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## Appeal Decisions

Site visit made on 19 August 2025

**by M J Francis BA (Hons) MA MSc MCIfA**

an Inspector appointed by the Secretary of State

**Decision date: 27 October 2025**

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### **Appeal A Ref: APP/V5570/W/25/3364605**

#### **21 Duncan Terrace, Islington, London N1 8BZ**

- 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 Jonah Enbar and Imogen Longley against the decision of the Council of the London Borough of Islington.
  - The application Ref is P2024/3365/FUL.
  - The development proposed is sensitive internal refurbishment works together with, lower and ground floor extension/side infill, the introduction of front and rear steps, roof lights, fenestration enhancements, landscaping and associated works.
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### **Appeal B Ref: APP/V5570/W/25/3364366**

#### **21 Duncan Terrace, Islington, London N1 8BZ**

- 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 Jonah Enbar and Imogen Longley against the decision of the Council of the London Borough of Islington.
  - The application Ref is P2024/3805/FUL.
  - The development proposed is sensitive internal refurbishment works together with, lower and ground floor extension/side infill, extension to rear outrigger, the introduction of front and rear steps, roof lights, fenestration enhancements, landscaping and associated works.
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### **Appeal C Ref: APP/V5570/Y/25/3364365**

#### **21 Duncan Terrace, Islington, London N1 8BZ**

- 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 Jonah Enbar and Imogen Longley against the decision of the Council of the London Borough of Islington.
  - The application Ref is P2024/3806/LBC.
  - The development proposed is sensitive internal refurbishment works together with, lower and ground floor extension/side infill, extension to rear outrigger, the introduction of front and rear steps, roof lights, fenestration enhancements, landscaping and associated works.
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### **Appeal D Ref: APP/V5570/Y/25/3364604**

#### **21 Duncan Terrace, Islington, London N1 8BZ**

- 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 Jonah Enbar and Imogen Longley against the decision of the Council of the London Borough of Islington.
  - The application Ref is P2024/3283/LBC.
  - The development proposed is sensitive internal refurbishment works together with, lower and ground floor extension/side infill, the introduction of front and rear steps, roof lights, fenestration enhancements, landscaping and associated works.
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## Decision

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.
3. **Appeal C** is dismissed.
4. **Appeal D** is dismissed.

## Preliminary Matters

5. These appeal decisions relate to two schemes for planning permission and listed building consent at the same site. They differ in the main in that Appeals A and D include a rear lower and ground floor extension, whereas Appeals B and C have a rear lower and ground floor extension, and an upward extension to the rear outrigger. Planning permission and listed building consent are under different legislation; however, I have dealt with the two schemes together, except where otherwise indicated.
6. Therefore, as required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
7. Planning permission and listed building consent<sup>1</sup> has recently been granted for works to the property, including a single-storey lower ground floor extension with a terrace above, and internal works, including the reconfiguration of the ground floor rooms and the existing fireplace being removed and inserted in the proposed dining room at the rear.

## Main Issues

8. The main issues in respect of all four appeals are whether the proposals would:
  - preserve the Grade II listed building or its setting or any features of special architectural or historic interest which it possesses; and
  - preserve or enhance the character or appearance of the Duncan Terrace/Colebrooke Row Conservation Area (CA).
9. An additional main issue in respect of Appeal B is:
  - the effect of the proposal on the living conditions of the occupiers of No 20 Duncan Terrace (No 20) with regards to outlook, daylight and sunlight.

## Reasons

### *Special interest and significance*

10. The appeal site is part of a terraced row, Numbers 16-21 (consecutive) and attached railings, listed for its group value. These properties are attached to other terraced housing located on the west side of Duncan Terrace, overlooking Duncan

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<sup>1</sup> Ref P2024/2233/FUL and P2024/2235/LBC

Terrace Gardens. Numbers 16-21 are reputed to have been designed by J W Griffith and developed by James Rhodes in 1828-1833.

