



Appeal Decision

Hearing Held on 17 September 2020

Site visit made on 17 September 2020

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

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

Decision date: 12 October 2020

Appeal Ref: APP/V5570/Y/19/3221056

7 Duncan Terrace, Islington, London, N1 8BZ

- 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 Bill Morris on behalf of Jonathan Buckeridge and Frances Hughes against the decision of the Council of the London Borough of Islington.
 - The application Ref P2018/1944/LBC, dated 31 May 2018, was refused by notice dated 14 August 2018.
 - The works are described as '*re-introduction of First Floor balconies to front of 7 Duncan Terrace.*'
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The effect of the works on the special interest of the Grade II listed building.

Reasons

3. The appeal site comprises 7 Duncan Terrace which is mid-terrace, 'Group Value' Grade II listed building situated within the Duncan Terrace/Colebrooke Row Conservation Area. The listing description, from 1972, indicates that the terrace dates from around 1800, with features such as yellow brick set in Flemish bond, mansard slate roof, with cast-iron railings to the area, and scrolled overthrow lampholder to Nos 6 and 7. It is architectural features such as these, that the significance of the listed building partly derives and also its contribution to the significance of the wider conservation area.
4. The appeal scheme seeks the retention of first floor two balconies (in a balconette or window guard style with small platform) serving two individual six over six vertical sliding sash windows. The upper rail of the balconies installed, as shown on the submitted drawing¹, lie roughly in line with the uppermost part of the lowest panes. With the lower rail and bottom fixings lying below the white painted cill. The balconettes are formed of black coloured/painted mild steel in a segmental arrangement projecting about 300mm and roughly 1200mm wide². Both main parties accepted at the Hearing that the principle of some form of balcony at No 7 is appropriate. The areas of conflict mainly revolved around the materials and the design.

¹ 18_6_1 Plan, Section, Elevation, and detail of proposed balconette

² See Appellant's Statement, Paragraph A,1.

5. In terms of the materials, typically buildings of this epoch would have some form of iron ironwork; either wrought or cast. The appeal scheme uses mild steel, which is a relatively modern material. However, as the Appellant points out, visually the appearance of the balcony railings at No 6 (which is understood to also have used mild steel) have acquired mottled and irregular surface not dissimilar to wrought iron. Moreover, given the black colouring of the balcony railings and the potential ability to age in a way similar to iron, most casual observers at ground level are unlikely to distinguish between the different materials.
6. Furthermore, there is only limited and fragmented evidence of when the balconies along the wider terrace were installed. What both main parties agreed at the Hearing was that the wider terrace was unlikely to have benefitted from balconettes or balconies when originally built. This is borne out, by example, in Appendix 3 of the Appellant's Statement, where the photograph shows the varying balcony styles from Nos 6 to 14 Duncan Terrace which suggests that these are post-original additions to the terrace. Additionally, it was discussed at the Hearing as to the (unknown) extent of damage to No7 as a result of damage from the Blitz in the Second World War and how this affected the front elevation of the listed building.
7. Some form of iron; either wrought or cast, would be preferable from a heritage or conservation perspective as contemporaneous of the building's age. Such materials would also reflect the scrolled overthrow lamp holder and railings at ground floor level, which appear to be made of iron. However, in this respect the balconettes at No 6, which the evidence suggests are likely to have been installed at some point between 1972 and 1983 are formed from some form of steel. Moreover, the balconies and balconettes themselves along the terrace are a post-original addition to the buildings, which provides a small degree of latitude in materials – but only so long as they are appropriate in design terms.
8. In this respect, I find that the use of the material mild steel in this case does not result in harm to the listed building nor does it fail to preserve its architectural or historic interest.
9. In terms of design, it is evident that there are a variety of styles present along the listed building; this includes segmental balconettes such as though found at No 6. The balconies installed at No 7 are not dissimilar in depth or appearance from these. In this respect the design of the balconies installed would reflect existing ones and visually not be offensive in comparison.
10. Where the issue lies is the positioning or placement of the base support of the balcony. The submitted drawings show that the base support is inserted under the cill (see drawing Section of balcony). Architecturally this is odd; typically the base support would be situated either on or just above the cill and/or the string course. This can be seen, for example, in the photos supplied at Appendix 5 at 47 Duncan Terrace, Appendix 7 at 2 Duncan Terrace, Appendix 10 at 5 Duncan Terrace, Appendix 13 at 256 Camberwell Road and Appendix 15 at 68 Camberwell New Road.
11. In practice, the result is that the balconies installed at No 7 affects the overall proportions of the front elevation of the building. This is compounded in this case by the absence of a string course. For example, in Appendices 13 and 15 the balcony sits on top of or embedded in the cill band/ string course. Architecturally this is more appropriate and typical of the position where one

- would expect to see the base support for a balconette. Indeed, examples of this are found along Duncan Terrace.
12. I note the points made by the Appellant that at No 6 Duncan Terrace the balconettes are set lower than the cill. This arrangement was discussed at the Hearing, where it was unclear as to how this situation arose. Nevertheless, architecturally it is erroneous. Similarly, the examples in Appendices 12 and 13 of the Appellants statement, whilst examples of similar instances where balconies have been installed in this unusual arrangement, do not justify something that is architecturally inaccurate.
 13. I note the fact that the Appellant has sought to replicate the positionally ahistorical balconies found at No 6 Duncan Terrace. However, whilst this provides some visual cohesion between those installed at Nos 6 and 7, it does not provide the same along the terrace as a whole. Moreover, this does not provide justification for the further compounding of an architectural inaccuracy. The result of this is that the proportions of the front elevation of the listed building are adversely affected and distorted.
 14. As a result, I find that the works for which consent are sought result in a negative impact on the listed building which fails to preserve its special interest. For similar reasons, I also find that the proposal would fail to preserve the appearance of the conservation area. Whilst the degree of harm would be no greater than less than substantial, considerable weight should be given to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses.
 15. I note the public benefits suggested by the Appellant in respect of the balconies enlivening the façade, being an aesthetic enhancement, and that it would look visually odd as a whole if there were no railings at No 7. However, these do not outweigh the less than substantial harm to the listed building in respect of the architecturally inexact railings sought.
 16. Whilst the materials used are bearable, the design in positional terms is not. Taken as a whole, I find that the appeal scheme fails to preserve the listed building and conservation area in accordance with Sections 16(2) and 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, as amended, (PLBCA) which set out the statutory duty for such heritage assets.
 17. I therefore conclude that the proposal would fail to accord with Policies 7.8 of the London Plan 2016, Policy CS9 of the Islington Core Strategy and Policy DM2.3 of the Islington Development Management Policies 2013 which amongst other aims seek to ensure that the Boroughs heritage assets are conserved and enhanced in a manner appropriate to their significance. It would also fail to accord with the Policies of the National Planning Policy Framework included those set out in Chapter 16 relating to conserving and enhancing the historic environment.

Conclusion

18. For the reasons given above, I conclude that the appeal should fail.

Cullum J A Parker

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Bill Morris
Architect

Jonathan Buckeridge
Appellant

Frances Hughes
Appellant

FOR THE LOCAL PLANNING AUTHORITY:

David McKinstry, BA (Hons), MA, M.St
Principal Design and Conservation Officer