and DM17 of Barnet's Local Plan (Development Management Policies) Development Plan Document (September 2012), Policies D3, T4 and G7 of the London Plan (2021). These, amongst other matters, seek to ensure that proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets; should not increase road danger; and ensure that, wherever possible, existing trees of value are retained.

Conclusion and Recommendation

8. For the reasons given above the appeal should be dismissed.

I Chukwujekwu

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr R Walker

INSPECTOR