11. The houses within this row have four storeys and a basement, and a uniformity of design to the front, with two windows on the 1st storey and above, apart from No 16, which has three windows. The houses are built in a yellow brick with white stucco detailing at ground and lower ground floor level and have mansard roofs. The front door of No 21 has a round arched opening with a decorative fanlight. Railings to the front, and ornamental balconettes on the 1<sup>st</sup> floor windows are a feature of the terrace.
12. To the rear are brick closet wings with mono-pitched roofs, which when built, are likely to have extended over the two ground floor levels. This is found at the appeal site, and as far as I could see, on the adjoining property, No 20. Visible from the rear is the fenestration pattern where stairway windows are set down from each floor on half landings. These features create a cohesive design to the rear.
13. The interior of No 21 retains much of the original floor plan, and a range of architectural features, including sash windows and decorative cornices in some of the principal rooms. This enables the appreciation of the status and hierarchy of rooms in a house of this period.
14. From the evidence before me and what I saw, the special interest and significance of the listed building is derived from its historic, evidential and aesthetic values. Its historic values are represented by it being an example of early 19<sup>th</sup> century terraced housing, with a known architect and developer, demonstrating the expansion of housing within London at that time. The evidential value is derived from the plan form and the social hierarchy represented by the differing size, styles and grandeur of the housing within the terrace. The composition of the housing, and its architectural details overlooking Duncan Terrace Gardens to the front, results in a harmonious and spatially designed streetscape, providing the aesthetic value that No 21 contributes to.

*Effects of the proposed works on No 21: appeals A, B, C, D*

15. Many of the proposed works replace or remove unsympathetic, modern fittings and seek to restore historic features which were not considered inappropriate by the Council. However, in relation to all four appeals, the main issues of dispute are: the removal of the bathroom door and surround and creation of a new opening on the 2<sup>nd</sup> floor; the enlargement of the fireplace on the ground floor for the insertion of a cooker hob; the proposed lowering of the outrigger lower ground floor and the change to the floor level of the outrigger at ground floor level; and the lack of information with regards to the external positioning of pipework.
16. An additional area of dispute in respect of Appeals A and D is the two-storey glazed rear extension and the enlarged opening of the outrigger wall.
17. An additional area of dispute in respect of Appeals B and C are the proposals to upwardly extend the outrigger/closet wing with the addition of a further storey; and the proposed glazed extension between the outrigger and the wall of No 22 Duncan Terrace (No 22), including an enlarged opening of the outrigger wall.

### Bathroom door

18. The 1<sup>st</sup> and 2<sup>nd</sup> floors are of a similar plan form with a large room at the front extending across the full width of the building, with a second room to the rear, although on the 1<sup>st</sup> floor, the two rooms are interconnected. On both floors, there are doors accessing the front and rear room. The works propose to remove this on the 2<sup>nd</sup> floor, with a new opening created from the bedroom into the bathroom.
19. Whilst I can see that this would allow a reconfiguration of the layout of the bathroom, blocking up one opening and creating another, does not provide any additional floor or wall space. Additionally, having only one door on the half landing would interrupt the existing circulation. Based on the existing layout and floor plan of the house, this would appear incongruous. Moreover, the existing bathroom door is directly outside the bedroom door on the same floor and level, and so the works would not reduce the distance travelled between the two rooms.
20. The appellants state that the existing door and surround would be re-used, however, there is limited evidence as to where this would be located within the house. Instead, the new opening would have an arched doorway with double doors, which has no historical or architectural precedent within the property. Whilst the layout and internal door arrangement are not mentioned in the listing description, listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest of a building.
21. A revised drawing<sup>2</sup> shows the doorway sealed and covered over from inside the bathroom but retaining it on the landing. This would not, however, overcome the harm that would be caused by inserting an inappropriate style of door between the bedroom and bathroom.

### Ground floor fireplace

22. The ground floor front room is characterised by the existing chimney breast and fireplace, the large window overlooking the street, and a decorative cornice. This provides a unity of form and layout to the room. This would be disrupted by opening the chimney breast to allow a range cooker to be inserted, particularly as it would extend well beyond the front of the chimney breast. This would compromise the architectural and historic features contributing to the significance of the room. Whilst professional advice on the stability of the chimney breast was sought by the appellants, there is no structural report. Therefore, there is no substantive evidence that this would be feasible in this instance.
23. The rear, ground floor room has been used as a kitchen, with a cooker inserted into the chimney breast. This would be replaced by the front room fireplace. These works, which would remove the modern additions, would enhance the room. However, improving this room does not justify the proposed alterations to the front chimney breast. It is acknowledged that fireplaces would have been used for heating and cooking, however, historical precedent shows that in a house of this status, cooking would not have taken place within one of the principal rooms of the house. Instead, it would likely have been within the basement area.

