



Appeal Decision

Site visit made on 7 September 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2020

Appeal Ref: APP/N5090/D/20/3245769

The White House, 18 Totteridge Common, Whetstone, London N20 8NG

- 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 R Gogna against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/5739/HSE, dated 24 October 2019, was refused by notice dated 19 December 2019.
 - The development proposed is a single storey ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey ground floor rear extension at The White House, 18 Totteridge Common, Whetstone, London N20 8NG in accordance with the terms of the application, Ref 19/5739/HSE, dated 24 October 2019, 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: 1599.P2.01; 1599.P2.02; 1599.P2.03 Revision A; 1599.P2.06 Revision A and 1599.P2.07 Revision A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:
 - (i) whether the proposal is inappropriate development in the Green Belt;
 - (ii) the effect of the development on the character and appearance of the area; and

Reasons

Whether the proposal is inappropriate development in the Green Belt

3. Paragraph 133 of the National Planning Policy Framework (the Framework) outlines the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Framework, at

- paragraphs 145 and 146, set out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.
4. Paragraph 145c) sets out that new buildings within the Green Belt are inappropriate unless any extension or alteration of a building is such that it does not result in disproportionate additions over and above the size of the original building. From the evidence before me, the existing building has not been extended since it was built.
 5. Whilst the Framework does not indicate what a disproportionate addition may be, the Council, in its adopted Supplementary Planning Document: Residential Design Guidance (RDG) (2016) has indicated that the volume of the original dwelling should not be increased by more than 25%. This should also include any extant permissions. Whilst the volume of the extensions is not the only factor to consider, in this case, it is the most important one.
 6. It is common ground that the proposed extension would not result in a disproportionate addition when it is considered against the existing situation, i.e. the original dwellinghouse, and I have no reason to disagree with that view.
 7. Notwithstanding that, from the evidence before me, planning permission¹ exists for a single storey front extension incorporating a new front porch, first floor side extension to both sides of the main house and the replacement of the existing roof. It has not been suggested that both this permission and the appeal development could not both be implemented. The key issue is therefore whether the cumulative size of all of extensions would be a disproportionate addition.
 8. From the Council's figures, the cumulative cubic content of the extensions would amount to a 25.99% increase in the size of the dwelling. However, the main parties differ in their calculations of the size of the existing, permitted extensions, and the current appeal proposal. That said, the principal difference relates to the extant permission with the Council suggesting a net increase in volume of 228.15 cubic metres whilst the Appellant suggests that it would be 144 cubic metres.
 9. The Appellant has provided detailed calculations over the volume of the previous proposal. However, it is not clear how the Council arrived at their figure for the net increase in volume.
 10. From the submitted drawings, I am inclined to agree that the Appellant's figures represent a more accurate assessment of the respective volume, albeit that I note that the front porch on the previous proposal is not included within the calculations. That said, this is unlikely to account for the differences between the main parties' figures.
 11. Taking this into account, the cumulative volume of the previous permission and the appeal proposal would be less than a 25% increase when compared to the original building. As such, it would accord with the parameters set out in the RDG.

¹ Reference 19/2046/HSE

12. With that in mind, and that the increase in floor area or footprint could not be considered to be disproportionate either, I consider that the totality of the proposals would not be a disproportionate addition.
13. In considering the effect on openness, I have had regard to the Lea Valley Regional Park judgement². This sets out that, where development is considered to be not inappropriate in the Green Belt, such development is not to be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt. Consequently, it is not necessary to assess the effect of the development on the openness of the Green Belt any further.
14. For the above reasons the development would not be inappropriate development in the Green Belt and would be consistent with Policy DM15 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012), (BDMPDPD), the RDG, and the aims and objectives of the Framework.

Character and appearance

15. The appeal site is located in an area which consists of mainly low-density housing set in spacious grounds and as a result has a semi-rural feel about it. From my site visit, I noted that there are a variety of designs of property within the Totteridge Common area. The existing property itself is a two-storey dwelling with a pitched roof, which also has single storey projections to each side.
16. The appeal site is located within the Totteridge Conservation Area (TCA) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
17. The appeal development would be located to the rear and would not be readily visible from any public vantage points. As noted by the Council, the extension would project rearwards from the existing dwelling by a distance greater than 4 metres. However, given the size of the existing dwelling, and its respective curtilage, this would not appear as an excessive addition.
18. Turning to the design aspects of the proposal, given that it has a flat roof, it would contrast with that of the existing property. That said, the existing property does not exhibit any special characteristics which would indicate that such a design would be harmful. In addition to the above, and despite the assertions by the Council, the fenestration of the proposal would not be too dissimilar to the existing dwelling. Taking these factors into account, I consider that the size and design of the extension would represent an acceptable form of development. It would also preserve the character of the TCA.
19. Furthermore, I have also taken into account the cumulative impact of the proposal. In this respect, I note that the design concept of the appeal proposal is wholly consistent with the remodelled dwelling. I also consider that the overall impact would not present any adverse planning issues which would suggest that permission should be withheld.

² Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404

20. For the above reasons the proposal would not harm the character and appearance of the area, including the TCA, and would accord with Policies DM01 and DM06 of the BDMPDPD, Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document (2012) which amongst other matters seek to ensure that proposals which accord with the presumption in favour of sustainable development are approved without delay, are of a high quality design, minimise the impact on the local environment including how proposals should be based on an understanding of local characteristics. Development must also preserve the character and appearance of the Conservation Area. The proposal would also accord with the overarching design and heritage aims of the Framework.

Conditions

21. The Council has provided a list of suggested that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, a condition relating to matching materials is also necessary.
22. In addition to the above, a condition has been suggested which would effectively prevent the implementation of both the extant permission and the appeal proposal. However, given my conclusions above, such a condition is not necessary.

Conclusion

23. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR