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## Appeal Decision

Site visit made on 23 March 2021

**by Mike Hayden BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 June 2021**

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**Appeal Reference: APP/V5570/Y/20/3258540**

**13 Lonsdale Square, Flat 2, Islington, London N1 1EN**

- 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 Nicholas Longford against the decision of the Council of the London Borough of Islington.
  - The application Ref P2020/1291/LBC, dated 14 May 2020, was refused by notice dated 9 July 2020.
  - The works proposed are described as '*Alterations to create a separate bedroom with internal alterations to layout of kitchen and bathroom with removal of dropped ceiling, insertion of lobby and installation of new finishes to include new skirtings and internal doors throughout and external alterations for provision of services*'.
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### Decision

1. The appeal is allowed and listed building consent is granted for internal alterations to remove the existing partition walls and dropped ceiling in the rear room, and form a separate bedroom, new kitchenette, bathroom 'pod' and lobby, with the installation of new finishes to include new skirtings and internal doors and external alterations for the provision of services at 13 Lonsdale Square, Flat 2, Islington, London N1 1EN, in accordance with the terms of the application Reference P2020/1291/LBC, dated 14 May 2020, and the plans submitted with it, subject to the following conditions:
  - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
  - 2) All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent historic fabric with regard to the methods used and to colour, material, texture and profile.
  - 3) Notwithstanding the drawings and the terms of condition 2), a methodology for the retention of historic joinery within the flat and detailed drawings of its retention and of new joinery to match the historic joinery, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained.
  - 4) Notwithstanding the drawings, the opening in the spine wall shall not exceed 800mm in width and it shall be fitted with a painted timber four recessed panel door and shall be so maintained.

- 5) Notwithstanding the drawings, the details of the proposed means of foul drainage from within the property shall be submitted to and approved in writing by the local planning authority before the works are begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained.
- 6) Notwithstanding the drawings, the air brick to the rear elevation shall be metal painted black, fitted flush to the brickwork, and shall be so maintained.

### **Main Issue**

2. The main issue in this case is the effect of the proposed works on the special architectural and historic interest of 13 Lonsdale Square, as a Grade II\* listed building.

### **Reasons**

3. No. 13 Lonsdale Square is one of a terrace of Grade II\* listed houses (Nos. 1-24), constructed in 1838-1845, which form the eastern half of Lonsdale Square. The square was designed by the pioneering Gothic church architect, R C Carpenter, in what is appropriately described in the statutory listing as 'a unique, intense and immaculately composed' Tudor Gothic style. It is of special interest as a fine, if novel example of Gothic Revival architecture of the early Victorian period.
4. In common with the rest of its group, no. 13 is four storeys high, with a basement, and constructed in yellow brick with moulded stucco surrounds to its front windows and entrance. The front façade has been little altered and its original Tudor-arched entrance and hood moulded, mullioned windows remain largely intact. As such, it makes an important contribution to the architectural integrity and special interest of the terrace and the square.
5. The rear elevation of no. 13 is of a simpler design and its mullioned windows on the first and second floors have been replaced with later sash and casement windows. However, the original window openings with segmental brick arches remain and there are few intrusions from drainage pipes and flues into the façade, such that its neat proportions and brickwork remain evident and well presented, preserving the architectural rhythm and unity of the group at the rear.
6. No. 13 is converted to three flats, which is thought to have taken place prior to its statutory listing. The appeal property is a studio flat on the first floor. Originally this floor would have comprised two rooms, but the legibility of this historic plan form has been compromised by the subdivision of the rear room to form a bathroom, kitchen and entrance hallway, likely to have occurred when no. 13 was converted. A false, dropped ceiling inserted into in the rear room also obscures its original elaborate dentiled cornice, which is still intact in the void above. In addition, one side of the chimney breast is hidden by the stud partition wall between the hall and bathroom. Its original fireplace and surround have also been removed and the opening filled by a cupboard containing the hot water cylinder in the bathroom. As such, these alterations, whilst reversible, cause harm to the special interest of the interior.

7. In contrast, the front room remains largely unaltered, retaining its historic proportions, dentiled cornice, oversized moulded skirting, and marble fireplace surround and mantle. The proportions of the chimney breast are also visible above the cupboard which partially infills the recess to one side. Although the original large opening in the spine wall between the front and rear rooms has been partly infilled with stud partitioning, a double door width opening remains in a traditional position and has been edged with a period style moulded architrave. As such, the front room contributes to the historical and architectural significance of the building in preserving historic fabric and allowing an appreciation of the how the room would have been originally used and decorated.
8. The proposed works involve the demolition of the stud partition walls between the bathroom, kitchen and hall, and the removal of the bathroom and kitchen fittings and false ceiling in the rear room, to create a separate bedroom. A new entrance lobby to the flat would be formed in one corner of the rear room, but the partition walls would be scribed around the cornice, such that the cornice would remain intact and still be visible in both the lobby and the bedroom. A bathroom 'pod' would also be installed in the bedroom against the spine wall, the roof of which would be set below ceiling height allowing the proportions of the rear room and the cornice to be seen.
9. The side wall of the bathroom 'pod' is shown as being built off the face of the chimney breast, which would obscure a small part of the historic form and fabric of the rear room. But this would be little different to the existing arrangement where the partition wall between the bathroom and hall obscures the side wall of the chimney breast. In fact, after the proposed works, the corner of the chimney breast would be visible above the roof of the 'pod', better revealing its original dimensions, similar to the cupboard in the recess to one side of the chimney breast in the front room. Moreover, both the bathroom 'pod' and the entrance lobby would be reversible alterations and would not result in the permanent loss of historic fabric and features.
10. Any harm caused by the alterations to the rear room would be minor and would be heavily outweighed by the benefits of the proposed works, in returning the room to its original proportions and revealing the hidden cornice detail, thereby restoring the historic plan form in this part of the listed building. Restoration works can enhance the significance of heritage assets and are likely to be acceptable, where, as in this case, the significance of the elements that would be restored outweighs the significance of those that would be lost. Accordingly, I find that the proposed works to the rear room would enhance the significance of the listed building.
11. In the front room, the proposed works would involve closing up the existing double door opening to enable a kitchenette to be installed against the spine wall, and removing a section of the spine wall to the left of the existing opening to form a new single door opening into the proposed entrance lobby. Whilst this would result in the loss of part of the original fabric of the spine wall, the enclosure of the existing opening would mitigate the loss by retaining the separation of the two rooms and thereby preserving the historic plan form. The top of the kitchenette unit would also sit below ceiling of the room, allowing the decorative cornice to be retained intact.

