



Appeal Decision

Site visit made on 1 July 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2024

Appeal Ref: APP/V5570/W/24/3339945

Flat A, 12 Barnsbury Park, Islington, London N1 1HQ

- 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 Philippe Legrain against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2023/3324/FUL.
 - The development proposed is Installation of an external staircase from pavement level to lower ground floor level, with a gate to access the staircase from the pavement and a new front door to access the flat at lower ground floor level.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. References have been made to the site being in Barnsbury Road. However, it is clear from the submissions, and my site visit, that the site is in Barnsbury Park and I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property, the wider terrace setting and the Barnsbury Conservation Area (BCA).

Reasons

4. The appeal site is a detached, double fronted, white rendered dwelling with a light well to the left-hand side. The lightwell is bounded to the front by black painted cast iron railings. At the basement level there is an existing window and door entrance to access the light well area. The properties along the street are of differing architectural design with many along this side of the road having basements with associated light wells.
5. The site is located within the BCA. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to preserving or enhancing the character or appearance of conservation areas. In addition, the National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of heritage assets.
6. The BCA is the largest conservation area in Islington and is described in the Barnsbury (CA10) Conservation Area Design Guidelines (2002) (CADG) to be of outstanding importance. Its significance is derived from the late-Georgian/early Victorian residential developments set out in squares and terraces with a rare

quality of consistency and completeness. Given the above, I find that the significance of the conservation area, insofar as it relates to this appeal, to be primarily associated with the openness of lightwells in the consistent character and appearance of the area.

7. The CADG seeks to ensure architectural styles with distinctive detailing are preserved. The guidelines state that the filling or covering over of front basement areas, or the widening of front entrance steps will not be supported. It goes on to explain that this is due to the importance of the front basements to the character of the area and filling them prejudices light into the basement area and spoils their appearance.
8. Policy DH2 of the Islington Strategic and Development Management Policies 2023 (SDMP) requires development within conservation areas and their settings to conserve or enhance the significance of the area and be of a high-quality contextual design.
9. The proposal is for the installation of an external staircase, accessed via a new gate which will provide entry from street level to a new door inserted at basement level, underneath the main front entrance. The stairs would be of black painted traditional design and constructed of cast iron.
10. The appeal site is an attractive property which contributes positively to the character of the BCA, with the railings and lightwell being key features. Drawings BP_SE_PR_200, BPS_DE_400 and BPS_DE_401 show that a significant proportion of the lightwell will be filled by the proposed staircase.
11. Although there would still be some views of the front building this would be limited. The existing door would be partially obscured and the openness of the lightwell would be significantly eroded, thereby harming the character of the host property. The proposal would detract from the open character of the lightwell and interrupt the consistency of the open appearance of these features along the terrace which are part of the significance of the BCA, thereby harming its character and appearance.
12. The appellant has referenced several examples of staircases in lightwells within the wider local area, which I viewed on my site visit. However, these properties are of different architectural design and the impact of the staircases differ depending on their size in relation to the lightwell. I have therefore considered the individual merits of the case before me.
13. I conclude that the proposal would fail to preserve the character and appearance of the BCA, thus failing to satisfy the requirements of the Act and paragraph 203 of the Framework. The proposal thereby conflicts with Policies D3, D4 and HC1 of the London Plan (2021), PLAN1, DH1 and DH2 of the SDMP and guidance contained within Islington's Urban Design Guide 2017 and CADG which seek to ensure that development is of high-quality contextual design and conserves and enhances heritage assets and the unique character of the borough.

Heritage Balance

14. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the

heritage asset or development within its setting and that this should have a clear and convincing justification. Given the impact of the proposal on the lightwell, which is a key characteristic of the BCA, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

15. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. The proposal would provide direct access from the basement accommodation to the street and provide some very limited amenity space. However, these are private benefits and not sufficient to outweigh the harm caused to the significance of the BCA.
16. Accordingly, there would be a conflict with Paragraph 206 of the Framework, as harm to a designated heritage asset would not have clear and convincing justification.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
18. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR