



Appeal Decision

Site visit made on 30 April 2024

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 15th May 2024

Appeal Ref: APP/X5210/Y/23/3329887

3 Eton Villas, Camden, London NW3 4SX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mrs Anna Maria Iakovaki against the decision of Council of the London Borough of Camden.
 - The application reference is 2023/2283/L.
 - The works proposed are painting of front, side and rear elevation render.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal relates to a listed building and is in a conservation area I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Whilst harm to the conservation area was not cited in the decision letter as a reason for refusal, I, nonetheless, have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Within their statements and supporting evidence the parties have commented on the effects of the proposal on the conservation area. Thus, no injustice will result by my consideration of the effect of the proposal on that heritage asset.

Main Issues

4. The main issues are: whether the proposal would preserve a Grade II listed building, "1-6, Eton Villas" (Ref: 1342065) (the LB), and any of the features of special architectural or historic interest that it possesses; and the extent to which it would preserve or enhance the character or appearance of the Eton Conservation Area (the CA).

Reasons

5. The CA, within which the LB lies, was developed over a considerable period of time and in a less planned fashion than other historic areas that have become designated heritage assets. Whilst this has resulted an overall variance of scale, design and materials in the buildings, reflecting evolving tastes and market forces, a degree of consistency exists where buildings were developed in groups, such as that between the LB and the buildings nearby. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, is primarily associated with the evolution of architectural styling and use of common materials and finishes in clusters of dwellings.

6. The LB dates from around 1849 and is comprised of a group of three pairs of semi-detached villas. Somewhat unusually, the principal façades of the LB are set back behind substantial gardens, whilst those which have a closer relationship to the street are, in fact, their rear elevations. It is likely that this is a reflection of the piecemeal development process. The exteriors are faced in stucco render, described throughout the appeal documents as 'Roman Cement'. However, on all except 3 Eton Villas (No 3) the stucco has now been painted and the original finish is no longer legible. Nonetheless, the exteriors of the pairs of villas retain much of their original detailing, including the scoring of the render to imitate individual stone blocks in order to rusticate their appearance.
7. Given the above, I find the special interest of the LB, insofar as it relates to this appeal, to be primarily associated with its aesthetic and evidential value as indicated by its historic materials and associated craftsmanship.
8. The LB lies within the CA, and, in this context it, together with neighbouring buildings, including the adjacent Grade II Listed "7, 8 and 9, Eton Villas" (Ref: 1342066), contributes to the narrative of development of the suburb, with evolving design to reflect tastes and market needs. The LB, therefore, has group value in this respect.
9. The render on No 3 was repaired around 2018¹. The repairs have weathered to take on a markedly different appearance to the earlier render around it, appearing significantly lighter. This gives the walls of the building a patchy appearance. It is now proposed to paint over the render to cover the blotchy appearance. In so doing the bare render of No 3 would be covered with a finish that would be similar to those of the other dwellings that constitute the LB, and which is common in the surrounding area.
10. There is dispute between the parties as to whether No 3 was painted, either immediately after construction of the LB or at some later time. Similarly, the appellant suggests that the render is not original, and has been replaced at some stage during the lifetime of the building.
11. It is suggested that, when built, the building would have been painted to cover the dark appearance of the render. However, this is conjecture, based upon practises used elsewhere and there is no definitive proof that this was the case in this particular instance. The appellant identifies that Roman Cement was used to imitate local stone. This would seem at odds with the statement that it was, habitually, overpainted.
12. My attention has been drawn to the rear of 9 Provost Road (No 9). It is a dwelling of the same overall design as No 3, in a nearby street with a rear elevation that displays unpainted render. This building was constructed some five years earlier than No 3. This would demonstrate that render was left unpainted on some of the nearby dwellings. Given the similarities in design of No 3 and No 9 and that they were constructed at roughly the same time, it is likely that this was also the case in regard to the LB.
13. Similarly, it is asserted that No 3 may have been re-rendered, lastly with the finish that was visible at the time of my visit and that earlier render was painted. Again, the evidence for this is inconclusive, relying on photographic interpretation which is unclear. It is clear from the information accompanying a

¹ Council Ref: 2017/5534/L

planning application granted in 2018² (the 2018 permission), that at that time No 3 and its conjoined neighbour (No 4) were both finished in unpainted Roman Cement. As such, it retains significant evidential value in terms of the albeit altered historic render which has been obscured on other buildings.

