



Appeal Decisions

Site Visit made on 19 October 2021

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal A Ref: APP/V5570/W/21/3272212

60 Canonbury Park South, London, N1 2JG

- 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 & Mrs Finster against the decision of London Borough of Islington.
- The application Ref P2020/2391/FUL, dated 14 December 2020, was refused by notice dated 1 March 2021.
- The development proposed is Single storey side/rear extension at ground floor (following demolition of existing ground floor addition). Single storey rear extension at first floor. Excavation to allow for single storey basement level. Repair and refurbishment of the existing slate roof with 1 no. rooflight and windows. Installation of paving to front garden. Internal alterations throughout and other associated alterations.

Appeal B Ref: APP/V5570/Y/21/3272215

60 Canonbury Park South, London, N1 2JG

- 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 & Mrs Finster against the decision of London Borough of Islington.
- The application Ref P2020/2451/LBC, dated 14 December 2020, was refused by notice dated 1 March 2021.
- The works proposed are Single storey side/rear extension at ground floor (following demolition of existing ground floor addition). Single storey rear extension at first floor. Excavation to allow for single storey basement level. Replacement of ground floor rear window. Repair and refurbishment of the existing slate roof and windows and additional 1no rooflight. Installation of paving to front garden. Internal alterations throughout and other associated alterations.

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed, and listed building consent is refused.

Preliminary Matters

3. To avoid duplication, I have considered the appeals together where appropriate.
4. I have included a consideration of the Grade II listed 62-64 Canonbury Park South in relation to setting, in line with my statutory duty. As the heritage statement acknowledges that these dwellings are listed, I am satisfied that this would not be prejudicial to the parties.

Main Issues – Appeals A and B

5. The main issues are whether the proposals would preserve the Grade II listed 54-56, 58-60 and 62-64 Canonbury Park South, or any features of special architectural or historic interest, including setting, and whether the proposals would preserve or enhance the character or appearance of the Canonbury Conservation Area.

Reasons – Appeals A and B

Heritage Assets

Listed Buildings

6. 58-60 Canonbury Park South (Nos 58-60) is a pair of brick semi-detached houses dating from around 1845. Each house comprises a two-storey main house with a hipped slate roof, and a slightly lower two-storey hipped entrance block to the side with a stuccoed entrance porch.
7. Numbers 58-60 is the middle pair of three semi-detached villas built by Charles Hamor Hill (C.H.Hill), all of which are Grade II listed. Numbers 58-60 are very similar in appearance to 62 and 64 Canonbury Park South (Nos 62-64). However, 54 and 56 Canonbury Park South (Nos 54-56) have a raised ground floor above a basement and lack original side extensions. In this regard that building is dissimilar to Nos 58-60 and Nos 62-64.
8. At No 60 there are front and rear rooms on each floor with a projecting single storey and hipped kitchen wing to the rear, built at a slightly lower level. There were no changes to the 19th century footprint until 1928 when a side garage was added. There has subsequently been side infilling on both sides of Nos 58-60, with extensions projecting rearwards beyond the line of the original kitchen wing.
9. Both dwellings appear to have retained most of their original window arrangement and historic fabric. To the rear both dwellings have also retained the hipped kitchen wings. Although the plans indicate that the multipaned sashes at No 60 have been replaced, they are not noticeable as later additions. Number 58 has single paned sashes to the rear and a first-floor window to the rear of the entrance block.
10. The typology of the original dwellings can clearly be seen, not least as a consequence of the clear separation of the single storey infill extensions, which do not intrude upon the appreciation of the authentic building forms. Notwithstanding some minor differences, in overall form and scale there is a very strong symmetry between these paired dwellings.
11. The internal plan form at No 60 has been somewhat modified, particularly through the addition of various bathroom facilities on each floor. Nonetheless, the underlying simplicity of the plan form is evident. The heritage statement notes that No 60's interior is of interest, but that its significance has been diminished. I see no reason to disagree.
12. The significance of Nos 58-60 arises primarily from its fine and largely intact historic fabric and its aesthetic contribution to the area, as well as its strong and underlying symmetry with the attached No 58. There is also historic association with C.H.Hill and the relationship with the aforementioned pairs of

adjacent villas. There is also significance derived from the contribution the dwellings make individually and collectively to the appreciation of London's 19th expansion and the prevailing architectural styles of the time.

13. The significance of Nos 54-56 and Nos 62-64 also arises from their intact historic fabric, their association with C.H.Hill and their architectural contribution to the street scene. There is also an underlying symmetry between the front elevations of Nos 58-60 and Nos 62-64. Nos 54-56 and Nos 62-64 make a positive contribution to the setting of Nos 58-60, which in turn provides the context and setting for Nos 54-58 and Nos 62-64.

