
Appeal Decisions

Site visit made on 9 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 8th February 2018.

Appeal A: Ref: APP/V5570/W/17/3181179

1 Bingham Street, Islington, London N1 2QQ

- 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 Miss Marjorie Alison Barlow against the decision of the Council of the London Borough of Islington.
 - The application Ref P2017/2103/FUL, dated 28 May 2017, was refused by notice dated 24 July 2017.
 - The development proposed is described as "addition of a mansard roof extension to match existing extensions on north side of Bingham Street".
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Appeal B: Ref: APP/V5570/Y/17/3181181

1 Bingham Street, Islington, London N1 2QQ

- 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 Miss Marjorie Alison Barlow against the decision of the Council of the London Borough of Islington.
 - The application Ref P2017/2154/LBC, dated 28 May 2017, was refused by notice dated 24 July 2017.
 - The works proposed are "addition of a mansard roof extension to match existing extensions on north side of Bingham Street".
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Decisions

1. Both appeals are dismissed.

Procedural Matter

2. I have taken the description of development from the application forms for consistency.
3. The applications include a roof level solar panel (Drawing No P07). The appellant has offered an alternative of solar voltaic slates (Drawing No P08), which it is suggested would be more energy efficient. For the avoidance of doubt, I have dealt with the proposal on the basis that it is for the solar panel, and I have not considered the alternative.

Main Issues

4. The main issues common to both appeals are whether the proposal would:
(i) preserve the grade II listed building, which is the terrace 1-6 Bingham Street, of which No 1 forms a part, and; (ii) preserve or enhance the character or appearance of the Canonbury Conservation Area.

Reasons

5. No 1 Bingham Street forms the end house in a terrace of six, which dates from the mid-19th Century. It is located within the Canonbury Conservation Area. The terrace was originally built as seven houses, but No 7 was destroyed during the Second World War. The houses comprise two storeys over stuccoed basements, with central windows. They are constructed from yellow brick with slate roofs. The design of the terrace originally reflected the trend for a 'palace front,' which unified the houses into the composition of the terrace as a whole.¹ This is still evident as the house that was originally in the centre is wider than the others, and No 1, the remaining end house, has a side entrance porch. All the houses in the terrace have roof extensions, apart from No 1, although some of the works appear to be historic. Despite the roof alterations, the front elevation of the terrace retains a high degree of consistency. All the extended houses are raised to three storeys above basement at the rear.
6. Nos 1–6 Bingham Street form a group with a grade II listed terrace at 8-13 on the opposite side of the road. The terrace also comprises two-storeys and dates from the mid-19th Century.
7. The appeal building's architectural interest and significance lies in its architectural form and detailing, in particular it's subordination in terms of the wider terrace, the rhythm and proportions of the front façade, its internal plan form, and the valley roof. There is little unity to the rear elevation of the terrace. Several of the windows in the rear elevation of No 1 retain elements of the historic fabric, and form an important evidential record.
8. No 1 is the only building in the terrace which retains its original low V-shaped roof. This is hidden behind the front parapet which preserves the simple form of the front elevation. The V-shape of the butterfly roof is clearly visible at the rear. I was able to see the exterior of the roof during my site visit and it was apparent that a section of slates has been replaced. I was unable to inspect the roof timbers, but it is not disputed that there would be some loss of historic fabric.
9. The Council's Conservation Area Guidelines (2002) describes the existing character and appearance of the area as "largely created by the surviving 18th and 19th Century buildings, built of brick, stucco, timber windows and doors, and slate roofs" and identifies that the "roofline on a street, particularly on terraces or smaller groups of properties, is a major component of its character". No 1 Bingham Street makes a positive contribution to the listed terrace, the Bingham Street group, and the wider Conservation Area. Its significance is enhanced due to its original roof design.
10. The proposal comprises the addition of a second floor mansard roof extension with two front dormer windows, a rear window and a rear rooflight. As explained above, a roof level solar panel is included in the scheme. The staircase to the second floor would be formed within the small attic room, removing part of the ceiling. Replacement windows to the rear elevation are also proposed, along with solid wall insulation to the side wall of the main bedroom.