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<sup>2</sup> Appendix 7

### Floor levels

24. Lowering the level of the floor in the outrigger, resulting in a floor to ceiling height of 2.3 metres, would provide a more usable head height. This height would be lower than those found on the ground, first and second floor levels and would retain the hierarchy within the floors in the house. However, the structural report provides limited evidence that this is feasible and whether the structure of the building would be compromised. Although the report states that underpinning would not be required, and it would not undermine the existing walls, there have been no trial pits.
25. To retain the footings, a stepped detail around the walls is proposed. This would maximise the space, but there is only limited evidence whether this would be achievable in this building. Similarly, whilst changing the ground floor level in the outrigger would be acceptable in principle, there is limited evidence as to how this would be implemented. Therefore, based on what I saw and what is before me, it has not been demonstrated that the proposed works would not harm the building.

### External pipework

26. There are only limited details of the proposed pipework on the plans, and no evidence of a schedule listing the siting of services. This is required to assess the effect that these could have on the historic fabric. However, in this instance, a suitably worded condition requiring these details to be submitted prior to the commencement of any works would be appropriate.

### Rear glazed extension: Appeals A and D

27. It is proposed that the previously approved, glazed, lower ground floor extension would continue up to ground floor level. Whilst the existing rear opening would be retained, an enlarged living space would be created, including removing an existing toilet. However, to achieve this, the side wall of the outrigger would be removed including a non-original door. This would require a steel frame to redistribute the loads, although there is limited substantive evidence as to how this would be achieved.
28. Whilst the corner junction and nib of the outside wall would be retained, it would alter the plan form, even if this is within the former service level within the house. It would also, combined with the walling at the lower ground level, result in the removal of a large area of original fabric. Although the existing steel platform and stairs would be removed, this has previously been approved.
29. The proposed extension would have a mono pitched roof, with a new parapet constructed along the edge of the closet wing wall. Whilst the evidence refers to minimal frames and detailing for the extension, no substantive evidence or comprehensive drawings have been provided to fully assess how it would interact with the existing fabric of the building. Although designed to increase levels of natural light, it would result in a substantial area of glazing, which combined with that found on the lower ground floor, would be visually dominant. It would harm the simple, and formerly conceived design, that currently exists on the rear of the building.
30. The rear of No 21 currently provides a good example of a terraced house with attached closet wing/outrigger. By altering the fenestration and removing a

substantial part of the outside wall, only the wall adjoining No 20 would be unaffected. Therefore, despite the intention for the glazed extension to create a minimalist design, and be subservient, the extent of the proposed works means the outrigger would no longer be the dominant structure to the rear.

31. Whilst a door has already been approved on the rear of the outrigger, it is proposed to replicate this on the lower ground floor. However, the two doors above, and close together, would appear somewhat contrived and unbalance the existing harmonious design of the windows that currently exist on the rear elevation. There is no dispute that the removal of the blue painted render to the rear would be an improvement.
32. Whilst the proposed extension is at lower ground and ground floor level, the ground floor level of this house is raised. Although extensions at these levels have been approved elsewhere, and this extension of itself would not be large, and would be bounded by high party walls, the rear of No 21 has not previously been subject to unsympathetic additions. These works would, therefore, not respect the original form and scale of the building, and would harm its special interest.

Changes to outrigger and rear glazed extension: Appeals B and C

33. The existing outrigger, from what I could see, mirrors that found at No 20. This proposal, like Appeals A and D, would remove the flank wall at lower ground and ground floor level. Adding a further storey, would increase its height by 1.875m, and would provide additional floorspace and a further bedroom for the family home. Whilst it would have a brick parapet and constructed with the same materials, the increase in height and change from a mono-pitched roof to a flat roof would increase its prominence.
34. The staircase in No 21 is simple in form and design, yet an important feature that provides circulation throughout the building and occupies a significant area of the house. I noted that it has two, six-over-six sash windows on half landings between the formal rooms on the 1<sup>st</sup> and 2<sup>nd</sup> floors, and the ground and 1<sup>st</sup> floor which overlook the rear garden. These give light into the stairwell and provide an architectural rhythm when moving through the house.
35. The works would re-use the existing window between the ground and 1<sup>st</sup> floor, which would remove some original fabric. Additionally, steps would be built from the half landing on the staircase into the proposed room. I saw that this change would disrupt views from the landing outside the principal living room on the 1<sup>st</sup> floor which provides an important focal point and featured light source. It would also be visible from the hallway when entering the house.
36. I acknowledge that the glazed extension would be lower than the proposed outrigger, however, it would detract from the plain façade of the existing rear elevation. Like the other appeals at No 21, I have not been provided with details of the glazing and how it would be attached. Moreover, No 21, in contrast to No 22 on the other side, is a relatively narrow property. The existing closet wing appears proportionate to the building and retains the hierarchy of the building at the rear. Cumulatively, the proposed extensions would be over dominant and visually disrupt the rear of the house, harming the character and appearance of the building.

