



Appeal Decisions

Site Visit made on 6 September 2021

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal A Ref: APP/N5090/W/21/3268611

24 Totteridge Common, Whetstone, London N20 8NE

- 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 Andrew Bloom against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/5261/HSE, dated 5 November 2020, was refused by notice dated 30 December 2020.
 - The development proposed is described as 'single storey rear extension and new glazed extension and enlarged corridor, enlarge existing window opening following removal of existing bay window extension and rear corridor extension'.
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Appeal B Ref: APP/N5090/Y/21/3268620

24 Totteridge Common, Whetstone, London N20 8NE

- 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 Andrew Bloom against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/5263/LBC, dated 5 November 2020, was refused by notice dated 30 December 2020.
 - The works proposed are described as 'single storey rear extension and new glazed extension and enlarged corridor, enlarge existing window opening following removal of existing bay window extension and rear corridor extension'.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The site address has been described in different terms on the planning application form, decision notice and the appeal form. There is also a further variation of the address set out in the documentation relating to the Section 20 appeal. For clarity and consistency, in both appeals, I have used the address set out on the original planning application form.
4. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021, and this post-dates the Council's decision notice. It is incumbent upon me to take into account the most up to date information in reaching a decision. I have, therefore, had regard to the revised Framework in my decision. I am satisfied that this has not prejudiced the main parties as they have had the opportunity to address this during the course of the appeal proceedings.

Main Issue

5. The main Issues are:

- Whether the development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
- The effect of the development on the openness of the Green Belt;
- Whether the development would preserve a Grade II listed building, former stable block to Totteridge Park, and any features of special interest that the building possesses, and whether it would preserve or enhance the character or appearance of the Totteridge Conservation Area; and,
- Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

6. The appeal relates to a large, detached dwelling at 24 Totteridge Common. The property is a Grade II listed building, included on the statutory list as 'former stable block to Totteridge Park', and is located within the Green Belt.

Whether inappropriate development

7. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping the land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
8. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149. One such exception being the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework defines an 'original building' as that which existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The size of the building at the time it was listed is irrelevant for the purposes of applying Green Belt policy.
9. Policy DM15 of Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 (the DMP) is broadly consistent in this regard, stating that extensions to buildings in the Green Belt will only be acceptable where they do not result in a disproportionate addition over and above the size of the original building.
10. The building dates from circa 1900. A plan of the building as it existed in 1950 has been provided along with other plans and drawings which show that the building has been subject to various alterations and additions since that date. Based on volumetric calculations provided by the appellant, the Council estimate that the property has been subject to a volume increase of 48% since 1950 and that the proposed extension would take this to a cumulative increase of 51%. The appellant does not dispute the Council's calculations and offers no evidence to the contrary.
11. In isolation the proposed extension would be a small addition to the current building. However, when taken together with previous additions, these increases would amount to a substantial addition to the property, adding to its overall bulk

and massing. Therefore, cumulatively the proposal would result in a disproportionate addition over and above the size of the original building.

12. For these reasons, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with Policy DM15 of the DMP and the associated policies of the Framework.

Openness

13. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is an essential characteristic of the Green Belt that has both spatial and visual aspects and implies a freedom from built form.
14. Notwithstanding the presence of large neighbouring properties, which have also been extended to some degree, and their associated outbuildings, the openness of the Green Belt is clearly evident around the property and in the wider area.
15. The proposed extension would provide additional accommodation to the rear of the property and allow for an internal reconfiguration of this part of the property. This would increase the volume of the property and add to its overall massing. In doing so, this would result in a harmful loss of openness, albeit this would be limited given the scale of the proposal.

Listed building and conservation area

16. The former stable block to Totteridge Park was listed in 1983 and dates from circa 1900. It is an arts and crafts inspired building designed by the renowned English architect T E Collcutt. The building has been subject to various 20th century alterations and additions, including dormer windows and gable features which dominate the rear elevation. It has, nonetheless, retained much of its historic arts and crafts character and features of interest, including its covered walkway and clock turret.
17. The significance of the listed building is derived from its age, materials and traditional style of construction, including the use of striking decorative red brickwork, steep sloping roofs, red tiles and roughcast render, redolent of its arts and craft origins. The building also draws interest from its simple historical form which, despite its various alterations and additions, remains legible and is illustrative of its original design. Significance is also derived from the building's historical association with the adjacent Totteridge Park, also a Grade II listed building.
18. The appeal site lies within the Totteridge Conservation Area which at this location is characterised by very low-density housing set amid green fields with a distinct rural character. As a substantial property set within leafy grounds and open countryside to the north, the appeal site makes a positive contribution to the character and appearance of the conservation area.
19. The proposed extension would be single storey in scale but would nevertheless add additional bulk and massing to the rear of the building where a number of modern extensions and alterations already exist. The extension would extend across the rear elevation, over the existing kitchen window, and in doing so it would largely obscure the last visible part of the historic building's original rear elevation at ground floor level.
20. This would over-complicate the composition of the building's rear elevation, and result in a significant departure from the historic form of the original building,

thereby undermining its architectural integrity. Whilst I accept that the building's historic form has already been compromised to a degree by the existing 20th century extensions, this does not justify a further harmful addition to the property. Consequently, the appeal proposal would result in clear harm to the heritage asset.

