



Appeal Decisions

Site visit made on 4 May 2023

by **Peter Rose BA MRTPI DMS MCMi**

an Inspector appointed by the Secretary of State

Decision date: 22 May 2023

Appeal A Ref: APP/V5570/W/22/3311310

351 St. John Street (Flat C), Islington, London, EC1V 4LB

- 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 Sheyi Bankale against the decision of the London Borough of Islington.
 - The application Ref: P2022/2153/FUL, dated 7 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is mansard roof extension and replacement of 4no. sash windows.
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Appeal B Ref: APP/V5570/Y/22/3311313

351 St. John Street (Flat C), Islington, London EC1V 4LB

- 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 Sheyi Bankale against the decision of the London Borough of Islington.
 - The application Ref: P2022/2511/LBC, dated 24 June 2022, was refused by notice dated 16 August 2022.
 - The works proposed are mansard roof extension and replacement of 4no. sash windows.
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Decisions

1. **Appeal A** and **Appeal B** are each dismissed.

Main issues

2. The main issues in relation to **Appeal A** are whether or not the proposal would preserve the Grade II listed building at Nos 347-365 (odd) St John Street and attached railings (the listed building) or its setting or any features of special architectural or historic interest which it possesses; and whether or not the development would preserve or enhance the character or appearance of the New River Conservation Area (the Conservation Area).
3. The main issue in relation to **Appeal B** is whether or not the proposed works would preserve the Grade II listed building or its setting or any features of special architectural or historic interest which it possesses.

Reasons

Roof extension

4. The appeal site is part of a mid-terrace 3-storey residential property with basement. No 351 has been converted into 3 flats and is within a Grade II listed terrace dating from the early nineteenth century.

5. The significance of the listed terrace relates to its particular architectural and historic interest. This includes impressive stock brick elevations and detailing, period fenestration, and a range of other associated architectural features integral to the terrace's historic design and form.
6. The original butterfly roof is one such feature. It remains intact and represents a significant part of the asset's historic legacy. The roof is obscured from the front by a parapet but this concealed form simply reflects the building's original conception and is of itself characteristic of the asset's architectural and historic significance. In views to the rear, however, the roof is not so obscured and is visible from the adjacent Spa Green Estate.
7. The appeal site also comprises part of the New River Conservation Area, and much of that asset's significance relates to an extensive presence of late 18th and early 19th century residential estates. The Council's Conservation Area guidance indicates how these include impressive terraces displaying consistency of scale, materials, and design.¹ St John Street comprises terraces characteristic of that significance.
8. The Council's Urban Design Guide explains how, within Conservation Areas, the roofline is often an important feature contributing to the character of an area. It indicates how proposals for roof extensions anywhere along an unaltered roofline within a Conservation Area will not generally be acceptable.²
9. Relevant Historic England guidance³ similarly underlines the particular importance of the roof in the treatment of the elevation to such buildings. It also reinforces how, in those terraces employing classical tradition, it would often be hidden behind a parapet. The importance of roofs is further reflected in the explanatory text to Policy DM2.3 of the Council's Development Management Policies.⁴ This indicates how roof form has the potential to make a substantial positive contribution to the significance of a listed building.
10. The extension would be set within an otherwise unbroken expanse of roof and be of a substantial scale. The proposed rooflights would not relate to the historic form and pattern of fenestration within the rear elevation. The Council's Urban Design Guide advises that rooflights are generally unsuitable for mansards as they would read as discordant features.⁵ The front 'dormer doors' leading out to terracing would also be inconsistent with the form and design of the listed asset.
11. The proposed roof extension and accompanying rooflights and terracing would make for a large and highly intrusive feature, and of a form and design alien to the historic integrity of the appeal site, to the special interest of wider terrace, and to the character and appearance of the Conservation Area. I assess the overall scale of that harm to be considerable but less than substantial.

Windows

12. Whilst the windows to be replaced may not be original, those existing have some relationship to an historic form. The explanatory text to Policy DM2.3

¹ Islington's Conservation Area Design Guidelines 2002, paragraph 2.2

² Islington's Urban Design Guide Supplementary Planning Document 2017, paragraph 5.150

³ Conserving Georgian and Victorian Terraced Housing A Guide to Managing Change, Historic England 2020, paragraph 3.2.1

⁴ Islington's Local Plan: Development Management Policies June 2013

⁵ Paragraph 5.163

advises how later historic additions to listed buildings, and including modern fabric, can be of significance in their own right as part of the building's history.⁶ The existing windows still contribute to the asset's special interest, and little supporting evidence has been offered regarding their particular background, and nor discounting possibilities for refurbishment.