37. Whilst there may have been alterations to these features elsewhere in Duncan Terrace and the wider area, as No 21 has had few changes to the rear, the architectural and historic interest has been retained. Moreover, development elsewhere does not justify the further loss of fabric and architectural features at this site.

Appeals A, B, C and D: other examples

38. The appellants have provided examples of other extensions and plan form alterations in Duncan Terrace, including to Nos 18, 19 and 22, and have stated that most properties along the terrace have rear extensions. Whilst No 22 has a three-storey rear outrigger, I could see from the front of Duncan Terrace that No 22 is a wider and grander property and the circumstances of any works to this building, and many others, are not before me.
39. Other examples of lower and ground floor extensions approved at listed buildings including Nos 42 Duncan Terrace, 17 Arlington Avenue and 10 Brooksby Street have been cited by the appellants. However, despite excerpts of plans, I have limited substantive evidence of what the buildings were like prior to any development, including ground levels to the rear and the proposed materials.
40. The appellants refer to appeals at 12 Thornhill Crescent<sup>3</sup>. The evidence suggests that this property already had a modern infill extension, and that the proposed works were more limited than that proposed at No 21. Whilst it too had a cooker inserted into a chimney breast, the plan excerpt suggests that more of the existing chimney breast would be retained than in these appeals. Although the opening of fireplaces to accommodate cookers may have been allowed elsewhere, I have limited evidence as to whether other cases cited are comparable to these appeals.
41. Although No 20 Duncan Terrace is reputed to have a bedroom with a connected en-suite, I have no evidence whether this is like the appeal site in terms of whether an original door has been removed, or any details of the new opening that connect the rooms. Therefore, I have determined the appeals on their own merits, based on the evidence before me.

Summary

42. I therefore conclude that the proposals would not preserve the Grade II listed building or its setting or features of special architectural or historic interest which it possesses. It would conflict with Policies DH1, DH2 and HC1 of the Islington Local Plan<sup>4</sup>, 2023, (ILP) and Policy HC1 of the London Plan, 2021, (LP) which together seeks, among other things, to conserve or enhance designated heritage assets in a manner appropriate to their significance.
43. As the proposed works are no higher than two storeys and are below the eaves level of the roof, the proposed works would not conflict with the Islington Urban Design Guide Supplementary Planning Document, 2017.

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<sup>3</sup> APP/V5570/W/21/3275911 and APP/V5570/Y/21/3275909

<sup>4</sup> Strategic and Development Management Policies

### *Conservation area*

44. The Duncan Terrace/Colebrooke Row Conservation Area, as set out in the Conservation Area Design Guidelines<sup>5</sup> (CADG), is an extensive area of largely residential properties, of late Georgian and early Victorian date. It also contains the Regent's Canal, located not far from Duncan Terrace, City Road basin and a section of New River Walk, as well as some commercial properties. The significance of the CA as it relates to these appeals is the contribution that the listed building makes to the overall homogeneity, historic and architectural interest that is derived from extensive areas of residential terraces that characterise the CA. This contribution is partly derived from the consistency of building materials of brick, render, timber windows and doors, and slate roofs.
45. The appeal site represents an example of a late Georgian terraced house with an outrigger, where there have been few alterations to the rear. The external works would not be visible from a public viewpoint, other than glimpsed views from adjoining properties and so would be limited in terms of the CA overall. However, the proposed works would harm the property and fail to preserve or enhance the character or appearance of the CA and so would not accord with the Act. Additionally, the works would conflict with Policies DH1, DH2 and HC1 of the ILP and Policy HC1 of the LP which together seeks, among other things, to conserve or enhance designated heritage assets in a manner appropriate to their significance.

