



Appeal Decisions

Site visit made on 4 March 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 16 March 2022

Appeal A Ref: APP/V5570/W/21/3287963

45 Arlington Avenue, Islington, London N1 7BE

- 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 James Guest against the decision of London Borough of Islington Council.
 - The application Ref P2021/1921/FUL, dated 2 July 2021, was refused by notice dated 7 September 2021.
 - The works proposed are the installation of an external stair to rear garden and minor alterations to existing garden layout.
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Appeal B Ref: APP/V5570/Y/21/3287964

45 Arlington Avenue, Islington, London N1 7BE

- 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 James Guest against the decision of London Borough of Islington Council.
 - The application Ref P2021/2061/LBC, dated 2 July 2021, was refused by notice dated 7 September 2021.
 - The works proposed are the installation of an external stair to rear garden and minor alterations to existing garden layout.
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Decisions

1. Appeal A is allowed and planning permission is granted for the installation of an external stair to rear garden and minor alterations to existing garden layout at 45 Arlington Avenue, Islington, London N1 7BE in accordance with the terms of the application Ref P2021/1921/FUL dated 2 July 2021 subject to the conditions set out in the Schedule.
2. Appeal B is allowed and listed building consent is granted for the installation of an external stair to rear garden and minor alterations to existing garden layout at 45 Arlington Avenue, Islington, London N1 7BE in accordance with the terms of the application Ref P2021/2061/LBC dated 2 July 2021 subject to the conditions set out in the Schedule.

Applications for costs

3. An application for costs has been made by Mr James Guest against London Borough of Islington Council. This application is the subject of a separate decision.

Preliminary Matters

4. As the appeal property forms part of a listed building, listed building consent is required for the proposed development. An appeal against the refusal of listed building consent has therefore submitted alongside the appeal against refusal of planning permission. The proposed works under both Appeal A (planning permission) and Appeal B (listed building consent) are the same, and the main issue is relevant to both appeals. I have therefore dealt with the two appeals concurrently under the same decision to avoid duplication or repetition.
5. As the appeal site is listed and within a conservation area, in line my statutory duties under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving or enhancing the building itself as well as the character and appearance of the conservation area.

Main Issue

6. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Arlington Square Conservation Area, including the appeal property as a grade II listed building.

Reasons

Listed Building

7. The appeal property is an end of terrace dwelling, located on the south-eastern side of Arlington Avenue. Dating back to c. 1850, it is Grade II listed and is broadly typical of London terraced housing of this period. The dwelling comprises two main storeys with a full basement, and is constructed of darkened yellow stock brick with stucco embellishment. It has a flat fronted façade which is set back behind a lightwell, and is enclosed by cast iron railings.
8. The listing description for the appeal property indicates that the terrace is primarily listed for its group value. This is clearly evident along the front of the terrace, owing to the strong degree of uniformity and coherence between the properties, in terms of style, materials and detailing. At the rear of the terrace, there is much less coherence and harmony between the dwellings, as many of them have been extended with modern extensions, which are varied in size, projection and design. As a result, the significance of the appeal property is primarily derived from its front façade, and specifically the aesthetic and historic contribution that this collective façade makes to the character of the area.
9. The appeal property already benefits from a modern extension to the rear, which is full width at basement level and half width at ground floor. It incorporates a roof terrace over the remaining half of the basement level extension, which is accessed from the half-width extension at ground floor. Whilst the contrast between the extension's contemporary design and the period character of the main dwelling is successful in terms of visual impact, the rear extension has nonetheless significantly altered and diluted the historic fabric of the original dwelling.
10. In this context, the design and materials of the proposed staircase would be in-keeping with the modern extension, which ensures it would integrate

seamlessly with its existing contemporary design. Moreover, as the historic character of the dwelling has already been altered so fundamentally by the rear extension, the addition of the staircase would not materially change this impact, over and above what has already occurred.

11. Given several of the properties within the terrace have already been extended at the rear, there is no clear or established rear building line. As a result, the additional projection of the staircase could be accommodated without disrupting any particular rhythm or pattern of built form at the rear of the terrace. Furthermore, whilst the staircase would reduce the footprint of the enclosed garden, the additional link between the roof terrace and the garden would significantly improve legibility, allowing more effective useability and functionality of the outdoor amenity space for its occupiers.

Conservation Area

12. The appeal property is located within the Arlington Square Conservation Area (CA). The CA's significance is primarily derived from the set piece compositions of Arlington Square and Wilton Square, and the surrounding streets of good quality mid-19th century terraced housing. The front façades of the terraces along Arlington Avenue reflect these prevailing characteristics, due to their uniformity, coherent design and architecture.
13. Neither the rear garden of the appeal property, nor those of adjoining properties in the terrace, can be readily seen from any public vantage points within the CA. As a result, the proposed staircase would not be visible within the public realm, and notwithstanding any private views from surrounding properties, consequently will have no material impact on its prevailing character or appearance.

Conclusion

14. Bringing these factors together, I am satisfied that the development would preserve the character and appearance of both the appeal property as a Grade II listed building, and the wider Arlington Square Conservation Area. The development would be consistent with Policies D1, D4, D5 and HC1 of the London Plan (2021), which together promote high quality design which conserves the significance of heritage assets and their settings. The development would also be consistent with Policies CS8 and CS9 of Islington's Core Strategy (2011) and Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (2013), which also seek to ensure new development responds properly to local character and distinctiveness, and where relevant, protects or enhances the borough's heritage assets and their significance. Finally, the development would achieve the objectives of the Arlington Square Conservation Area Design Guidelines as well as the overarching thrust of the Framework (2021) in terms of heritage, both of which seek to safeguard historic environment.

Conditions

15. I have included a plans condition to ensure certainty over the development permitted.
16. Whilst the Council also suggested a condition requiring the works to match the methods and materials used in the retained fabric of the building, I do not

consider this is necessary, as the works will primarily affect the extension addition, as opposed to the fabric of the original building.

Conclusion

17. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, both Appeal A and Appeal B should be allowed.

James Blackwell

INSPECTOR

APPEAL A
SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings and statements: 20.ARL-00-000 (Rev. 00) - Site Plan; 20.ARL-01-002 (Rev. 00) - Plans Proposed; and 20.ARL-R02-DAS (Rev. 00) - Design & Heritage Statement.

APPEAL B
SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.