12. The application originally proposed a width of 963mm for the proposed new opening into the lobby, which is neither a single nor a double leaf doorway width. However, revised plans submitted with the appeal show this reduced to a standard door width of 800mm and enclosed with a door. This could be secured by condition and would ensure the preservation of the historic plan form of enclosed cellular rooms with doors in door openings of traditional height and width, which are typically seen London terraced houses of this period.
13. The application also proposes the removal of the existing timber skirting and architraves throughout the flat and their replacement with a design to match the historic sections. This would enhance heritage significance in the rear room where the skirtings and architraves are non-decorative C20 replacements. But in the front room there are some intact sections of original decorative skirting. The removal of these period details would result in a loss of historic fabric and harm to significance, which has not been justified. However, the parties agree that the retention of original joinery and the provision of new skirtings, architraves and doors designed to match historic details could be dealt with by suitably worded conditions, thereby avoiding any heritage harm.
14. With regard to services, the proposed works would move the kitchen and bathroom facilities from the rear wall to the centre of the flat. However, the submitted plans indicate pipework and ducting routed within the partition walls and beneath the floorboards in the same direction as the joists, minimising any damage to the sub-floor timberwork.
15. External works are confined to the removal of the existing gas boiler flue and airbrick, the replacement of the two existing waste pipes from the kitchen and bathroom with a single PVC waste from the kitchenette and bathroom 'pod' to the existing cast iron soil pipe, and a new air brick to serve the duct from the whole house ventilation system. These alterations would reduce the amount of services clutter on the rear elevation of the building, thereby preserving its architectural value. The air brick is proposed in polypropylene, which I agree would not be an appropriate material on the external façade of a historic building. But the use of a traditional material, such as metal, could be secured by condition, to ensure historical and architectural integrity is preserved.
16. At the time of its decision, the Council argued that there was a lack of information about the potential heritage impact of any requirements for compliance of the proposed works with the Building Regulations. However, Building Regulations consent has since been granted and there is no evidence before me that the requirements of that regime for additional fire separation or other works would lead to any harm to the heritage significance of the property, other than the insertion of the entrance lobby into the rear room, which I have dealt with above.
17. The Planning Practice Guidance recognises that development affecting a heritage asset may enhance its significance and therefore cause no harm to the heritage asset.<sup>1</sup> In this case, the restoration of the historic plan form and internal decorative features in the rear room would amount to significant public benefits, which would outweigh any harm and thereby enhance the heritage significance of the listed building. The alterations in the front room would have a neutral to positive effect in preserving the historic plan form and decorative joinery.

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<sup>1</sup> PPG Paragraph: 018 Reference ID: 18a-018-20190723

18. On balance, therefore, I find that the proposed works would preserve the special historic and architectural interest of the listed building, in accordance with the expectations of section 16 of the Act and paragraph 193 of the National Planning Policy Framework, which attaches great weight to an asset's conservation. For the same reasons the proposed development would accord with the relevant policies of the development plan that seek to support and underpin these national statutory and policy objectives.

### **Conditions**

19. In order to safeguard the special historic and architectural interest of the listed building, conditions are required to ensure historic joinery is retained using appropriate methods; any new works, including new joinery, match the historic fabric; the new opening in the spine wall is a traditional single door width; and the new air brick is in a material and colour appropriate to the age and design of the building. I have amended the wording of the Council's conditions, where necessary, to ensure they are clear that new works should match historic rather than non-original fabric.
20. The appellant proposes to remove the macerator from the original proposals to satisfy the requirements of the Building Regulations. However, there is an inconsistency between the submitted drawing nos. 1048-06 Rev A and 1048-07 Rev A on this point; the former shows a 110mm stub soil stack with an air admittance valve and the latter still shows a macerator. Therefore, in the interests of certainty and to safeguard the special interest of the building, I have imposed a condition requiring details of the proposed means of foul drainage be submitted to the local planning authority for approval before the works are undertaken.

### **Conclusion**

21. For the reasons given above I conclude that the appeal should succeed. I have amended the description of the works in the decision paragraph above from that contained in the appeal form, to ensure it accurately describes the works for which consent is granted, including the removal of the partition walls from the rear room and the installation of a new kitchenette and bathroom 'pod'.

*M Hayden*

INSPECTOR