
Appeal Decision

Site visit made on 28 September 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 October 2020

Appeal Ref: APP/V5570/Y/20/3248010

17 Tufnell Park Road, Islington, London N7 0PG

- 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 Sam Blom-Cooper against the decision of the Council of the London Borough of Islington.
 - The application Ref P2019/3528/LBC, dated 26 November 2019, was refused by notice dated 7 February 2020.
 - The works proposed are replacement of front elevation fenestration with ultra-slim double-glazing.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Sam Blom-Cooper against the Council of the London Borough of Islington. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal upon the significance of the grade II listed building (known as Nos. 9 – 21 (Odd) Tufnell Park Road), and whether the proposals preserve or enhance the character and appearance of the Mercers Road / Tavistock Terrace Conservation Area.

Reasons

4. Section 66 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires 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. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. The appeal property is a two-storey dwelling, which forms part of a larger listed building comprising detached and semi-detached dwellings linked to form a terrace. The list description suggests that the dwellings date from 1840-1850. Although there are some differences between the dwellings, they form a coherent group owing to their consistent scale, use of buff brick, low hipped roofs and sash windows set under gauged brick heads. The significance of the listed building is thus derived from the architectural design and materials of the

terrace, the formality of the front elevations including the retention of historic features, and its value as a mid-19th century residential development.

6. The site is located within the Mercers Road / Tavistock Terrace Conservation Area (CA). The CA incorporates the 19th century developments of Mercers Road and Tavistock Terrace as well as wider areas of housing, including the area of the appeal site at Tuffnell Park Road, as well as the commercial area of Holloway Road. The 19th century dwellings show consistency with the listed building in terms of age, scale, rhythm of fenestration and retention of detailing, and give the CA its significance.
7. The works include the replacement of the two first floor windows of the dwelling with 6 over 6 sash windows and the replacement of glazing only in the ground floor window and fanlight. Although all the buildings across the listed terrace have timber sash windows to the front, they feature a variety of patterns. The 1971 photos produced by the Council show further differences in window designs across the terrace at that time. The existing sash windows at the appeal property have detailing and an overall appearance that would suggest that they are original to the building, or, if not original, have been constructed to a traditional design.
8. The appeal dwelling is very similar to Nos. 13 and 15 in terms of scale and fenestration, noting in particular the placement of openings and ratio of void to solid wall. It differs considerably from the pairs of dwellings at either end of the terrace which have a higher ratio of void to wall, openings of a different proportion and elaborate door surrounds. One such difference is illustrated by the recently replaced windows at No. 13, which, despite various references to a 6 over 6 arrangement, are divided into 8 panes per sash to account for the wider scale of the windows. I therefore find it probable that either the terrace does not represent a single phase of building, or dwellings were built to different designs with different windows.
9. The list description refers to small pane windows at Nos. 19-21 as original. Whilst this may be the case, the differences between the dwellings across the terrace mean that the original windows to each dwelling were not necessarily the same. The simple 2 over 2 sash arrangement found at the appeal dwelling would appear to be entirely appropriate for the age and style of the property, taking into account the use of larger sheets of glass by the mid 19th century.
10. These differences are significant and contribute to the visual interest and overall group value of the terrace. On this basis it does not appear necessary or appropriate to attempt to unify the appearance of the front of each dwelling in the terrace. I therefore find that the replacement of the first floor windows at the appeal dwelling would cause harm to the listed building, owing to the unjustified introduction of replacement glazing in a different style.
11. Evidence submitted refers to 1944 bomb damage to buildings in the area including the terrace. Whilst I do not dispute the fact that damage occurred, I do not accept that this demonstrates that 2 over 2 windows were introduced at this time. The extent of the damage that occurred is unknown and it is quite plausible that any window replacement that was necessary was carried out to match windows that previously existed.

12. I appreciate that this is contrary to the decision of the Inspector who determined the appeals for replacement windows at No. 13¹, although it is clear from the information before me that the matter of the windows was not in contention between the parties. I also note that the Council had previously accepted the principle of replacing the 2 over 2 windows at the appeal dwelling, and windows of this pattern have already been removed at the rear with consent. However, each application and appeal must be their own merits and based on the evidence before me and my assessment of the buildings on site as set out above, I am satisfied that it is appropriate to come to a different conclusion.
13. The change to the appearance of the dwelling would also cause harm to the character and appearance of the CA by changing the appearance of the appeal dwelling, thereby reducing the variety of detail seen across the terrace.
14. The application also includes the replacement of the existing single glazing in the ground floor window and fanlight with double glazing. It is likely that this would harm the appearance of these windows. Furthermore, no details have been provided to show how double glazed units could be successfully installed in a manner that could be visually acceptable and without compromising the structure or functionality of the opening parts of these windows. Without these details it is not possible to fully assess the effect of this element of the proposal and I cannot be satisfied that they would preserve the listed building.
15. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal. The appellant has suggested that the introduction of double glazing would offer environmental benefits, noting a considerable difference following the replacement of windows at the rear of the dwelling. This could be a public benefit. However, improvements could be made to the existing windows that could deliver similar environmental benefits, and details before me of works that have been carried out to improve the performance of the existing windows are very limited. Therefore, the public benefits of the proposal are not sufficient to outweigh the degree of harm identified.
16. In support of the proposal the appellant refers to the poor condition of the first floor windows. However, I give this little weight as there is no evidence before me to explain this further, or to suggest that they are beyond repair.
17. I therefore find that the proposal would fail to preserve the architectural and historic interest of the listed building and the wider character and appearance of the CA. Although development plan policies do not strictly apply to applications for listed building consent the proposal would also conflict with the policies set out in the Council's decision.

Conclusion

18. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR

¹ APP/V5570/W/17/3177191 and APP/V5570/Y/17/3177190