



Appeal Decisions

Site visit made on 12 December 2022

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2022

Appeal A: APP/V5570/W/22/3302580

45 Noel Road, London N1 8HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Ms Georgia Bendat against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2022/0465/FUL, dated 14 February 2022, was refused by notice dated 27 April 2022.
 - The development proposed is erection of part single, part two storey rear extension (following removal of existing extension); and associated alterations internally and externally.
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Appeal B: APP/V5570/Y/22/3302581

45 Noel Road, London N1 8HQ

- 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 Ms Georgia Bendat against the decision of the Council of the London Borough of Islington.
 - The application Ref: P2022/0534/LBC, dated 14 February 2022, was refused by notice dated 27 April 2022.
 - The works proposed are erection of part single, part two storey rear extension (following removal of existing extension); and associated alterations internally and externally.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for erection of part single, part two storey rear extension (following removal of existing extension); and associated alterations internally and externally at 45 Noel Road, London N1 8HQ in accordance with the terms of the application Ref: P2022/0465/FUL, dated 14 February 2022, and the plans submitted with it, subject to the conditions on the attached Schedule A.

Appeal B

2. The appeal is allowed and listed building consent is granted for erection of part single, part two storey rear extension (following removal of existing extension); and associated alterations internally and externally at 45 Noel Road, London N1 8HQ in accordance with the terms of the application Ref: P2022/0534/LBC, dated 14 February 2022, and the plans submitted with it, subject to the conditions on the attached Schedule B.

Preliminary Matters

3. As the proposal relates to a listed building and is in a conservation area I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. Since the Council's decisions, the appellant has submitted amended drawings 830.060A and 830.061A. Compared to the scheme that was refused by the Council, amended drawing 830.060A shows installation of a fireplace in the lower ground floor dining room, and a single door to access the proposed bathroom, to which the Council does not object. Amended drawing 830.061A shows the existing first floor front room fireplace retained, thereby deleting the previously envisaged removal of historic fireplace fabric in this room that was of concern to the Council. As such, no interests would be prejudiced by my consideration of the amended scheme, as illustrated in the drawings listed in Schedule A below, including 830.060A and 830.061A, as the proposal.

Main Issue

5. The main issue is whether the proposal would a) preserve the Grade II listed building, '7 to 9 and 13 to 53 (Odd) Noel Road and Attached Railings' (Ref: 1297987), or any features of special architectural or historic interest that it possesses and b) preserve or enhance the character or appearance of the Duncan Terrace/Colebrooke Row Conservation Area (CA).

Reasons

6. The appeal dwelling is a four-storey, early Victorian townhouse, dating from around 1840. The listed building of which it is part exemplifies a row of substantial nineteenth century Islington terraced townhouses, located in the CA. The CA is characterised by its terraced streets of late Georgian and early Victorian townhouses, set around the axis of the Regent's Canal. Building materials of brick, render, timber windows and doors and slate or tile roofing predominate. From what I saw during my site visit and the evidence before me, the CA's significance, insofar as it relates to the appeals, lies in its illustration of eighteenth and nineteenth century London residential development.
7. At lower ground and ground floor levels, the front facades of the listed building's townhouses are stuccoed, with banded rustication at ground floor level. This and contrasting yellow brick at first and second floor levels, together with iron balconies to front first floor windows, and iron railings leading up steps to arched front entrances contribute to the historic architectural authority of the front elevation of the listed building, including the appeal dwelling.
8. To the rear of the listed building and neighbouring terraced row on Gerrard Road, some variety of more recent rear extension forms of various heights is evident. This includes a modern rear single-storey extension to the rear of the appeal dwelling, which adjoins a two-storey extension to the neighbouring property to the east. And a variety of one and two-storey extensions to the facing rear facade of Gerrard Road's row is noticeable from the rear of the appeal dwelling.
9. Inside the appeal dwelling, the lower ground floor with its modern kitchen and rear garden-facing dining room has a more evolved modern lifestyle character than the more formal, formulaic historic feel of rooms on the three higher levels. Ascending to these higher levels, from the main front entrance and

reception room at ground floor, via front bedrooms to the second floor, the appeal dwelling's fireplaces read as a repeating suite of formal focal points within the dwelling.

