



Appeal Decision

Site visit made on 14 September 2020

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st September 2020

Appeal Ref: APP/V5570/D/20/3255797

11 Basire Street, Islington, London, N1 8PN

- 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 Alex Morton against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2020/1119/FUL dated 23 April 2020, was refused by notice dated 10 June 2020.
 - The development proposed is loft mansard conversion, floor plan redesign and all associated works at 11 Basire Street.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development upon the character and appearance of the host dwelling as a non-designated heritage asset; and,
 - whether the proposed development would preserve or enhance the character or appearance of the Arlington Square Conservation Area.

Reasons

3. The appeal site is mid-terrace two storey over basement dwelling within a small row of similar historic buff brick properties with white door and window surrounds under a valley roof with front and side parapets. It is a locally listed building (a non-designated heritage asset) and is located within the Arlington Square Conservation Area (ASCA). The National Planning Policy Framework (2019) (the Framework) advises that development affecting non-designated heritage assets requires a balanced judgement having regard to the scale of any harm and the significance of the asset (paragraph 197).
4. Within the ASCA there is a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing its character or appearance. Paragraph 193 of the Framework requires when considering the impact upon the significance of a designated heritage asset great weight should be given to the asset's conservation. Harm to the significance of a designated

heritage asset should require clear and convincing justification (paragraph 194).

5. The ASCA derives its significance primarily from the strong visual unity of its 1840's terraces of mainly two storey plus basement houses. The contribution of the appeal site is as one of these houses with a substantially unaltered frontage and butterfly roof, forming part of a short terrace of four well-preserved similar properties. Nearby Nos. 15 – 21 appear to have been re-built with similar front facades, but a flat roof and so appear as a distinct terrace. The appeal site and neighbouring No. 9 have small flat roof half width rear projections on the rear parapet wall and a small section of the butterfly roof. Whilst they alter a small part of the butterfly roof, they are modest in scale and reflect the evolution of the locally listed building.
6. The front of the roof extension would be set behind the parapet wall such that it would not be discernible from the street scene. However, it would be visible from a number of dwellings opposite its frontage. By reason of its height, width, depth, roof shape and appearance extending across almost all of the historic roof form, it would be visible as a significant addition. It would be set well above the valley roof and would not in keeping with the historic angular form, character and appearance of the roof line of this non designated heritage asset. The form, shape and position of the window openings would be significantly different and out of keeping with the shape and alignment of the respective existing front and rear façade of the dwelling, which are important attributes of its historic character.
7. The development may not be discernible from the street scene on St. Paul Street, however, it would be prominently visible from a number of the dwellings. From these properties due to its height, width, depth window shape and alignment, and its roof shape, it would be visible as a large modern and dominant addition replacing the traditional valley roof form. Notwithstanding the existing projection and the reinstatement of part of the parapet wall, the development would substantially and detrimentally alter nearly all of the valley roof form and significantly unbalance the terrace.
8. The development would be an incongruous and harmful addition to the historic character and appearance of the locally listed building, the terrace and this part of the ASCA in a manner that would be detrimental to its significance. Notwithstanding the compliance with criteria in 4.8 and 4.9 of the Conservation Area Design Guidelines (2002) (the CADG) for Arlington Square, these are guidelines only and compliance with these does not always constitute compliance with the Framework or the statutory development plan as a whole, for the reasons I have set out. The Council officer's initial informal opinion of the roof is noted. However, this is not a decision of the Council.
9. I have noted other proposals nearby and the character and appearance of the area. The developments on St. Paul Street would be likely to be less visible from properties opposite the frontage and are set within a larger terrace with a number of dwellings that already have some significantly tall and sizeable projections visible well above the parapet walls. Those on Prebend Street are in close proximity to a number of properties in that terrace that have undergone similar mansard extensions. The exact nature of the proposals at the building opposite are not clear, but this a modern building outside the ASCA. Furthermore, I do not have the full details of the circumstances that

lead to the other developments being approved, and it is also not clear if these are locally listed buildings. Therefore, a full and direct comparison with the appeal proposal is not possible. I have considered this appeal scheme on its own merits and impacts.

10. For the reasons above the development would be harmful to the character and appearance and significance of the host dwelling as a non-designated heritage asset. It would fail to preserve or enhance the character or appearance of the ASCA, adversely impacting upon and failing to conserve its significance. Therefore, it would conflict with Policy CS9 of Islington's Core Strategy (2011) (the CS) and Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (2013) (the DMPLP). In combination and amongst other things, these require that development makes a positive contribution to the local character and distinctiveness, has regard to the historic environment and shall conserve and enhance the significance of heritage assets in a manner appropriate to their significance, including Conservation Areas.
11. The development is compliant with some aspects of the Islington Urban Design Guide (2017) (IUDG). However, there would be some conflict in so far as it recognises the importance of roof lines anywhere in Conservation Areas, that public and private views should be considered, and development should reflect the shape and alignment of the historic window openings. Even if the development does not conflict with Policy 7.6 of the London Plan (2016), CS8 of the CS and part of DM2.1 ii) and iii) of the DMPLP in respect of materials, and the wider public realm, this does not mitigate or outweigh the conflict with the other policies set out above.
12. The harm to the ASCA would be less than substantial harm. Paragraph 196 of the Framework requires that where a proposal would lead to less than substantial harm to a designated asset, the harm should be weighed against the public benefits. However, less than substantial harm should not be equated with a less than substantial planning objection. The benefits of providing new additional accommodation to the appellant, the improved energy efficiency, the removal of the small flat roof projection and restoration of the parapet wall are small public benefits. There would also be a minor economic benefit from construction, but it would be short lived.
13. The small public benefits do not outweigh the harm from the proposal to the ASCA, which attracts great weight. Having regard to the benefits of the development and the scale of the harm to the significance of the building as a non-designated heritage asset, the harm is not outweighed by the benefits. Therefore, the development conflicts with the Framework.

Conclusion

14. The proposed development would be contrary to the development plan and the National Planning Policy Framework. There are no other considerations advanced, including the policies of the Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR