



Appeal Decisions

Site visit carried out on 21 November 2019

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal A: APP/V5570/W/19/3232788

3 Compton Terrace, Islington, London N1 2UN

- 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 Samuel West against the decision of the Council of the London Borough of Islington.
 - The application No P2019/0386/FUL, dated 1 February 2019, was refused by a notice dated 29 May 2019.
 - The development proposed comprises replacement windows, erection of a single storey lower ground floor rear extension and internal alterations.
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Appeal B: APP/V5570/Y/19/3232783

3 Compton Terrace, Islington, London N1 2UN

- 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 Samuel West against the decision of the Council of the London Borough of Islington.
 - The application No P2019/0669/LBC, dated 1 February 2019, was refused by a notice dated 29 May 2019.
 - The works proposed comprise replacement windows, erection of a single storey lower ground floor rear extension and internal alterations.
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Decisions

1. For the reasons that follow, both **Appeal A** and **Appeal B** are dismissed.

Main Issue

2. The appeal property forms part of a terrace (Nos 1-16 Compton Terrace) which is grade II listed and which lies within the Upper Street (North) Conservation Area. The main issue in this case is the effect of the proposals on the architectural and historic interest of the listed building and on the character and appearance of the Conservation Area.

Reasons for the Decision

3. Compton Terrace comprises a range of three bay, early C19th terraced, stock brick villa properties extending southward from the grade I listed Union Chapel. No 3, towards the southern end of the terrace, has been divided into three separate flats, served via an internal shared hallway. The appellant's flat comprises the ground and lower ground floors of the building. As noted by the Council's conservation officer, whilst some historic fabric remains, the flat has been subject to numerous alterations over the years, particularly at lower ground floor level. Externally at the rear is a large light well area that has been formed through the removal of some of the rear vaults, with the

- remaining rear vault to the one side having been adapted and altered to create a bathroom.
4. To my mind, the special interest and heritage significance of the building derives from its age, architecture, materials and historic fabric. Whilst the main element in terms of setting that contributes to the significance of the property, and indeed the Terrace as an entity, is its relationship with the street, the rear gardens are also an integral part of the setting, allowing for an appreciation of the generally undisturbed rear elevations.
 5. The Conservation Area encompasses the northern end of Upper Street, Islington's main historic thoroughfare. The character, appearance and heritage significance of the Conservation Area derives from the age, layout, design and detailing of the range of C17th–early C20th buildings within it, which accommodate a vibrant mix of commercial and residential uses. Compton Terrace runs parallel to and is separated from Upper Street by an elongated garden enclosed by metal railings atop a low brick wall. As a consequence, notwithstanding some office type uses, especially at street level, it retains a residential ambience.
 6. A range of internal alterations and improvements are proposed. At ground floor level, local repairs are required to part of the kitchen ceiling where water damage has occurred. Provided the necessary works are undertaken on a like for like basis, no objection is raised to this element of the proposals.
 7. At some time in the past, a flat roofed single storey extension was added to the northern end of the rear elevation of the property. It is a substantial structure that accommodates a passageway to the rear garden and an awkward shower/sink arrangement. The alterations proposed include replacing the sanitaryware and making good damp damage, to which no objection is raised. However, it is also proposed to replace a large, uncharacteristic, non-original arched window in the side elevation of the extension overlooking the rear lightwell area, with a smaller single pane rectangular window. Unlike the Council, I have no objection in principle to this element of the proposals, not least because no historic fabric is affected. I do agree however, that the proportions of the proposed replacement window, and the very basic detailing are not historically appropriate.
 8. More extensive alterations are proposed at the lower ground/basement level. In the basement hallway, non-original timber panels are to be removed and built-in cupboards replaced. The non-original 'lobby' entrance to the existing basement study is to be re-configured and a new plasterboard ceiling and insulation is proposed to the study (to be converted to a bedroom). The existing arched vault leading off the study, beneath the front pavement steps would be insulated and damp-proofed. No objections are raised to these elements of the scheme, which have no impact on the historic fabric.
 9. There is no objection in principle either, to the proposed replacement within the existing openings of the existing study window and the door and window within the arched vault space facing into the front lightwell. Again however, notwithstanding the basement/lightwell location, the very basic detailing shown is not historically appropriate.
 10. To the rear, partial infilling of the enlarged rear lightwell area is proposed in order to create additional accommodation. No objection is raised to the

principle of this element of the scheme. I agree – it would return the lightwell to its original proportions and would provide additional garden space on the roof. I share the Council's concerns though, in relation to elements of the detailing.