¹ As described in 'London Terrace Houses 1660-1860' Historic England

11. The roof of No 1 Bingham Street makes a positive contribution to the significance and architectural interest of the listed building. It comprises a distinctive feature typical of buildings of the period and is a historical record of the design of the original house. I accept that the roof extension would bring a degree of unity to the terrace, in that the front mansard with dormer windows would be similar to the roof extensions at Nos 2, 3, 4 and 5, and there would be minimal impact on the living conditions of adjoining occupiers. However, the proposal would result in the total loss of this historic roof form and elements of the original roof fabric.
12. I appreciate that there are other examples of V-shaped or butterfly roofs remaining in Islington. The fact that there are other examples elsewhere does not justify the proposal. Nor would marking the location of the former roof overcome the harm identified because of the loss of fabric. The suggested marking would only be evident on the rear elevation, whereas the simple form of the principal front elevation would be permanently altered, changing how the terrace is perceived and adversely affecting its significance as part of an originally symmetrical palace front.
13. I have considered the roof extension at No 2 Bingham Street which was the subject of recent appeals.² Although the full balance of considerations that informed those decisions is not before me, it appears that the Inspector was considering alterations to the rear elevation of a previous mansard roof extension. The Inspector commented that the rear of the terrace had already lost much of its original cohesion at roof level, and found that the alteration to the rear elevation would bring unity to the roofscape. However, it does not follow that this principle would extend to altering an original roof form to reflect others in the terrace.
14. The retention of the last remaining historic roof form in the terrace may seem unjust. However, the extensions to Nos 3, 4, 5 and 6, and the lapsed scheme for a roof extension at the appeal property,³ all pre-date national and local policies which have been superseded. I have had to consider this scheme on its own merits based on the evidence before me and in light of current policy.
15. The Council has concerns about the design and suggests that the proposal should incorporate a mansard style roof to the side and rear. This proposal is not before me and so I have not considered it further. I appreciate that the roof extension has been designed to reflect others in the terrace, and the wider area, through the window sizes and positions and vertical brickwork. I am also referred to the Islington Urban Design Guide: Supplementary Planning Document (2017), which indicates that there is scope for roof extensions where the roofline is broken. However, the guidance also identifies the need to protect historic rooflines, stating that "butterfly parapet profiles are a strong characteristic of rooflines in Islington and where these survive should be retained".
16. The roof extension would be visible from the street and the surrounding properties. It would adversely affect the architectural composition of the building and the terrace and, as such, it would detract from the roofline facing the street, which forms a key feature of the Conservation Area.

² APP/V5570/F/15/3130395 and APP/V5570/Y/3134871

³ Refs: P091370 and P091371, dated 7 September 2009

17. The solid wall insulation would affect the internal side wall of the main bedroom. This would require the removal and re-fitting of the skirting, which contributes to the architectural interest of the building. The coving would be removed but this is a modern feature. The wall may contain remnants of lime plaster, but the information on this is not conclusive. Consequently, it has not been demonstrated that the solid wall insulation would not have a harmful impact on the significance of the listed building, as it may result in the loss of historic fabric.
18. The proposals include replacing the rear windows to the bedroom, upper staircase and living room, with sliding sash windows. The windows to be replaced have been shown to be non-original and the proposed replacements have potential to result in a positive impact. However, the design details are limited and so further information would be necessary to conclude on this matter.
19. The solar panel would be located on the front facing slope of the proposed roof, and it is likely to be visible from the houses directly opposite. However, it would not be prominent in views from street level and its impact would be limited. Overall, I consider that the benefit of the solar panel would outweigh the harm.

Conclusion

20. I conclude that the proposed works and development would fail to preserve No 1 Bingham Street, part of a grade II listed building, and the character and appearance of the Canonbury Conservation Area. Consequently, the proposal would be contrary to Policy 7.8 of the London Plan (2016), Policy CS9 of Islington's Core Strategy (2011), Policies DM2.1 and DM2.3 of Islington's Development Management Policies (2013) and guidance contained in Islington's Conservation Area Design Guidelines (2002) and Islington Urban Design Guide 2017. In combination, the policies and guidance seek to protect heritage assets and Islington's unique historic environment, including special characteristics such as historic rooflines. Moreover, the proposal would not accord with the requirements of the statutory tests in the Planning (Listed Buildings and Conservation Areas) Act 1990; which require the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and preserving or enhancing the character or appearance of a conservation area.
21. While the harm to the significance of the designated heritage assets would be less than substantial in terms of national policy, I attach great weight to the assets' conservation. There are private benefits in that the proposal would enhance the use of the property and enable easier roof maintenance. Public benefits are the improvements in thermal efficiency and the installation of solar panels as a source of renewable energy. However, the public benefits of the proposal in this instance are relatively limited and do not outweigh the totality of the harm identified above.
22. For the reasons given above, the appeals are dismissed.

Debbie Moore

Inspector