



Appeal Decision

Site visit made on 15 February 2022

by Gareth W Thomas BSc (Hons) MSc (Dist) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/V5570/Y/21/3276083

108 Richmond Avenue, Islington, London N1 0LS

- 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 David Cameron against the decision of London Borough of Islington.
 - The application Ref P2020/2866/LBC, dated 6 October 2020, was refused by notice dated 30 November 2020.
 - The works proposed are New side infill rear addition at garden level and associated alterations to existing rear outshot and lower ground floor layout; adjustments to partition walls and new conservation rooflights to existing rear outshot at first floor level; new jib style door opening and ensuite / dressing room at second floor level, new access hatch and renewal of cladding with lead sheet to existing roof addition; replacement of nonoriginal sash window to ground floor front room with decorative gothic style sash to match neighbouring properties; internal repairs including reinstatement of missing cornices to match existing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

Main Issues

2. These are firstly, whether the proposed works would preserve the Grade II listed building comprising 100 to 116 (Even) and attached railings, 100-116 Richmond Avenue as described in the listing (List Entry 1208406) or any features of special architectural or historic interest it possesses and secondly, whether they would preserve or enhance the character or appearance of the Barnsbury Conservation Area.

Reasons

3. In considering works to a listed building, the duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Whilst the Council has not raised the effects of the Conservation Area in its decision notice, section 72 of the Act requires me to pay attention to the desirability of preserving or enhancing the character and appearance of such Area. I deal with this aspect later in my decision.
4. The appeal relates to a mid-terrace property dating from the early nineteenth century and located within the Barnsbury Conservation Area (CA). The proposals would lead to the construction of a side infill extension at garden

level to the rear of the property and replacement of non-original sash window at front by gothic style sash to match others in the terrace. A number of internal alterations are also proposed. These comprise: adjustments to partition walls, rooflights to the rear outshot at first floor, new jib style door opening to new dressing/ensuite room at second floor together with rooflight hatch, renewal of lead cladding to roof addition and minor internal repairs.

5. The CA contains many elegant examples of formal late-Georgian and early Victorian residential terraces. The prevailing character is residential with many of its squares noteworthy for their consistency and completeness. It has a diverse range of architectural styles, with distinctive detailing, which is based on the use of traditional materials. Rear elevations generally have less formality than the more ordered and ornate front elevations although in the case of this terrace of listed properties, the rear outshots are of consistent form. Given what I observed, I find that the significance of the CA is derived from its elegant and sophisticated frontages with the rear of properties taking on a domestic architectural form but with a consistency of materials palette.
6. Each property comprises 3 storeys over a basement. The terrace is constructed from yellow London stock brick with stucco detailing on the front elevation. Despite some modification, the rear elevation retains a largely consistent architectural form. The special architectural interest of No's 100 to 116 Richmond Avenue which includes the appeal property is most evidently expressed in its Neo-Classical proportions, repeating architectural form arising from the symmetry and rhythm of both front and rear elevations. The decorative iron balconies and iron railings with ball and disc finials add to the grandeur. Some of the elaborate Gothic-style sash windows to a few properties within the terrace, including the appeal property, have been replaced by plain sashes.
7. I observed from the plans and my site visit that the proposed extension would infill the gap between the closet wing of 106 and the closet wing of 108. Whilst the rear garden area would be lowered and the extension would sit at lower ground floor and ground level, along with the new bay to the existing closet wing, it would represent a dominant rather than a lightweight addition with the stone surrounds wrapping around the structure further highlighting the incongruity between existing and proposed. The additional bulk would lead to visually distracting features that would disrupt the regular rhythm of the rear closet wings that contribute to the harmonious arrangement at the rear of this terrace. Although the appellant contends that a previous approval¹ to the rear of the adjacent property No. 106 should act as a precedent for rear additions with the current appeal proposal of greater elegance and sophistication, the approved drawings for No. 106 depict an extension of greater simplicity and of lower height. The appeal proposal in my view although well-designed and its contemporary style generally acceptable, is just too dominating and would undermine the architectural integrity of the closet wing, which along with others is a strong feature of the rear.
8. I have taken the Council's published SPD² into account and find that the height and starkness of the stone surround would mean that the proposed extension would not be subordinate for the reasons outlined above. This in itself would

¹ Council Reference P2013/0323/LBC

² Urban Design Supplementary Planning Document 2017 (SPD)

result in unacceptable level of harm to the architectural and historic significance of the listed terrace.

