

Appeal Decision

Site visit made on 12 September 2016

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 29 September 2016

Appeal Ref: APP/V5570/Y/16/3148388

48 Brooksby Street, London, N1 1HA.

- 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 Barry Cook against the decision of the Council of the London Borough of Islington.
 - The application Ref P2015/5335/LBC, dated 15 December 2015, was refused by notice dated 8 March 2016.
 - The works proposed are described as new extension to rear to replace existing modern extension, together with alterations to lower ground floor, first floor and garden.
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Decision

1. The appeal is allowed and listed building consent is granted for a new extension to rear to replace existing modern extension, together with alterations to lower ground floor, first floor and garden at 48 Brooksby Street, London, N1 1HA in accordance with the terms of the application Ref. P2015/5335/LBC, dated 15 December 2015 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Procedural matters

2. This appeal follows from the refusal of the Council to grant listed building consent for a new extension to rear to replace existing modern extension, together with alterations to lower ground floor, first floor and garden. The proposal, the subject of this appeal, is identical to earlier proposals, for which both planning permission (Ref: P2015/3534/FUL) and listed building consent (Ref: P2015/3645/LBC) were granted on 23 November 2015, save for: a) a proposed increase to the width of the previously approved opening in the external rear wall at lower ground floor level; and, b) an increase in height (decrease in the depth of the new downstand) in the opening in the spine wall at the same level between the new dining room and kitchen.
3. None of the parties have raised issues in respect of matters other than those set out in a) and b) above. I will therefore confine my considerations to these two matters only. Nevertheless my determination will be made on all the works proposed.

Main Issue

4. I consider the main issue to be the effect of the proposed works on the special architectural and historic interest of the listed building.
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Reasons

5. The property the subject of this appeal, 48 Brooksby Street, is a two-storey with lower ground floor mid-terraced property, listed grade II, and located in the Barnsbury Conservation Area. Unlike a number of neighbouring dwellings, number 48 does not have an additional roof storey or dormers.
6. According to the list description the terrace was probably built in 1824. In my view, the property's special architectural and historic interest relates to the history of its development, its design and detailing and its setting as part of the terrace.
7. The approved opening in the rear wall, providing access from the dining room into the new previously approved extension, would be the same width as the existing window opening about 0.9 metres or so. The appellant wishes to increase the width of this opening to about 1.9 metres. This would allow the three-principal spaces at lower ground floor level to flow one to another and to ensure that an adequate level of daylight reaches the rear of the dining room.
8. In my experience, given the limited width of the enlarged opening in a traditional masonry wall, I do not believe that the drastic structural solution envisaged by the Council, involving steel beams and columns, would necessarily be required. Nevertheless, if I were minded to allow the appeal, the design of the necessary structural work could be conditioned to safeguard the heritage asset from unnecessary damage.
9. The enlargement of the opening would involve the loss of slightly more of the fabric of the building than the approved enlargement of the existing window opening. However, given the limited amount of wall to be removed, I do not believe this would be so significant, even if that fabric were to be of historic interest, as to cause harm to the building's special architectural and historic interest. Further, given the limited size of the proposed opening and the design and form of the previously approved addition, I do not consider that the enlargement of the opening would contribute in any significant way to the erosion of the historic envelope of the building.
10. In my opinion, the plan form of the house relates to the configuration of rooms and circulation spaces, both horizontally and vertically, within the building envelope. Accordingly, an opening of the size proposed in the external wall of this house, to give access to a new extension, would not impact in any detrimental way on the clarity of the cellular nature of the original rooms at this level. Further, because the enlarged opening would be in the external wall and substantive nibs are to be retained either side of the opening along with a downstand over, the visual separation between the original house and the approved extension, or indeed the relationship of the extension to the plan form of the house, would be maintained unharmed.
11. I agree with the Council that the removal of the window and the enlargement of the opening would compromise the evidence of the historic fenestration pattern of the original dwelling. However, the construction of the previously approved rear addition would, in any case, if built, serve to obscure the existing opening and thereby its relationship with the remainder of the windows in the rear façade. Further, it would be obvious, to all but the most casual observers, that the extension was a later addition to the house and by reference to the

application drawings, held on the public record, the history of the development of this change to the fenestration arrangement could be accurately understood.

12. I now turn to the proposed downstand to the opening in the original spine wall of the dwelling between the new kitchen and dining room at lower ground floor level. The Council, when granting listed building consent, required the downstand to be a minimum of 0.4 metres which it considered proportionate to the size of the nibs and therefore would result in a harmoniously proportioned opening whilst preserving a clear visual distinction between the original front and rear rooms. The appellant, however, proposes a shallower downstand of 0.175 metres.
13. In my judgement, given the width of the nibs to be retained to either side of the opening, I do not consider that the reduction in the depth of the downstand beam would compromise the ease and immediacy of distinguishing the former rooms as two cellular spaces or serve to detract from the building's historic plan form as suggested by the Council.
14. Furthermore, I am not persuaded, based on the proportion of void to solid, that a downstand of 0.175 metres would compromise to any significant extent the overall visual balance of the opening so as to cause harm to the special architectural and historic interest of the heritage asset.
15. I therefore conclude, in respect of the main issue, that the proposed works would not cause harm to the special architectural and historic interest of the listed building. They would therefore accord with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, Policy 7.8 of the London Plan - *The Special Development Strategy for London Consolidated with Alterations since 2011* (Adopted March 2015), Policy CS9 of Islington's Core Strategy (Adopted February 2011) (CS) and Policy DM2.3 of Islington's Development Management Policies (Adopted June 2013) (DMP) and guidance contained within English Heritage London Terraced Houses 1660-1860 - *A guide to alterations and extensions*, as they relate to the quality of design and the desirability of preserving the building or any features of special architectural or historic interest which it possesses.

Conditions

16. The conditions follow from those suggested by the Council. Where necessary, in the interests of precision and enforceability, I have reworded the suggested conditions.
17. In order to safeguard the special architectural and historic interest of the heritage asset, I have included conditions about making good and finishes including the need for new brickwork to match the existing. On this basis, I have also conditioned the design of the new windows and the provision of 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 that are to be retained.
18. The conditions relating to the structural alterations and the design of the new windows are relevant to the design and/or construction and it is therefore necessary for these to be pre-commencement conditions.

19. In the interests of certainty, I shall also impose a condition requiring the works to be undertaken in accordance with the approved plans.

Conclusions

20. 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: 056_OS_05, 056_P_09, 10, 11, 12, 13, 19_Rev C, 20_Rev A, 21_Rev B, 22_Rev A, 30_Rev A, 31_Rev A, 35_Rev A, 36_Rev B, 40_Rev A and 50_Rev C.
- 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 external and internal 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) All new face brickwork shall match the existing original brickwork in respect of colour, texture, face bond and pointing. The pointing shall be carried out using a lime mortar mix including soft sand, sharp sand and aggregate as required to match the original. Brick arches to the new windows shall exactly replicate the existing and shall be pointed to match. The use of brick slips is not permitted.
- 6) No works shall take place until details of the design of the new sash windows including sections at a scale of 1:5 and plans and elevations at a scale of 1:20 have been submitted to and approved in writing by the local planning authority. The drawings shall show: the junction of the head, cill and jambs of the windows with the building envelope, including external and internal finishes, the specification of the timber to be used in the manufacture of the windows together with the paint finish to be applied to the finished windows, the specification of the sash cords, the detail of all

decorative mouldings, the specification and thickness of the glass and its method of fixing and sealing. The works shall be carried out in accordance with the approved details.