13. Replacement with double glazed windows would, by reason of the contrasting thickness and likely reflective qualities, be further harmful to the assets' special interests. Replacement could also involve some incidental loss of historic fabric.
14. I agree that, if windows are in need of attention, possibilities for repair should first be explored, and only then should replacement be pursued but of a form and design and in a manner not inconsistent with the significance of the assets.

Other heritage implications

15. The full historic status of the existing roof remains unclear, but much appears not to be original. Some loss of other historic fabric may still be involved, but a full and proper assessment would require further survey and other details.
16. The internal staircase is historic and in good condition, and the restrained form and design are suggested to be indicative, historically, of a lesser importance attaching to the upper floors. The explanatory text to Policy DM2.3 advises that plan form, and including such features as staircases, has the potential to make a substantial positive contribution to the significance of a listed building.⁷
17. The addition of a further run to the stairs would change, although not necessarily harm, that aspect of the asset, and may also have implications for existing fabric. Even so, given that No 351 has been converted into flats, I find no adverse implication for the overall legibility of the asset's plan form, although full details of the staircase design, and its specific relationship to the existing, would remain to be assessed.

Other matters

18. The appellant refers to a recent permission granted for similar development across the road at No 336 St John Street.⁸ No 336 is not part of a listed terrace, and there were a number of other pre-existing mansards on that side of the street. In contrast to the appeal site, that section of the road's roofline had already seen intervention and alteration. In that context, the proposed addition was not assessed to involve a significant disruption of the street-scene and nor to harm the character nor appearance of the Conservation Area.
19. Local interested parties raise a number of other issues, including loss of privacy and loss of daylight. None of these matters are cited as reasons for objection by the Council and I have little evidence before me to suggest that permission and/or consent should be withheld on those terms.

Planning balances

20. The proposal would thereby be contrary to Policies HC1 and D4 of the London Plan⁹, to Policies CS8 and CS9 of Islington's Core Strategy¹⁰, and to Policies

⁶ Paragraph 2.45

⁷ Paragraph 2.41

⁸ Application reference P2021/2013/FUL

⁹ Mayor of London's The London Plan, The Spatial Development Strategy for Greater London March 2021

¹⁰ Islington's Core Strategy February 2011

DM2.1 and DM2.3 of Islington's Development Management Policies. These seek, amongst other things, for proposals affecting heritage assets to conserve their significance, to be sympathetic to the assets' significance and appreciation within their surroundings. The historic significance of Islington's unique heritage assets and historic environment is to be conserved and enhanced.

21. The National Planning Policy Framework (the Framework) makes clear that heritage assets are an irreplaceable resource, and requires them to be conserved in a manner appropriate to their significance. When considering the impact of a proposal upon the significance of a designated heritage asset, great weight is to be given to its conservation, and irrespective of the scale of harm.
22. Nevertheless, change to heritage assets is inevitable and may only be harmful when significance is damaged. The nature and importance of the significance as affected will dictate the proportionate response to assessing that change and its possible justification.¹¹
23. The Framework requires that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Where a scheme would lead to less than substantial harm to significance, it requires such harm to be weighed against the public benefits arising.
24. An implication of the scheme would be a larger, more energy-efficient dwelling providing an improved internal quality of accommodation for the benefit of the local housing stock. There would also be some economic benefit in terms of construction. Taken together, I consider the public benefits of the scheme to be limited, and of a scale insufficient to out-weigh the harm arising for each asset. Accordingly, policies in the Framework that protect areas or assets of particular importance, and which include both listed buildings and Conservation Areas, provide a clear reason for refusing the proposal in heritage terms.
25. In relation to both **Appeal A** and **Appeal B**, I conclude the proposal would fail to preserve the Grade II listed building at Nos 347-365 (odd) St John Street and attached railings, and important features of special architectural and historic interest which the asset possesses.
26. In further regard to **Appeal A**, the proposed development would fail to preserve or enhance the character or appearance of the Conservation Area. The scheme would not accord with the development plan taken as a whole, and material considerations do not indicate a decision other than on those terms.

Conclusions

27. For the reasons given above, I conclude that **Appeal A** and **Appeal B** should each be dismissed.

Peter Rose

INSPECTOR

¹¹ Historic England's Managing Significance in Decision-Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2