14. At the time of my site visit, No 4 was painted. The appellant suggests that this occurred as part of the works associated with the 2018 permission. However, the Council can find no reference in that application to painting of No 4, solely to making good with "Roman Stucco render to match existing". The basis on which No 4 has been painted is therefore in doubt and so I attach limited weight to the matter.
15. Although painting No 3 would restore a superficial, visual harmony to the semi-detached pair it would be an inauthentic, unsympathetic response which is not founded on any substantiated evidence. Furthermore, I note that the CA Statement does not find that the juxtaposition of paint colours and unpainted properties significantly detracts from the significance of the CA or the group value of its buildings. .
16. Bringing these matters together, the surviving finish allows understanding of what the whole terrace would have looked like. I therefore find that the bare rendered finish makes a significant contribution to the legibility of the historic materials used in its construction. It is the sole survivor on the LB and a rare survivor within the CA. The covering of the render in paint would undermine the historical narrative provided by the exposed finish of the evolution of the use of building materials to reflect changing tastes over time. This would be harmful, both to the important historical and architectural features of the LB, and also the appearance of the CA. I note the poorly executed, inauthentic patch repairs but the existence of harm is not an excuse for further harm.
17. Given the above, I find that the proposed development would fail to preserve the special interest of the LB, and the appearance of the CA, thus undermining the significance of these heritage assets. Consequently, I give this harm considerable importance and weight.
18. It has been brought to my attention that, on 19 March 2024, the Council discharged a condition³ relating to the redecoration of 7 Provost Road (No 7). No 7 is the neighbour of No 9 and, again, is of the same overall design as the appeal property. It, too lies within the CA. However, the Council have identified that the render of No 7 already had a painted finish prior to the recent applications covering that proposal. Therefore, I do not find that the repainting of No 7 provides justification for the harm that I have identified above to the LB and the CA.
19. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification. Given that the proposal would affect only the appearance of the surface of part of the LB and not cause extensive physical alteration of the building itself, I

² Council Ref: 2018/3788/P

³ Council Ref: 2024/0206/L, relating to Council Refs: 2023/2840/P (planning permission) and 2023/3198/L (Listed Building Consent)

find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

20. Paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. There is no suggestion before me that the use of the building as a dwelling would cease, were this appeal to fail.
21. The proposal would provide economic benefits in terms of employment in the building trade. There would be further minor economic benefits through increased activity in the supply chain. These would be public benefits weighing in favour of the proposal. However, given the scale of the works, such benefits would only provide limited weight in favour of the proposal.
22. Taken together the public benefits accruing from the proposed works are limited. I thus find that there is no significant public benefit that would outweigh the harm that I have found to the LB.
23. The appellant considers that painting over the patchy rendering would improve the appearance of No 3, and thereby the LB and the CA, producing an appearance more in keeping with its neighbours and other nearby buildings. However, I have identified that this would, of itself, be harmful to the significance of these assets. Any benefit would be to satisfy the appellant and, therefore, a private benefit.
24. Policy D2 of the Camden Local Plan (2017) seeks, among other things, to resist proposals for alterations to a listed building where this would cause harm to the special architectural and historic interest of a LB or the character or appearance of a CA.
25. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the LB and that the character and appearance of the CA would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act, paragraph 206 of the Framework and conflict with development plan policies insofar as is relevant.

Conclusion

26. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

I A Dyer

INSPECTOR