### *Living conditions of No 20- Appeal B*

46. Based on the evidence, there is no infill development between No 20 and No 21's outrigger. The position of the existing outrigger at No 21 would already impact on the outlook from the lower ground and ground floor windows of No 20, as well as likely having some effect on daylight and sunlight. The Council have referred to applying the 45-degree BRE Guidelines<sup>6</sup>, although no evidence has been provided by the appellants. However, notwithstanding any formal assessment, the increase in height of the outrigger would lead to further overshadowing of the existing windows and adjacent garden area of No 20. Whilst the Council contend that it would not affect the 1<sup>st</sup> floor window, the proposed extension would be up to half the height of this window, and so there would be some minimal effect on the occupier's outlook, despite no verbal or formal objections.
47. Whilst extensions to outriggers may have been allowed on other properties, the circumstance in each case is likely to be different, and in any event, the fact that apparently similar development has been granted consent is not a reason, on its own, to allow unacceptable development.
48. I therefore conclude that the proposed increase in height of the closet wing would result in some limited harm to the living conditions of the occupiers of No 20 with regards to outlook, daylight and sunlight. It would conflict with Policy PLAN1 of the ILP which requires a good level of amenity, including consideration of overshadowing, sunlight and daylight.

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<sup>5</sup> Duncan Terrace/Colebrooke Row (CA03) Conservation Area Design Guidelines, 2002

<sup>6</sup> Site layout planning for daylight and sunlight: a guide to good practice (BR 209) 2022

## Public benefits and Balance

49. Paragraph 212 of the National Planning Policy Framework 2024 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 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. Given the nature of the works, and that it is localised in terms of the listed building, Nos 16-21, and the overall conservation area, I find the harm to be less than substantial. This, nevertheless, is of considerable importance and weight. Because of the extent of the loss of original fabric, and the inappropriate extensions to the rear, in addition to the other proposed works, I consider this to be moderate in scale within less than substantial.
50. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The appellant considers that the proposals would be beneficial because they would restore a listed building and retain it in residential use as a family dwelling. Additionally, they would remove unsympathetic alterations and reinstate historic features, enhance the layout and usability of the building, and by insulation and energy efficient services, improve the environmental performance of the building.
51. The Planning Practice Guidance<sup>7</sup> sets out what may be regarded as public benefits, such as works to a listed private dwelling which secures its future as a designated heritage asset. The removal of inappropriate elements and the restoration of the building and its historic features; the long-term use of the property as a family home; its contribution to the listed terrace; and the reconstruction of the brick boundary wall would provide benefits. There would also be economic benefits because of the investment in the property during its restoration, and social benefits resulting from improvements to the house for current and future generations. Whilst these would be works to a private dwelling, and not accessible to the public, they would represent overall public benefits.
52. I have seen no evidence to suggest these works are essential to secure the optimum viable use of the building or cannot be achieved in a different way that would be less harmful to the significance of the building. Hence, while the benefits attract moderate weight, they are not sufficient to outweigh the harm that I have identified.
53. Given the above, and in the absence of any significant public benefit, I conclude that, on balance the proposals would fail to preserve the special historic interest of the Grade II listed building, and the character and appearance of the CA would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act and paragraph 212 of the Framework.

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<sup>7</sup> Paragraph: 020 Reference ID: 18a-020-20190723, 23 July 2019

## **Other Matters**

54. I note that the appellants submitted a pre-application enquiry and have worked with the Council. Although there have been no public objections to the proposed works, and the adjoining neighbours have provided letters of support, I have determined the appeals based on the evidence before me.
55. The appellants evidence refers to the listing description not mentioning the rear elevation, side return or outrigger. However, listings are primarily for identification purposes and do not provide an exhaustive or complete description of special interest. Therefore, because features are not mentioned or cannot be seen from public vantage points, it does not mean they are less important.
56. Reference is made by the occupier of No 22 to a small toilet window in the side elevation of the property where ventilation needs to be retained. From what I could see, this window would be within the proposed glazed extensions in all four appeals. Neither of the main parties have discussed how this would be addressed. However, as I am dismissing the appeals, I have no reason to consider this further.

## **Conclusion**

57. For the above reasons, and having regard to all other matters raised, the proposals would fail to preserve the special historic interest of the listed building, and the character and appearance of the CA, contrary to the Act and the Framework. Furthermore, there would be some harm to the living conditions of the occupiers of No 20. Consequently, the proposals would not be in accordance with the development plan.
58. I therefore conclude that the appeals should be dismissed.

*M J Francis*

INSPECTOR