



Appeal Decisions

Site visit made on 30 October 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2025

Appeal A: APP/Y5420/W/24/3343838

Princess Elizabeth Court, Winchester Place, Hornsey, Haringey, London N6 5BQ

- 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 JMS Estates (IOM) Ltd against the decision of the Council of the London Borough of Haringey.
 - The application reference is HGY/2023/1198.
 - The development proposed is described as the 'installation of PV solar panels to different elements of building roof'.
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Appeal B: APP/Y5420/Y/24/3343833

Princess Elizabeth Court, Winchester Place, Hornsey, Haringey, London N6 5BQ

- 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 JMS Estates (IOM) Ltd against the decision of the Council of the London Borough of Haringey.
 - The application Ref reference is HGY/2023/1699.
 - The works proposed are described as the 'installation of PV solar panels at roof level.'
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary and Procedural Matters

3. The National Planning Policy Framework (the Framework) has been updated on 12 December 2024 and after the submission of this appeal. The parties have been informed and asked for comments on the updated version. There are no significant changes brought to the Historic Environment chapter of the Framework.
4. Originally named Princess Elizabeth of York Hostel, and also known as Elizabeth House, the appeal site is further recognised by the name Princess Elizabeth Court. I note the plans submitted with the appeal illustrate it as Greenview Court. Despite its name changes, the building is the same building. For the purposes of clarification and for the avoidance of doubt, I will refer to the building as the listed building (LB) or heritage asset.
5. No description of the proposal was included within the appellant's application forms submitted to the Council. The Council have described the proposal within their decision notice, and this same description is carried forward to the appellant's appeal forms. This is the description I have used for the purposes of these appeals.

6. As the proposal relates to a listed building, the setting of another heritage asset and is within a Conservation Area, (CA), I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issues

7. The main issues are whether the proposal would:
- preserve a Grade II listed building, described as 'Elizabeth House' (Ref: 1391376) (the LB), and any of the features of special architectural or historic interest that it possesses;
 - preserve a setting, as it relates to the special interest of the nearby Grade I listed building, Cromwell House (Ref: 1079233); and
 - the extent to which it would preserve or enhance the character or appearance of the Highgate Conservation Area (the CA).

Significance and special interest

8. The LB was built between 1928 and 1930 as a residential annex for the Mothercraft Society, and designed to a Neo-Georgian style, red brick three storey over a basement with attic. The building was originally built in the grounds of the 17th century Grade I listed mansion Cromwell House after it became the headquarters for the Mothercraft Society. As a training organisation, it provided welfare and nutritional training to mothers/expectant mothers and health-care workers in a concerted effort to prevent infant mortality that was prevalent during that time.
9. Its dual-pitched terracotta tiled roof spans the entire building with accommodation within the double height roof space. It is typical mansard in design with fenestration a component part. The dual-pitch clay tiled roof also includes projecting lead-covered dormer windows located between the narrow and tall and striking chimney stacks. As a roof, it is an integral part of its composition and provides balance and finished material continuity. The LB's elevated position, scale and height, also attributed to the high roof and tall chimney stacks, displays a commanding presence in this location. Despite the fact it is surrounded by a tight grain of development, the extent of its scale can be appreciated from the public domain from Winchester Place where the LB sits in an elevated position.
10. Given the above, I find that the special interest of the LB, insofar as it relates to these appeals, to be primarily associated with the consistent use of traditional materials and the architectural integration that arises from the unimpeded, historic roof form.
11. The LB was originally built within the grounds of Cromwell House which has been enlarged to the rear by virtue of a linear extension. As a whole, Cromwell House shares some design similarities with the LB by virtue of the predominant use of red brick finish and clay tiled roof to the extension that connects the two buildings aesthetically. There is a high degree of intervisibility between the buildings which still remain within a verdant setting given the presence of mature trees within the grounds of Cromwell House, as well as in nearby gardens.