10. As such, the front facade of the listed building and the front rooms with fireplaces on the top three levels of the appeal dwelling have a relatively formulaic, historic architectural rhythm and authority. Whereas the appeal building's lower ground floor, the lower half of its rear elevation and the immediate vicinity of this together articulate a more modern, evolved lifestyle character.
11. Consequently, the listed building embodies evidential and historical values. The above contributes to both the building's special interest and the significance of the wider CA.
12. Given the above, I consider the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the legibility of its nineteenth century Victorian townhouse architecture, and the evolution of its lower ground floor and rear elevation.
13. To the rear of the appeal dwelling, at lower ground floor level, a proposed snug and garden room would replace the existing modern extensions which contain a dining room with glass lantern in the roof, toilet and hallway leading onto the back garden. Rear double doors and a single door would be replaced by one larger metal framed pivot door from the garden room, and a tall fixed translucent window to the snug. The modernity of this new lower ground floor fenestration would be visually moderated by its relative simplicity of appearance.
14. On the next level up, on the ground floor, the addition of a bathroom extension across slightly less than half the width of the appeal dwelling's rear elevation would increase its rear extension bulk and height. This would reduce by around an eighth the proportion of the appeal dwelling's rear elevation that is visible from its rear garden and some neighbouring properties. Also, it would move one of the dwelling's five rear sash windows and its opening from the main body of the building to the proposed extension's rear facade. The rooflight over the bath in the proposed rear extension would introduce uncharacteristic top lighting to a room and contribute to light spill.
15. However, that said, the loss of historic fabric of approximately 0.6sq.m of brickwork under the landing window would be minimal. Moreover, the authentic six over six sash window would be reused in the new elevation at a similar height and horizontal alignment to the current window opening. The majority of the appeal dwelling's rear elevation and its historic fenestration pattern would be unchanged by the proposal, and remain visible from its rear garden and some neighbouring properties. Glazed upper panels of the proposed timber door in the former window opening would enable the staircase/landing area to continue to receive daylight. And a more historically accurate six over six glazing bar configuration would be reintroduced to the appeal dwelling's main first floor rear window.
16. Also, the above-bath rooflight would be relatively modest in scale, and its rear, horizontal roof-top situation would limit visibility of it and any associated light spill. And use of London stock brick to closely match the Victorian brickwork

colour, bond and pointing would help the proposed rear extension to blend in with the main body of the appeal dwelling.

17. Furthermore, with its stepped one to two storey profile and unfussy appearance, the proposed rear extension would, even at its tallest point, visually harmonise with the rear elevation of the appeal dwelling and the rear extension of similar height at the adjoining dwelling at 47 Noel Road. Also, the simpler ground floor level fenestration style of the proposed rear extension would distract less from the building's Victorian rear facade than the existing modern extension's diverse combination of double and single doors and glass roof lantern, at the appeal dwelling. Together, these factors would help the proposed rear extension visually assimilate with, and be subordinate to the four storey main body of the appeal townhouse and listed building.
18. Within the context of the variety of extensions to the rear of the listed building and in the vicinity of the appeal dwelling, these assimilating factors would help the primacy of the nineteenth century townhouse architecture, and the more recent evolution of this part of the listed building's rear facade to remain legible. Thus, the rear extension would read as an architecturally 'honest' addition, of simple modern style, that fits in sufficiently sympathetically with the historically evolved rear part of the listed building. Furthermore, the architectural authority of the listed building's more prominent, distinctive front elevation, facing onto Noel Street would endure.
19. In the lower ground floor front room, new kitchen units would entail removal of the fire grate and surround. However, this existing fireplace fabric is of uncertain age and authenticity, and its removal would be tempered by reinstatement of alcoves that would articulate the historic presence of the chimney breast. Also, the location of a new cooker here would resonate with the historically likely presence of a cooking range within this chimney breast¹. In the lower ground floor dining room, the fireplace would be restored with a new chimneypiece and grate of appropriate scale and ornamentation². Also, in the kitchen the laminate floor covering would be removed and replaced with traditional timber boards, of more authentic style.
20. The above together would result in a blend of modern lifestyle evolution and articulation of Victorian townhouse character that would fit in acceptably with the evolved lifestyle character of the lower ground floor.
21. In the first-floor front room, the previously envisaged removal of fire surround and grate has now been omitted from the appeal scheme³. Thus, this historic fabric would be retained.
22. Furthermore, in its prominent front facade, more historically accurate glazing patterns would be reintroduced in timber sash windows, on three of the appeal dwelling's four floors. Natural stone front steps would be reintroduced, secured by planning condition. Historically splayed panelling/shutters to window reveals and below the window would be reinstated to the ground floor front room. The proposed conversion of the first floor bathroom would bring it closer to its likely historic use as a bedroom⁴. And the removal of more modern built-in joinery

¹ As indicated by paragraph 3.6 of the Heritage and Design Matters Appeal Statement (HAS) by the appellant's heritage consultant.

