

Appeal Decisions

Site visit made on 19 October 2016

by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 November 2016

Appeal A: APP/N5090/W/16/3153178

47/49 'Southern Hay' Totteridge Village, Totteridge Barnet, Hertfordshire N20 8PP

- 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 Baboo Anand against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/0656/HSE, dated 23 January 2016, was refused by notice dated 8 April 2016.
 - The development proposed is a single storey rear conservatory.
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Appeal B: APP/N5090/Y/16/3153185

'Southern Hay' 47/49 Totteridge Village, Totteridge Barnet, Hertfordshire N20 8PP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Baboo Anand against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/0658/LBC, dated 23 January 2016, was refused by notice dated 8 April 2016.
 - The works proposed are a single storey rear conservatory.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for a single storey rear conservatory at 'Southern Hay' 47/49 Totteridge Village, Totteridge, Barnet, Hertfordshire N20 8PP in accordance with the terms of the application, Ref 16/0656/HSE, dated 23 January 2016, subject to the conditions set out in the schedule to this decision.

Appeal B

2. The appeal is allowed and listed building consent is granted for a single storey rear conservatory at 'Southern Hay' 47/49 Totteridge Village, Totteridge, Barnet, Hertfordshire N20 8PP in accordance with the terms of the application Ref 16/0658/LBC, dated 23 January 2016 and the plans submitted with it subject to the conditions set out in the schedule to this decision.
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Procedural matters

3. In considering these appeals I have statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, at sections 16(2), 66(1) and 72(1). These require that I have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant both planning permission and listed building consent; and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission.
4. I am also required to determine appeals in respect of planning applications in accordance with the development plan unless material considerations indicate otherwise. In this respect the development plan in this area comprises The London Plan (LP), Barnet's Local Plan (Core Strategy), adopted 2012 (CS) and Barnet's Local Plan (Development Management Policies), adopted 2012 (DMP).
5. The National Planning Policy Framework (the Framework) is a material consideration.

Main Issues

6. The main issues in these appeals are;
 - In relation to both appeals, the effect of the proposals on any features of special architectural or historic interest of the grade II listed building and its setting, and
 - The effect of the proposed development on the character and appearance of the Totteridge Conservation Area, in relation to appeal A only.

Reasons

7. The appeals relate to a substantially extended two storey detached house in substantial grounds. The Building is a grade II listed building and the list description refers to it as an early C19 2 storey villa stuccoed with slate roof and over hanging eaves. The appellant's Heritage statement provides a comprehensive assessment of the development of the property which the Council does not object to. In effect it can be established that there are a number of phases of development for this property with the original early C19 house being probably a simple M-roofed house over two storeys with three bays to the north and south. A substantial two storey extension was added to the south along with a small conservatory to the west by 1865. More modern additions were then added in the twentieth and twenty first centuries, with the most significant being a two storey bay added to the west elevation in 1985 along with a single storey lean-to to the south; and in 2009 an extension of the 1865 two storey extension to the south further westward to match the depth of the 1985 extension.
8. In terms of those elements that contribute to the significance of the building the original two storey M-roofed house with potentially the 1865 addition show the original dimensions scale and importance of the house and its development. The later additions do not add significantly to the historic significance of the building although illustrate its continuing evolution.