9. Turning to the impact on the building fabric, including the historic plan form, I acknowledge that there would be some loss to significance from the alterations to the front basement and lightwell although the works would be negligible and overall, there would be little blocking up of the lightwell as suggested by the Council. Neither would the change to the front sash window to incorporate Gothic tracery to match others be unacceptable given the ability of the Council to control the precise detailing by way of a condition.
10. I acknowledge the Council's comments on the change to the door opening between the staircase and closet wing although the existing door opening positioning did not appear to line up with the first-floor window and appeared very narrow for an original opening. There are changes proposed to the layout of spaces and some of the subdivided spaces at the second floor may not be characteristic, the stud walls proposed are unlikely to obscure any original architectural features and the overall plan would remain clearly legible. As such I do not find that these changes would amount to any significant degree of harm. However, the proposed changes to the existing kitchen by including a toilet and washroom would create a corridor effect and undermine the historic plan form and architectural arrangement of room spaces. I find that this element of the scheme would be harmful.
11. In terms of impact on the CA, it is unlikely that the proposed extension would be seen from any public vantage points. Whilst there would be glimpsed and oblique views from upper storey windows of nearby dwellings that overlook part of the gardens to No's. 100-116, these would be private rather than the public domain. I have already found that the alterations to the front elevation are acceptable. As such, I consider that the proposals would at least preserve the character and appearance of the CA.
12. Notwithstanding my conclusions in respect of the lack of negative effects on the CA and the neutral effects on the fabric and layout of the building, the extension and alterations to the kitchen would harm and thereby fail to preserve the special interest of the listed building. Paragraph 199 of the National Planning Policy Framework (the Framework) sets out that when considering the impact of proposals on the significance of designated heritage assets, great weight should be given to their conservation. It also explains that significance can be harmed or lost through the alteration or destruction of those assets. Given the modest scope of the proposed alterations overall, I find that the harm would be less than substantial in this instance although of considerable importance and weight.
13. Under these circumstances paragraph 202 of the Framework advises that this harm should be weighed against any public benefits that would arise from the scheme, which includes securing its optimal viable use of the property. The appellant maintains that the extension would provide important access and visual connection to the outdoor space and provide improve natural lighting to internal spaces, which would in turn, ensure the continued viability and enjoyment of the property as a dwellinghouse. However, this is a private and therefore neutral benefit that must be balanced against the harm through inappropriate extension and alteration.

14. As there is an absence of public benefit, I conclude that despite finding in favour of the appeal scheme from a conservation area perspective, the proposal would fail to preserve the special historic interest of the Grade II listed building. The appeal scheme would also fail to meet the requirements of the Act, paragraph 202 of the Framework and would conflict with policy DM2.3 of the Islington Local Plan: Development Management Policies, policy CS9 of Islington's Core Strategy and policy 7.8 (Heritage Assets and Archaeology) of the London Plan. In combination, these policies seek to ensure that all proposals preserve the historic urban fabric and conserve the significance of heritage assets through sympathetic forms, scale and materials.

Other Matters

15. The appellant has sought to revise the scheme following the refusal of listed building consent and amended plans were submitted as part of the appeal. However, it is accepted practice that other than the most minor of changes, planning appeals should not be used to evolve schemes however worthwhile these changes may be, I have not considered the revised plans and drawings at this time.

Conclusion

16. Accordingly, for all the reasons stated above, I conclude that this appeal should not succeed.

Gareth W Thomas

INSPECTOR