Canonbury Conservation Area (CCA)

14. Most of Canonbury was developed in the late 18th and 19th centuries. It is characterised by the distinctive pattern of semi-detached villas and small terraces laid out along wide tree-lined roads experienced today. The New River Walk, which runs along the back of Nos 58-60 is a linear park and is associated with mature trees and informal public open space.
15. The first floor of Nos 58-60 can be seen from New River Walk above the boundary fence and between the vegetation. Views of the rear will be more apparent in the winter when the trees do not have leaf cover. From this vantage point the single storey rear extensions are not visible, and it is possible to view the simple typology of the paired dwellings and their understated design and symmetry.
16. The significance of the CCA is derived from the sheer extent of planned high quality 19th century residential development, and the very high proportion of buildings presenting with original form and fabric. There is also an underlying generosity in the building pattern which contributes to a distinct spaciousness and an ability to appreciate the elegance of the buildings of large plots, as well as allowing the development of mature garden vegetation. In addition, significance is derived from the historic fabric of individual buildings and the overall consistency and coherence of scale, style and materials.

Proposals and effects – first floor extension

17. The Council has raised a concern in relation to the first-floor rear extension only. This would extend the entrance block to wrap around part of No 60's rear elevation, providing space for a family bathroom.
18. The entrance block is entirely contained within the flank wall. When viewed from the side the proportions of its hipped roof appear to mirror those of the main roof above. Its scale and proportions are clearly subservient to the main house. Extending the length of the entrance would diminish that relationship, as the entrance block would assume greater dominance in relation to the main house. The existing dynamic between the main house and the entrance block would be lost.
19. On the rear elevation the exposed chimney stack would be subsumed within the extension for most of its height, as would a large proportion of the kitchen extension's original hipped roof. As such the extension would blur the existing distinction between the original dwelling and the side extensions. It would also lead to considerable asymmetry between the two sides of Nos 58-60 to the rear. Although the maintenance of the gap between the entrance block's ridge and the eaves of the main house would be retained, this does not alter my

conclusions. The symmetry and balance of the listed building would be diminished, and the interventions would interfere with the current clear reading of No 60's original form.

20. I appreciate that Nos 62-64 have a similar first-floor extension but this does not warrant causing harm to Nos 58-60. In any case No 62's kitchen wing appears to have been wholly incorporated into the rear extensions. As such the situations are not comparable.
21. I appreciate that Nos 62-64 was listed when its side extensions were in place, but I have to determine this appeal on its own merits and according to the national guidance and local policies before me. Moreover, No 60's primary relationship is with the attached No 58, as the two dwellings together are the listed building. I give substantial weight to their relatively unaltered forms and the existing balance. It is unclear to me why the argument is advanced that Nos 58-60 currently has an unbalanced composition but even if this was the case, the addition of a projecting first floor rear extension would unbalance that composition even more.
22. It is also argued that many dwellings of this age have closet wings. However, this pair of dwellings did not have closet wings. To attach a closet wing would be historically ill-informed.
23. The Urban Design Guide (UDG) states that single half width upper extensions are often acceptable. However, this does not necessarily apply to listed buildings. Moreover, in relation to rear extensions the UDG states that *many terraces have paired additions with consistent rooflines. New extensions above these types of rear projections can disrupt the natural rhythm of rear elevations and should, therefore, be avoided.*

Other works

24. Other works would include a basement floor, the rebuilding of the existing side infill extension, repairs and refurbishment to roofs and windows, the replacement of the attic bathroom with a larger ensuite, the blocking up of the entrance door to the existing side extension and other minor alterations. There is nothing before me to indicate that these works would diminish the significance of Nos 58-60 or the CCA. In any case they are included in an extant permission. As such I will confine my reasoning to the benefits of those other works in the heritage balance.

Settings of Nos 54-56 and Nos 62-64

25. On the basis of what is before me I am satisfied that the development and works would not be detrimental to the settings of Nos 54-56 and Nos 62-64.

Conservation Area

26. The first-floor extension would be visible from the public domain from both the street and New River Walk, and its incongruity and negative impact on Nos 58-60 would be apparent. Even if the extension was not visible from the public domain, harm to the character and appearance of conservation areas is not necessarily predicated upon public visibility.
27. As one of the key characteristics of the CCA is the predominant historic and largely unaltered form, I conclude that the development would diminish the

significance of the CCA. I appreciate that No 60's side elevation would largely mirror that of No 62, particularly in views from the street. However as set out above, No 60's primary relationship is with No 58.