² As per amended drawing 830.060A.

³ As per amended drawing 830.061A.

⁴ As indicated by paragraph 4.5 of the HAS.

either side of the chimney breasts of both front and rear rooms, at second floor level would help articulate the historic presence of chimney breasts.

23. This combination of enhancements, together with the identified assimilating factors would result in the proposal modestly enhancing the historic character of the appeal dwelling. This would accord with the guidance in the Duncan Terrace/Colebrooke Row Conservation Area Design Guidelines that building extension and refurbishment in the CA should blend in with and reinforce local historic character.
24. Consequently, the legibility of the appeal dwelling as an architecturally authoritative early Victorian townhouse, with sufficiently subservient evolved modern lifestyle elements would endure. And the proposal would fit sympathetically into its CA context.
25. Given the above, I conclude that the proposal would preserve the special interest of the Grade II listed building, and the character and appearance of the CA. This would satisfy the requirements of the Act and the National Planning Policy Framework. Also, it would accord with Policy HC1 of the London Plan, Policy CS9 of Islington's Core Strategy and Policy DM2.3 of Islington's Development Management Policies which together seek to ensure that development complements local character and conserves and enhances the historic environment.

Conditions

Appeal A

26. In addition to the standard time limit condition, a condition requiring the works to be carried out in accordance with the submitted details is necessary to ensure that they are implemented as approved.

Appeal B

27. In addition to the standard time limit condition, a condition requiring the development to be carried out in accordance with the submitted details is necessary to ensure that they are implemented as approved. Conditions covering the use of specified materials, submission of samples and architectural detailing are necessary to safeguard the special interest of the listed building.

Conclusion

28. For the reasons given above I conclude that the appeals should be allowed.

William Cooper

INSPECTOR

Schedule A) Conditions for Appeal A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 830.001 Site Location; 830.010 Existing LGF and GF Plan; 830.011 Existing FF and SF Plan; 830.012 Existing Front Elevation; 830.013 Existing Rear Elevation; 830.014 Existing section AA; 830.015 Existing section BB; 830.060A Proposed LGF and GF Plan; 830.061A Proposed FF and SF Plan; 830.062 Proposed Front Elevation; 830.063 Proposed Rear Elevation; 830.064 Proposed Section AA; 830.065 Proposed Section BB.
- 3) Notwithstanding the caption on drawing 830.060A regarding material for replacement of the front steps, natural stone shall be used for replacement of the front steps. No development shall commence until detailed drawings and a sample of natural stone for the front steps have been submitted to and approved in writing by the local planning authority

Schedule B) Conditions for Appeal B

- 1) The works hereby consented shall begin not later than 3 years from the date of this decision.
- 2) The works hereby consented relate solely to the plans, drawings, notes and written details submitted with the application, or as subsequently amended and approved in writing by the following conditions.
- 3) All new works and works of making good to the retained fabric whether internal or external shall be finished to match the adjacent retained/historic work with regard to the methods used and to colour, material, texture, and profile, and shall be maintained as such.
- 4) No works shall commence until sample panels of facing brickwork, showing the proposed colour, texture, facebond and pointing have been provided on site, and approved in writing by the local planning authority. Approved sample panels shall be retained on site until the work is completed in accordance with them. Once completed, the facing brickwork shall be maintained thereafter in accordance with the approved samples.
- 5) No works shall commence until the following have been submitted to and approved in writing by the local planning authority: a) detailed elevation and section drawings of the new windows which shall be painted timber, vertically sliding double hung sashes; b) detailed drawings and a sample of natural stone for the front steps; c) detailed elevation and section drawings of replacement external doors at front lower ground floor level; d) detailed drawings with materials for the rear extension; e) detailed drawings or photograph of any new fire surround; f) detailed elevation and section drawings of the new shutters in the front ground floor room, which shall be painted timber; g) detailed elevation and section drawings of the door to the new bathroom at mezzanine level. The relevant works shall be carried

out in accordance with the approved details, and retained and maintained thereafter.