

Appeal Decision

Site visit made on 21 April 2016

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 27 May 2016

Appeal Ref: APP/V5570/Y/16/3141905

33 Arlington Square, Islington, London, N1 7DP.

- 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 Malcolm Pratt against the decision of the Council of the London Borough of Islington.
 - The application Ref P2015/4471/LBC, dated 23 October 2015, was refused by notice dated 18 December 2015.
 - The works proposed are described as the construction of WC under stairs at basement level.
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Decision

1. The appeal is allowed and listed building consent is granted for the construction of WC under stairs at basement level at 33 Arlington Square, Islington, London, N1 7DP in accordance with the terms of the application Ref. P2015/4471/LBC, dated 23 October 2015 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

2. I consider the main issue to be the effect of the proposal on the special architectural and historic interest of 33 Arlington Square listed grade II.

Reasons

3. The property the subject of this appeal, 33 Arlington Square, is one of a terrace of dwellings (numbers 22 to 39 inclusive). It is listed grade II and located within the Arlington Square Conservation Area.
 4. According to the list description the terrace was probably built in 1850. In my view, the special architectural and historic interest of this building relates to the history of its development, its design and detailing, the history of its occupation, including its recent conversion back to a single family dwelling house, and its setting as part of the terrace and Arlington Square.
 5. Listed building consent (Ref: P2014/4254/LBC) was granted in 2014 for the formation of the staircase along with associated alterations and improvements to facilitate the incorporation of the basement floor with the ground floor accommodation thereby reinstating the property to a single dwelling house. Subsequently, I understand that planning permission and listed building consent
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were granted (Refs: P2015/2038/FUL and P2015/2111/LBC) to alter the stair by the replacement of two treads with a winder and new riser to the half-landing level. Accordingly, the flight of stairs from the ground floor to basement, including the balustrade and handrail, although designed to reflect the age of the building, are contemporary.

6. Planning permission and listed building consent have previously been granted at appeal (Refs: APP/V5570/W/15/3134920 and APP/V5570/W/15/3134921), and remain extant, to form a WC compartment alongside the stair and projecting into the staircase well at basement level, together with an under stair cupboard, both of which would be accessed from doors from the dining room. That serving the under stair cupboard would be a new door in a new opening, resulting in the loss of historic fabric. If the WC were located as approved there would be no access from the staircase well direct to the dining room. The only access would be through what I believe to be a contemporary pair of wide double doors in the partition wall between the kitchen and dining room.
7. The proposal before me would result in the lowering of the floor in the under stair cupboard and the construction of three steps down. This would necessitate the floor and subfloor area being disturbed and might also result in the need to underpin existing load bearing walls. Nevertheless, bearing in mind the overall limited depth of the necessary excavations, I do not believe that the works would result in the loss of significantly more historic fabric than might well result from the creation of the provision of new drainage to the WC and the cutting of the new door opening as previously approved.
8. As illustrated the formation of a WC here would necessitate the formation of a new partition alongside the stair and the insertion of a new door between the side of the stair and the partition wall staircase well/dining room. This would reduce the floor area of the staircase well. However, it would have significantly less impact on the historic plan form of the house and routes through it than the construction of the WC compartment as approved, as access would be retained from the staircase well direct to the dining room and less of the area around the staircase would be enclosed within the compartment.
9. When determining the application, the Council was concerned that, although the current balustrade is not historic, it is nevertheless considered appropriate to the age of the building and therefore should be retained in position. The appellant has indicated that, if I were minded to allow the appeal, he would be happy for a condition to be imposed requiring the retention of the balustrade and handrail. Based on my observations on site, I consider that the new WC compartment could be constructed while retaining the balustrade and handrail as suggested which I agree would be apposite in this case.
10. On balance, therefore, I conclude in respect of the main issue that, in this instance, the proposed works would not cause harm to the special architectural or historic interest of the property, listed grade II. They would therefore accord with the objectives of Policy 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, Policy 7.8 (Sustaining and enhancing the significance of heritage assets) of The London Plan (Adopted July 2011), Policy CS9 (Protecting and enhancing Islington's built and historic environment) of Islington Council Core Strategy (Adopted February 2011) and Policy DM2.3 (Heritage) of Islington Council Development Management Policies

(Adopted 2013), as they relate to the desirability of preserving the building or any features of special architectural or historic interest which it possesses.

Conditions

11. The conditions follow from those suggested by the Council. Where necessary, in the interests of precision and enforceability, I have reworded the suggested conditions.
12. In order to protect the significance of the heritage asset I shall impose a condition requiring the existing balustrade and handrail to be retained in situ and for new finishes and works of making good to existing finishes to match existing adjacent work.
13. A detailed structural engineer's report and method statement detailing the works associated with the excavation of the basement floor is necessary to avoid damage to the heritage assets being the building and the wider terrace. It is therefore appropriate for this to be a pre-commencement condition.
14. For the avoidance of doubt and in the interests of proper planning, I shall also impose a condition requiring the works to be undertaken in accordance with the approved plans.

Conclusions

15. For the reasons given above and having regard to all other matters raised, I conclude that the proposal is in accordance with the development plan, when read as a whole, and that the appeal should succeed.

Philip Willmer

INSPECTOR

Schedule of conditions – listed building consent

- 1) The works hereby authorised shall begin not later than three years from the date of this consent.
- 2) The works hereby authorised shall be carried out in accordance with the following plans: drawings numbered 630.00, 659-B1b, 659-U2a and 659-pics.
- 3) No works shall commence until a detailed structural engineer's report and method statement detailing the measures to be taken to secure the safety and stability of the parts of the building/structure/architectural features/historic fabric which are to be retained have been submitted to and approved in writing by the local planning authority. Such measures shall include underpinning; strengthening any wall or vertical surface; supporting any floor, or horizontal surface; protecting against the weather or any accidental loss or damage. The works shall be carried out in accordance with the approved details.

- 4) All new works and applied finishes shall match the existing adjacent work in terms of material, colour, texture, profile and application thereof. All such works and finishes shall be maintained as such thereafter.
- 5) The existing staircase, balustrade and handrail shall not be disturbed or removed without the prior approval of the local planning authority in writing. These features shall be protected throughout the duration of the works.