Heritage balance

28. The first-floor extension would diminish the significance of Nos 58-60, and have an adverse effect on the CCA.
29. Minor heritage benefits would arise from some of the proposals. The landing shower room encroaches into the original stairwell and the effective enlargement of the first-floor bathroom would enable its removal. However, this would be the only instance of restoration of No 60's original plan form and it would represent a minor benefit only. Given that there are other shower and bathroom facilities existing at No 60, including on the first floor, I see no reason why the removal of the shower room should be predicated upon these works.
30. It is also stated that the proposals would allow other bathrooms to become smaller in form and scale. This is not borne out by the evidence. Although the landing shower room would be removed, the attic ensuite would be larger than currently exists. Moreover, the relocation of the attic shower room is of little benefit to the original plan form as the attic would not have had a bathroom when the house was built. The stairs and partition wall, which appear to be authentic, would be unaffected.
31. The replacement of the mono-pitch single storey infill extension with a more streamlined and flat roofed structure would have a positive effect on the appreciation of the listed building when viewed from the rear. Due to differences in ground level the existing extension is not particularly visible from the street so this would have a largely neutral effect on the street scene. However, the positive contribution made to Nos 58-60 by this element of the development and works would be offset by the bulky intervention between the infill extension and the main house.
32. Minor heritage benefits would also arise from the removal of some of the waste pipework currently visible on the entrance block's roof and flank wall, the restoration of windows, and the removal of a secondary entrance door. The cleaning of brickwork would also have a negligible to minor beneficial impact. However, the internal plan form of No 60 has lesser overall significance than its exterior and the totality of these minor benefits would not outweigh the harm arising from the first-floor extension.
33. With regard to areas of dilapidation, I see no reason why the repairs to the kitchen roof or urgent repairs elsewhere should necessarily be predicated upon this development and works. I appreciate that the dwelling needs repairs and some refurbishment, but such works are always associated with property ownership. I am satisfied that they are not reliant on the building of a first-floor extension. The reuse of materials demolished from the entrance block in the new construction does not compensate for their removal from a largely untouched original structure.
34. I conclude that the development and works would amount to less than substantial harm to the listed building and the CCA. Paragraph 202 of the National Planning Policy Framework (the Framework) requires that where there

- is less than substantial harm, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.
35. The appellant has advanced the argument that there would be public benefit arising from the provision of a family bathroom as this would improve local housing stock. There is nothing before me to indicate that similar dwellings in the district lack adequate bathroom facilities or that dwellings in what appears to be a highly sought-after area, are unable to find occupiers as a consequence of bathroom arrangements.
36. Moreover, the evidence before me indicates that it is not unusual for bedrooms to be used as bathrooms in such situations, which is the solution suggested in the Historic England guidance. Although the current bathroom arrangements may be small and/or inconvenient, in my experience this is commonplace in buildings of this age. The constraints of altering a listed building should have been apparent at the time of purchase and listed buildings cannot necessarily be altered to fit the specific requirements of individual families.
37. It is also the case that what is described in the heritage statement as a rather modest Victorian dwelling has already been significantly extended. This application includes further proposals for increasing floor space through the provision of a basement. From the evidence before me I am satisfied that the internal space could be organised to provide a family bathroom within what would be a large family house, without extending No 60's original external envelope.
38. As such, building a first-floor extension is not essential to ensure that No 60 contributes to the district's high quality housing stock. I give the arguments in respect of public benefits, minor weight. Nor is there anything before me to indicate that No 60 would not continue to be used for residential purposes if the appeal was dismissed.
39. Historic England (HE) has not raised any objections in relation to the proposals but states that the application should be dealt with in accordance with national and local guidance. I see no reason to give any weight to the omission of more detailed comments. HE guidance also notes that the rear elevations of Victorian dwellings are often the most altered. However, there is nothing in the guidance to suggest that this warrants further extension to buildings that were built without such additions.
40. I am unaware of the assessment criteria used by the listing authorities at the time Nos 62-64 were listed. In any case, the asymmetry and blurring of the separation between the original house and later interventions would be harmful to the significance of Nos 58-60.
41. The development and works would fail to preserve Nos 58-60's features of special architectural or historic interest, and would also fail to preserve or enhance the character or appearance of the CCA. The development and works would therefore be contrary to Sections 16 (2), 66 (1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and Section 16 of the Framework which is concerned with the conservation and enhancement of heritage assets.
42. The development and works would also be contrary to Policy 7.8 of the London Plan, Policy CS9 of the Core Strategy and Policy DM2.3 of the Development

Management Policies (DMP) which taken together require the conservation and enhancement of heritage assets, amongst other considerations. The proposals would also be contrary to subsections vi) and viii) of DMP Policy DM2.1 which require development to respect and respond to existing buildings and the wider context, and to reinforce local distinctiveness, and the UDG in relation to rear extensions. Finally, the development and works would fail to accord with CS Policy CS8 A) which is concerned with enhancing Islington's character.

Conclusion – Appeals A and B

43. The minor benefits arising from the proposals would not outweigh the harm to the heritage assets identified above. Nor would the development and works provide sufficient public benefits to justify that harm. As such the development and works would fail to accord with the Act, the Framework or relevant local policies. I conclude that they would be contrary to the development plan taken as a whole and there are no material considerations of such weight to lead me to conclude otherwise.

Appeal A

44. Appeal A is dismissed.

Appeal B

45. Appeal B is dismissed, and listed building consent is refused.

A Edgington

INSPECTOR