
Appeal Decisions

Site visit made on 8 October 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th February 2026

Appeal A Ref: APP/V5570/W/25/3361706

Flat A, 22 Richmond Avenue, LONDON, N1 0ND

- 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 Ms India Ayles against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/3018/FUL.
 - The development proposed is described as Amended scheme for Erection of full-width rear lower ground floor extension, with associated internal alterations incl. creation of 3rd bedroom (Listed building consent application also submitted). (Revised scheme to ref: P2024/1401/FUL and P2024/1402/LBC)
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Appeal B Ref: APP/V5570/Y/25/3361705

Flat A, 22 Richmond Avenue, LONDON, N1 0ND

- 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 Ms India Ayles against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/2945/LBC.
 - The works proposed are described as Amended scheme for Erection of full-width rear lower ground floor extension, with associated internal alterations incl. creation of 3rd bedroom (Listed building consent application also submitted). (Revised scheme to ref: P2024/1401/FUL and P2024/1402/LBC).
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Applications for costs

3. Applications for costs were made by Ms India Ayles against the Council of the London Borough of Islington in relation to both appeals. These applications are the subject of a separate Decision Letter.

Preliminary Matters

4. In the interests of clarity, and as the change appears to have been agreed by the appellant at application stage, I have taken the descriptions of development and works from the Council's Decision Notices rather than those found on the original application forms. These documents describe the development in Appeal A as "Erection of full-width rear lower ground floor extension." and the works in Appeal B

as “Erection of full-width rear lower ground floor extension, with associated internal alterations”.

5. Both appeals relate to Flat A, 22 Richmond Avenue which forms part of a Grade II listed building¹, 22-44 Richmond Avenue, situated within the Barnsbury Conservation Area (CA). The issues within the appeals are similar. As such I have dealt with them within the same Decision Letter. I have, however, set out two separate formal Decisions in the interests of clarity.
6. 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. The National Planning Policy Framework (the Framework) was updated during the consideration of these appeals. Insofar as is directly relevant to the appeals, there are no substantive changes and no parties have been prejudiced as a result.

Main Issue

8. The main issue in these appeals is whether the proposals would preserve the listed building or any features of special architectural or historic interest which it possesses and, linked to that, whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

Special interest and significance

9. The appeal property occupies the ground and lower floors of 22 Richmond Avenue and is part of a wider Grade II listed terrace of linked semi-detached villas, 22-44 Richmond Avenue, dating from circa 1845. The terrace is constructed of yellow stock bricks with stucco ground floor with stucco dressings. The front elevation is clearly the principal elevation with attractive architectural features such as corncicing and cast-iron window guards. An adjoining brick boundary wall addresses Matilda Street at the side of the property. Brickwork buttresses are a key feature of the wall and are visible from within the rear garden of the appeal property.
10. The architectural detailing of the rear elevation is generally more simple. The elevation is generally flat and is constructed of brick with detailed brick courses around the windows. The windows are multi-paned in a staggered arrangement and have a clear vertical emphasis. The well-proportioned features create a strong sense of cohesion and the simple roof form has clean lines and a prominent chimney stack. Though no specific mention is made to the rear elevation of the building within the listing description or the conservation area documentation, such descriptions are for identification purposes and are not prescriptive or all-encompassing. In my view, in its simplicity, the rear elevation of the building has a reserved dignity which is attractive and contributes to the significance of the asset.
11. Though the building has been changed over time, including its subdivision into flats, the listing description suggests that, internally, some historic features of interest

¹ National Heritage List for England Entry Number: 1293178

have been retained. However, the appellant's heritage statement is clear that there are missing historic features such as cast-iron railings to the front wall and chimneypieces at both ground and lower ground floor level.

12. The significance of the building as a heritage asset insofar as it relates to these appeals derives, in part, from the buildings place as a component of Richmond Avenue's original streetscape and the architectural interest of the building as an attractive group of dwellings from circa 1845. Significance is also derived from the surviving historic fabric, plan form and hierarchy of spaces.
13. The appeal site is also located within the Barnsbury Conservation Area (CA). The Barnsbury Conservation Area Design Guidelines, January 2002 (CADG) states that the CA contains many of the best examples of formal late-Georgian/early-Victorian residential developments in London. Overall, the CADG states that the area has a rare quality of consistency and completeness. The appeal property contributes positively to the significance of the CA as a whole.

Effects of the proposals

14. The proposal is for the erection of a full-width rear lower ground floor extension, with associated internal alterations. I will deal with these elements of the proposals in turn.
15. The proposed single storey extension would extend across the full width of the host dwelling and though, due to the scale of the host building as a whole, it would represent a subservient addition it would, nevertheless be large. The proposed extension would introduce a projection of around 3.6m from the rear elevation of the building and would introduce a protrusion and visual clutter to the otherwise simple, flat elevation. The proposed extension would obscure part of the rear of the listed building. Consequently, the proposal would erode the otherwise minimal and clean line of the rear elevation.
16. The proposed extension would include the use of brickwork and timber fenestration with the aim of maintaining the existing palette of materials. However, the introduction of large openings with single glazing panes and horizontally orientated glazing would be at odds with the existing smaller scale of the window panes and their verticality. Furthermore, the existing elevation has a proliferation of brickwork and the proposed extension would alter this ratio and present an elevation where a key material would be glazing and not brickwork. The glass roof lantern which is required in order to prevent the door opening from being cut off by the proposed roof would be visually awkward and would add a further competing element to the scheme. The use of raised rooflights and a green roof would also appear as incongruous additions.
17. The proposed extension also includes some changes to the existing rear fenestration to the lower ground floor of the property. The existing window opening to the second rear bedroom would be retained and the glazing would be replaced with frosted glazing to provide privacy to the relocated bathroom. The glazing which is in situ is said to be modern and this would be a reversible change which would not cause harm to the heritage asset. Similarly, the existing back door opening would be retained, though the door, which the evidence again indicates is not original, would be removed. However, the proposals also include the removal of the other lower ground floor window and the removal of the masonry below cill level to

enable access into the extension. The enlargement of this opening would result in the loss of historic fabric.