21. I acknowledge the appellant's assertions that the proposal would only increase the footprint by 22m² and that the roof form would be in-keeping with that of the host property. However, this does not diminish the harm I have found to the listed building.
22. With regard to the conservation area, the proposed extension would be to the rear of the building where public and private views are extremely limited. Notwithstanding my findings in relation to the Green Belt, the proposal would be of a modest scale and would not have an appreciable impact on the spacious character of the surrounding area. Accordingly, the proposal would preserve the character and appearance of the Totteridge Conservation Area. However, this is a neutral factor that does not weigh in favour of the appeal.
23. Taking the above points together, the proposal would fail to preserve the listed building and would harmfully detract from its special architectural and historic interest. This would be contrary to Policies DM01 and DM06 of the DMP and Policy CS5 of Barnet's Local Plan Core Strategy 2012. Together these policies require high standards of design and for development to respond positively to the local and historic context, including the preservation or enhancement of the historic environment.
24. With reference to Paragraphs 201 and 202 of the Framework, it is for the decision maker, having identified harm to the designated heritage asset, to consider the magnitude of that harm. In this case, under the terms of the Framework, I consider the harm to be less than substantial given the extent of the proposal and its consequent effects. However, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have "special regard" to the desirability of preserving the listed building and its setting, and the Framework makes it clear that great weight should be given to the conservation of heritage assets. Therefore, the identified harm is a matter which attracts great weight and importance. In such circumstances the Framework further requires that the harm is weighed against any public benefits that the proposal might secure.
25. No public benefits are advanced in favour of the proposal. From the submitted material it appears to me that the proposal would amount to only private benefit for the appellant and his family through the creation of additional living space within the property. Consequently, in this case, the harm I have identified is not outweighed by any demonstrable public benefit and therefore the proposal clearly conflicts with the Framework's aim to conserve heritage assets in a manner appropriate to their significance.

Other considerations

26. The Framework is clear that inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As well as the harm from inappropriateness, I have found that the proposal would be harmful to the openness of the Green Belt and would fail to preserve the special interest of a listed building.

27. The appellant has drawn my attention to other large extensions and a large replacement dwelling in the area. However, I have not been provided with the full details of these other developments or the circumstances in which they were found to be acceptable. As such, I am unable to conclude with any certainty that they offer a direct comparison to the appeal proposal, including in respect of their scale, design, the application of planning policies, or whether the Council has been consistent in its approach. Therefore, this carries limited weight in favour of the proposal.
28. I acknowledge that the proposal would comply with some of the criteria set out in the Council's Residential Design Guide Supplementary Planning Document 2016. Furthermore, there would be no adverse impacts on the living conditions of the existing occupiers at the appeal property or at neighbouring properties. Nonetheless, these are neutral factors that weigh neither in favour of, nor against, the appeal proposal.
29. The appellant has suggested that they could achieve a larger rear extension by exercising their permitted development rights, but I have little evidence to support this claim. Nor have I been provided with a Certificate of Lawfulness to support this position. I am also advised that an Article 4 Direction has removed permitted development rights from the property, and this is not disputed by the appellant. In any case, to achieve a similar or larger extension, Listed Building Consent would still be required. Accordingly, this does not represent a realistic or probable prospect in the event that this appeal should fail and therefore it does not represent a legitimate fallback position for the appellant.
30. Reference is made to other Local Planning Authorities' interpretations of 'disproportionate' when applying Green Belt policy. However, I am duty bound to consider the appeal in accordance with the local development plan unless material considerations indicate otherwise. Each case must be considered on its own merits, and I have set out my reasoning in this regard and with reference to relevant national policy. Therefore, this carries very little weight in favour of the appeal.

Conclusion

31. The proposal would be inappropriate development in the terms set out by the Framework and would result in a harmful loss of openness to the Green Belt. The other considerations cited in support of the proposal do not clearly outweigh the substantial weight which must be given to Green Belt harm and any other harm, and so are not sufficient to amount to the very special circumstances required to justify the proposal.
32. I have also found that the proposal would fail to preserve the listed building and would harmfully detract from its special architectural and historic interest. There are no public benefits to outweigh this harm.
33. Consequently, for the above reasons, the proposal would be contrary to the policies of the development plan and no material considerations of sufficient weight have been advanced to justify a decision other than in accordance with the development plan. Therefore, I conclude that the appeals should fail.

J M Tweddle

INSPECTOR