12. Given the above and insofar as these appeals are concerned, I find the setting, as it contributes to the special interest of Cromwell House to be its verdant grounds and the combined green space it shares with the LB.
13. Turning to the CA, the site is located within the Highgate Conservation Area. According to the appraisal¹, the character of the CA is urban and formed by the relationship of its historic pattern of development, its buildings of architectural worth, its topography, green open spaces and distant views.
14. There is a varied historic roofscape consisting of mansards, parapets, flat roofs, turrets, and domes intermingled amongst each other. The pleasing diversity is further pronounced by the use of roof coverings in natural slate, terracotta clay tiles, and copper. From my observations, these historic roofs survive largely intact and taken together with the substantial land level changes, creates an interesting, architecturally diverse skyline.
15. Even though it is located in a discreet location set back from the village centre, the LB's elevated position and visual exposure from the surrounding local area enables the magnitude of the LB to be experienced, taking in its unique roof form and materiality that stands out from the lower-level scale of surrounding domestic natural slate roofs. As a whole, the LB makes a positive contribution to the historic roofscape in terms of both its character and appearance. Therefore, it contributes positively to its significance.
16. Given the above, I find that the significance of the CA, insofar as it relates to these appeals to be primarily associated with the diverse form and materials that characterise its roofscape.
17. Regarding the proposal before me, in the interest of energy efficiency and to reduce the carbon emissions of the LB, the appellant is proposing to upgrade the LB's energy credentials. As part of this efficiency strategy, this would take the form of installing an array of photovoltaics to the LB. The proposal would introduce approximately fifty-one solar panels. These would be mounted on the front elevation of the dual-pitched roof between the existing dormers. They would also be arranged in clusters on the north-west roof elevation, including on top of two flat roofs on the rear elevation.
18. The appellant highlights English Heritage advice note on 'Considerations when planning a PV installation', taking into account the likes of shading, loading and structural matters to explain the roof locations in order to achieve the best yield from the arrays. However, be that as it may, as large, and dark coloured arrays protruding above the roof plane on the highest part of the roof, they would be clearly distinguished from the LB's historic and traditional clay roof tile, severely contrasting with the existing finish of the weathered terracotta tones. The flat, smooth surface of the photovoltaics would also significantly differ from the traditional moulded texture and appearance of the tiles. Even though there are existing dormer windows within the roof, these are historical and the combination of arrangement of the modern solar panels laid out across all the roof pitch to the principal elevation, and in a separate larger complete cluster to the rear roof slope, would read as a strident, modern and incoherent addition, standing out as a starkly atypical feature against the architectural interest of the heritage asset.

¹ Highgate Conservation Area Character Appraisal and Management Plan 2013

19. Clusters of solar panels to be installed to the flat roofs would be raised from the flat roof and angled to avail of sunlight. The height of the parapet roof may conceal them above the flat surface. However, there is some ambiguity in terms of the precise details of all the fixings including the size of the photovoltaics and finish, despite the appellant's assertion that the panels would be 'high quality' and they would minimise damage to the fabric of the LB. I accept that the existing roof covering would be retained but note that there would be potential for a loss of in-situ historic fabric. This would occur from tile breakages as well as the potential loss of internal historic fabric from the installation of ancillary electrical equipment and wiring. Although replacement of broken tiles could be conditioned, it is unlikely that they would have the same patina or geological composition which would lead to inauthentic, disruptive additions. In terms of the effect on internal fabric, I have insufficient information before me to determine whether or not further harm would occur in this respect, contrary to policy 201 of the Framework.
20. I am aware of the appellant's contention that the level of detail supports their scheme as they consider it meets the thrust of the Framework in terms of 'proportionate' information. Bearing in mind potential impacts on internal fabric as well as the lack of detail of the fixings and finishes there is patently insufficient information before me to understand the full extent of the potential impacts which clearly conflicts with paragraph 201 of the Framework.
21. The appellant suggests that the scheme would be reversible and would not lead to permanent change. However, with a lifespan of up to 25 years and potential for the recommissioning, they would, for all intents and purposes, most likely become a permanent fixture. As a result, I give little weight to the potential reversibility of the scheme.
22. The appellant has also suggested that the proposal would not harm the LB because it would not be more widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
23. The Council is also concerned about the effect of the proposal on the special interest of other heritage assets, most particularly the setting of Cromwell House. They have provided me with the listing description of this house. However, owing to the scale and nature of the proposal, I am satisfied that the setting of this asset as it contributes to its special architectural and historic interest would be preserved. A lack of harm in this regard, however, does not alter my conclusion on its effect upon the LB.
24. With regards to the effect upon the character and appearance of the CA, I could see from my observations that there are other examples of solar arrays within the CA and at close range to the site, more specifically to the modern school buildings adjacent at Channing School for Girls. I do not know the planning background before me to compare. However, from my assessment, the school buildings are contemporary new builds and not of the same architectural value as the LB.
25. The quantity and position of the panels to the roof profile of the LB would introduce an alien, incongruous feature that would undermine the authenticity of the traditional materials and architectural characteristics of the roofscape. The massing of the building and its elevated position is such that it would be visible from both the public and private domain in terms of views more specifically seen from the rear

