
Appeal Decision

Site visit made on 11 June 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2025

Appeal Ref: APP/N5090/W/25/3361951

5 David Wildman Lane, Mill Hill, Barnet, London NW7 1FH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Gaba against the Council of the London Borough of Barnet.
 - The application ref is 24/3672/HSE.
 - The development proposed is single storey side and rear extension with 3no. rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear extension with 3no. rooflights at 5 David Wildman Lane, Mill Hill, Barnet, London NW7 1FH in accordance with the terms of the application, ref 24/3672/HSE, subject to the following conditions:
 - 1) The development hereby permitted 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 drawing nos PA-001, PA-002, PA-003, PA-004, PA-005, PA-006, and PA-007.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Application for Costs

2. An application for costs was made by Mr and Mrs Gaba against the Council of the London Borough of Barnet. This is the subject of a separate decision.

Procedural Matter

3. The appeal is made against the failure of the Council to reach a decision on the application within the relevant statutory timeframe. The Council have provided their reasoning for the delay in the determination which related in part to consideration regarding the effect of the proposal on car parking provision. However, the Council have confirmed at appeal that had it been in a position to do so it would have approved the application. There are therefore no matters of dispute between the parties.

Main Issue

4. In light of the information confirming that the Council would have approved the proposal, the main issue is whether there are other considerations that might indicate that the proposal would not be acceptable.

Reasons

5. The Council have confirmed that the relevant policies from the Barnet Local Plan (BLP) (2025) are CDH01, CDH05 and TRC03. Policy CDH01 of the BLP requires, amongst other matters, for all development to be of a high-quality design. Policy CDH05 of the BLP is specifically relevant to extensions, stating that the Council will support proposals for extensions to buildings subject to a number of criteria. These include that they complement the character of the existing building and maintain an acceptable outlook and adequate spacing between any surrounding buildings. Policy TRC03 of the BLP relates to parking management setting maximum standards for parking.
6. I understand that the Council were initially concerned that the proposal would occupy part of the existing hardstanding available for parking. However, I observed during my site visit that the driveway would retain enough space for the off-street parking of one vehicle and therefore the proposal would not have a material impact on parking provision.
7. I have identified no considerations which would indicate that the proposal would not be acceptable. It would comply with Policies CDH01, CDH05 and TRC03 of the BLP.

Conditions

8. I have imposed a condition specifying the relevant drawings to provide certainty for all parties. A condition is also necessary for materials to match those used on the existing house to maintain the character and appearance of the area.

Conclusion

9. For the reasons given above, having regard to the development plan, I conclude the appeal is allowed and planning permission is granted.

L Gardner

INSPECTOR