9. The proposed single storey conservatory on the west elevation of the property would represent a minor addition in terms of volume. The extension would be located on a recent addition, the 1985 extension, to the property and would not affect any historic fabric. The Council are concerned that the accumulated extensions would further obscure the original building and thereby harm the significance of the building. However the substantial extensions and alterations already existing surround and enclose the original property to a great extent. The minor bulk, form and design of the conservatory would be seen in that context and would be readily seen as a later addition; this would not further obscure or confuse the extent of the original property. The conservatory with its light weight visual appearance and recess away from the outer walls of the façade on which it is located would ensure it was a subordinate and recessive feature, regardless of the smaller canopy which it is replacing which has, of itself, no historic merit. The substantial existing extensions create the concerns raised by the Council and the proposed minor development would not add to the harm to the significance of the heritage asset.
10. Whilst the design approach for the conservatory is not ornate it is functional and uncomplicated and reflects the general proportions of the existing property. It is aligned below upper floor windows and reasonably sited on the elevation. The small plane glazing and subdivision of elements further reflect the glazing pattern on the house.
11. The Council are also concerned that in association with other buildings in the grounds of the site and along with the other extensions, further extension would affect the setting of the listed building. This is much the same concern as with the effect to the listed building. The proposed conservatory would not detract from the original form of the building and would not be viewed in association with the front or side elevations such that would detract from the appearance of the original core of the building. The small addition of the insubstantial conservatory would not detract from the setting of the building.
12. For the reasons given above I conclude that the proposed conservatory would not have a material effect on any features of special architectural or historic interest of the grade II listed building or its setting. It would therefore not harm the significance of the heritage asset.

Conservation Area

13. The Totteridge Conservation Area comprises a ribbon of development clustered along a highway. Its origin is as an agricultural settlement with its importance to the local economy continuing into the early C20. The conservation area is divided into character areas and the appeal site is located within area 3 – Totteridge Village. The Totteridge Conservation Area Appraisal notes that within this area amongst the surrounding houses are fine examples of mansion houses built for wealthy Londoners, and include Southern hay as an early C19 stucco villa. The Appraisal in describing the contribution of materials also references Southern hay particularly drawing attention to the welsh-slate roof and white stucco walls. These elevated details are visible above the high boundary treatment and contribute to the character and appearance of the conservation area.
14. The proposed conservatory is a very modest single storey addition located in what would be a rearward position to the highway. There are no views of this visible from the public domain and very few visible from even surrounding

locations within the conservation area. The lack of visual intrusion to the conservation area is important in so far as the effect on the appearance of the conservation area and in this regard the proposed extension would not affect the appearance of the conservation area.

15. The character of the conservation area is more than appearance; however, the nature of the proposed extension would not affect the character of this property as a large detached residence in substantial grounds. The small additional volume and space this would add would make no discernible difference to the character of the property or its contribution to the conservation area.
16. Added to the above conclusions I have also concluded that the proposed extension would not harm the special historic interest of the listed building and therefore this would not impact on the contribution it makes to the conservation area.
17. For the above reasons I conclude that the proposed development would not harm the character and appearance of the Totteridge Conservation Area, which would therefore be preserved.

Overall conclusions and conditions

18. Overall I am satisfied that the proposal would preserve the building and its setting and any features of special architectural or historic interest which it possesses; and would preserve the character and appearance of the Totteridge Conservation Area. I am therefore content that the proposal would not conflict with policies CS NPPF and CS5 of the CS or policies DM01 or DM06 of the DMP which collectively seek to ensure high quality development that respects and safeguards heritage assets. As I have found no harm there is no requirement for me to balance the decision against public benefits in the terms of paragraph 134 of the National Planning Policy Framework, as the Council has sought to do.
19. The Council have provided a list of conditions for the appeal but not identified which appeal these relate to. To avoid duplication I have only applied conditions that may be ascribed to either one of the decisions. On this basis both decisions require a time limit condition, the planning permission is the appropriate location for an approved plans condition, as the Listed Building Consent is granted in accordance with the plans submitted with the application and therefore this matter is addressed in the formal decision. A materials condition is appropriate and I have included this on the planning permission but not on the listed building consent to avoid duplication. In considering these conditions I have had regard to the advice in the Framework and the Planning Practice Guidance.
20. For the reasons given above I conclude that both appeals should be allowed.

Kenneth Stone

INSPECTOR

Schedule of Conditions for Appeal A APP/N5090/W/16/3153178

- 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: 06 Rev F Proposed Rear Conservatory.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Schedule of Conditions for Appeal B APP/N5090/W/16/3153185

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

END