elevations of the houses along Cromwell Avenue and the adjacent girls' school. There would be glimpsed views of some of the panels from Cholmeley Park above the entrance gates into the girls' school. The resultant degree of change would have a limited but nonetheless deleterious effect upon a small but integral component that contributes to the character and appearance of the CA as a whole.

26. Despite independent feasibility studies brought to my attention by the appellant to potentially install solar panels to the listed buildings of Bath Abbey and Gloucester Cathedral, the precise details are not before me for consideration. As is the statutory duties placed upon me as a decision maker, I can only consider the evidence and site-specific circumstances before me.
27. Given the above, I find that the proposal would not only harm the special interest of the LB but also the significance of the CA. Consequently, the proposal would fail to preserve the special interest of the listed building and the significance of the CA and I give these harms considerable importance and weight in the planning balance of these appeals.

Public benefits

28. Paragraph 212 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 212 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
29. Bearing in mind the scope of the works and development proposed, I judge that the degree of the harm to the special interest of the listed building and significance of the CA as designated heritage assets would, in each case, be less than substantial. Paragraph 215 of the Framework requires the less than substantial harm to the significance of the heritage asset be weighed against the public benefits of the proposal, including securing the optimum viable use of LB's.
30. The effects of global fuel shortages and the contribution of renewable energy in tackling the climate change crisis is not to be diminished. I give significant weight to the need to support energy efficiency and low carbon heating, as required by paragraph 164 of the Framework. The use of solar panels to help reduce carbon emissions would be a clear public benefit under the circumstances.
31. The appellant has suggested that the continued viable use of the LB is at risk unless energy saving improvements are implemented to reduce building running costs. I accept that there would be savings of around £1,974 per annum over 20 years from the installation of the photovoltaics. However, in the absence of a detailed assessment, it is unclear whether the additional thermal efficiency measures that are being considered would deliver the same savings or whether less harmful, alternative measures have been fully explored in terms of emission reduction.
32. I am aware that they have already undertaken a package of energy efficiency measures within the LB although there are no substantial details before me as to how they have 'made the internal distribution systems as efficient as possible'. Furthermore, there is no substantive evidence to demonstrate that energy efficiency measures within the grounds would have 'too great an impact'.

33. From my own observations, the LB is in a good state of repair, and this has been secured through the financial commitment of the appellant, which is admirable. However, no substantiated evidence has been provided to demonstrate that the viable use of the LB would be at risk without the proposed scheme or that this is the least harmful approach to securing similar energy saving benefits.
34. Given the above, I conclude that the public benefits do not outweigh the harm that would be caused. The proposal would fail to satisfy the requirements of the Act and paragraph 212 of the Framework. Conflict therefore arises with the historic environment protection policies within the Framework and policy HC1 of the London Plan. The proposal would also be contrary to the heritage protection aims of policy SP12 of the Haringey Local Plan (2017), and the good design and heritage conservation objectives of policies DM1 and DM9 of the Haringey Development Management Plan DPD (2017), and policy DH2 of the Highgate Neighbourhood Plan (2017).

Other Matter

35. The appellant complains about the long duration for the Council to come to a decision on their scheme. This is a matter between the parties and is not within my scope to comment upon.

Conclusion

36. Given the above and considering all other matters raised, the appeals should be dismissed.

Alison Scott

INSPECTOR