11. At present, the existing enlarged lightwell void at the rear is surrounded by metal railings which allow views through to the original rear elevation of the building. The alterations proposed would introduce a 1.1 metre high masonry wall across the rear garden, aligned with the existing rear extension. It is intended to draw natural light into the new extension as well as to support a large elevated rooflight to the accommodation beneath. Although when compared with the size of the building as a whole, the wall/balustrade/rooflight structure above the proposed extension is small in scale compared with the building as a whole, the boxy structure would appear as an incongruous bulky feature, at odds with the elegantly proportioned listed building, cutting across the vertical emphasis of the rear elevation which is an integral part of its special interest and heritage significance. That impact would be compounded by the increased height of the western elevation of the proposed extension when seen from the existing house.
12. Internal access to the new living space proposed would be taken through the existing basement utility area/bathroom vault. There is no objection in this regard, to the principle of replacing the existing timber doors leading onto the lightwell area from the basement utility area/hallway with full height glazing set within the existing opening. Again though, the basic detailing shown is not historically appropriate.
13. It is also proposed to widen the existing doorway between the basement utility area/hallway and the bathroom vault, to replace the small bathroom window onto the lightwell with a new doorway into the proposed extension and to remove an existing brick pier within the bathroom, all of which alterations would affect the historic fabric of the building to some extent. In taking a pragmatic approach in terms of the need to secure access to the proposed extension through the bathroom vault, I concur with the view of the conservation officer that these elements might be suitable for condition were the scheme acceptable in all other regards.
14. I recognise that all but one of the doors and windows that would be affected by the proposals are at lower ground/basement level and might be considered as less significant architecturally than the windows to the ground and upper floors of the building. I have given some thought in this regard as to whether it might be appropriate to deal with the detailing of the proposed replacements by condition. However, since it is precisely those details on which those elements of the scheme would stand or fall, I am not satisfied that this matter can safely be left for subsequent approval.
15. Neither the alternations nor the extension proposed would be readily visible in views beyond the site. There would be no harm therefore, to the character, appearance and local distinctiveness of the Conservation Area. There would however be harm to the special interest and heritage significance of the listed building. Given its overall size and scale and the relatively discreet location of most of the proposed alterations, I consider that the harms I have identified would, in the terms of paragraph 196 of the National Planning Policy Framework (the Framework) be less than substantial.

16. Paragraph 195 of the Framework requires that such harm be weighed against any public benefits of the proposal, including the securing of optimum viable use. I am mindful, in this regard, that the proposed extension would increase the accommodation offer at the property, helping to ensure continued use of the building as a home for a growing family. The energy conservation credentials of the accommodation would also be improved.
17. However, the purpose of listing is to recognise the importance of the building and to secure the preservation of its special interest. In this case, I consider that the harm, albeit less than substantial harm, to the special interest and heritage significance of the listed building, a designated heritage asset, is not outweighed by the benefits identified. There would be conflict, in this regard, with the guidance in the Framework, as reflected in policy 7.8 of the London Plan (March 2016) policy CS9 of the Core Strategy (February 2011) and policy DM2.3 of the Council's Development Management Policies Document (June 2013) which, together and among other things, seek to ensure that development affecting heritage assets conserves their significance by being sympathetic to their form, scale and architectural detail.
18. On balance, therefore, I conclude that neither appeal should succeed.

Jennifer A Vyse
INSPECTOR