



Appeal Decision

Site visit made on 29th November 2022

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 January 2023

Appeal Ref: APP/N5090/W/22/3303714

Fairways, Pine Grove, Whetstone, Barnet, London N20 8LB

- 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 D McCarthy against the decision of the London Borough of Barnet.
 - The application Ref 22/0679/FUL, dated 10 February 2022, was refused by notice dated 21 April 2022.
 - The development proposed is replacement two storey dwelling with garage, basement and roof accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the description of the proposal was changed with the agreement of the appellant to "erection of a two storey dwelling with basement level, rooms in the roofspace and garage following demolition of existing dwelling".

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Totteridge Conservation Area (TCA).

Reasons

4. The appeal site forms part of the extensive TCA which is characterised by large properties with some notable architecture, clustered around a ribbon of housing along an east/west link road, and set within green fields on three sides. The open land of high landscape quality stretches to the west, and the eastern boundary is formed by the suburban development of Totteridge and Whetstone. There is a statutory duty to pay special regard to the desirability of preserving or enhancing the character or appearance of the conservation area; and great weight should be given to the conservation of this heritage asset.
5. The host property is not locally listed or identified as being a non-designated heritage asset and is located within part of the TCA that is characterised by large, detached properties of varying design and scale within very generous deep and narrow plots along both sides of a tranquil road. These plots tend to form a regular pattern of housing that is set back from the road behind low walls and punctuated by important gaps that break up built form. These gaps allow views into the well-established trees and vegetative setting in front and behind properties, adding to the overall distinctive and pleasant character of the area and its significance within the TCA. The TCA Character Appraisal

Statement 2008 highlights the pressure for redevelopment of properties and replacement with much larger properties, and unsympathetic extensions that have reduced spaces between houses.

6. The proposed property would comprise a similar set back, ridge and eaves height, and traditional design and siting to that of the existing property it would replace. It would include acceptable material finishes, subservient frontage gables, decorative tile hanging bay windows, and a rear basement that would not harmfully affect public views of the property. However, although some spacing between properties either side would be maintained, the proposed width and massing of the property would introduce a substantial increase in built form when compared with the existing dwelling, such that it would dominate the space between buildings. This would significantly disturb the characterful views of trees to the rear, and the openness and rhythm of the regular pattern of built form. Consequently, the proposal would result in a cramped, cheek by jowl arrangement that would have a harmful effect on the character and appearance of the street scene, eroding a spacious quality of the TCA.
7. I am mindful that an appeal has been allowed for extensions to the existing property¹. If those permitted extensions were constructed, the extended house would be the same total width as the replacement dwelling now proposed. However, the permitted extensions would be set back from the host property and subservient, maintaining a far greater degree of openness at first floor level than would be achieved with the scheme before me. Consequently, even if the permitted scheme were implemented in full, it would not cause comparable visual harm.
8. The proposal would cause less than substantial harm to the CA's significance as a designated heritage asset due to the relatively small scale of the development proposed. In these circumstances the National Planning Policy Framework (the Framework) advises that it is necessary to consider any public benefits of the proposed development. Although there would be limited public benefits where a larger and newly constructed family home may allow the appellant to continue to reside in the area, or where there would be short-term benefits to the local economy during the construction phase, these would not be sufficient to outweigh the harm I have identified above.
9. Therefore, I conclude on the main issue that the proposal would fail to preserve or enhance the character or appearance of the CA. Consequently, the proposal would be in conflict with Policies CS5, DM01 and DM06 of Barnet's Local Plan (2012), the Council's Residential Design Guidance SPD (2016) and its Sustainable Design and Construction SPD (2016) which amongst other things seek developments that preserve or enhance heritage assets, protect local character and respect the scale, mass and pattern of surrounding buildings, spaces and streets. The proposal would conflict with chapters 12 and 16 of the Framework which together in this respect seek to ensure developments add to the overall quality of the area and are sympathetic to local character and history.

¹ APP/N5090/W/20/3249280

Other Matters

10. The appellant has submitted a further ecological appraisal alongside this appeal in response to concerns raised by the Council before the application was determined. The Council has not commented on this appraisal, though suggests an ecological condition is included if the appeal were to be allowed. However, as I am dismissing the appeal on the main issue for the reasons given above, I have not pursued this matter further.

Conclusion

11. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed.

J Hills

INSPECTOR