18. The proposals would also encroach upon, and require the removal of one of the buttresses to, the brick boundary wall. Thus resulting in a further loss of historic fabric. These elements of the proposal would cause harm to the listed building.
19. Though I accept that the appellant has made an effort to keep these to a minimum, internal changes are also proposed. The existing lower ground floor W.C would be altered and the wall would be extended to create a new ensuite bathroom. In order to access the new ensuite a section of the wall in the bedroom would be removed to create a doorway. Though the historic plan form would still be legible this alteration would result in an additional loss of historic fabric.
20. The proposal would also weaken the legibility of the historic plan form of the property as a large open kitchen and dining room with an opening through to the living room would be created. The introduction of a large space such as this would not reflect the more compact, cellular, rooms which are currently in situ at the property and would have a detrimental effect on the ability to understand the hierarchy and plan form of the property.
21. Further internal changes are also referenced in respect of the proposals. It is imperative that proposals are accompanied by accurate and unambiguous drawings and specifications of sufficient detail to illustrate and/or describe the proposed works in order to avoid any uncertainty over the extent of what is proposed, and to allow a robust assessment of any consequent effects. In this instance, the evidence before me does not clearly set out the details of some parts of the scheme such as the proposed works to fireplaces, details of reinstated mouldings and joinery and details of plumbing and ventilation arrangements for new bathrooms. There also appears to be some uncertainty around the arrangements for the staircase.
22. The lack of drawings and detailed specifications for these detailed elements of the proposals cast doubt over whether such alterations would be appropriate in principle and leaves questions regarding the individual design, subsequent appearances and works involved in their construction. As such, the specific details before me are not sufficient to enable a robust judgement to be reached regarding the potential effect of these elements of the proposals on the heritage asset, as enhancements or otherwise, including any unintended consequences of poorly ventilated spaces. Consequently, I cannot be certain that they would preserve the listed building and not cause harm to its significance. This is highly undesirable in general terms, but especially given that the property is a Grade II listed building located in a Conservation Area, where great weight is given to the conservation of these designated heritage assets.
23. I note the suggestion that, were I minded to allow the appeals, conditions could be attached requiring further details to be approved. However, such details go to the heart of the proposals and I cannot be certain that conditions would be an effective mechanism for making the proposal acceptable and ensuring that it would not cause harm. Without evidence to the contrary I must take a precautionary approach in the interests of preserving the listed building and ensuring that any conditions imposed would meet the tests set out by the Framework. Consequently, such conditions would not be suitable.

24. The proposals also include details of a home office structure at the bottom of the rear garden of the property. This structure already benefits from planning permission and listed building consent². The home office structure reduces the available, open garden space serving the property. Were the proposals before me to go ahead alongside the home office the overall degree of development within the rear garden of the property would be significant and the established site layout and pattern of development would be eroded. Conditions which contain an either/or clause can be problematic and, without an accompanying legal agreement, can be difficult to successfully enforce. Even if it were possible to attach a condition to ensure that only one of the schemes could be constructed the other concerns I have raised would remain.
25. Whilst the appeal property occupies an end of terrace location, views towards the rear of the property are limited by the height of the boundary wall to the side and any views of the proposals would be glimpses. Nevertheless, whilst views towards the proposed alterations would be limited, it is important to note that the host building is Grade II listed and its designation is not based solely on its visibility within the surrounding townscape. Listed status reflects a range of architectural and historic considerations and the significance of the asset derives from these factors rather than from its presence in public views. The proposals would be visible from the appeal property and from neighbouring properties. The tangible harm which would be caused to the significance of the asset is set out above and the limited visibility of the proposals would not justify their harm.
26. I accept that the property has been altered over time and that these further changes could be considered as part of the building's evolution. I also acknowledge that there can be a place for modern architectural interventions to historic buildings. However, in this instance, the proposals would be such that they would cause undue harm to the host building and would not conserve the building in a manner appropriate to its significance.
27. I assent that other single storey rear extensions have been permitted to similar properties. However, each case must be determined on its own merits based on the specific circumstances at each site. These circumstances will rarely, if ever, be identical. Of particular relevance to these appeals are schemes within the same Grade II listed terrace as the appeal property³. However, the evidence before me indicates that these proposals were permitted some time ago, and therefore within a different policy context. Furthermore, I am not aware of the specific details regarding the previous condition on the properties or the degree, if any, of historic fabric which would have been lost. In any event, the existence of other examples is not, in and of itself, a sufficient reason to justify the grant of planning permission or listed building consent. Particularly in circumstances where harm to significance has been identified.
28. Moreover, to my mind, the previous changes to the designated heritage asset, when considering the appeal property in isolation and also in the context of the listed terrace as a whole, further cement the vital importance of any remaining historic fabric. Considered cumulatively the previous alterations increase the sensitivity of the building to further change, particularly change of the magnitude proposed in this

² References P2023/3383 and P2023/3046

³ References P112772, P112760 and P030524/5.

instance. Were these proposals to go ahead, the changes to the building would be such that the historic significance of the asset would be considerably weakened.

29. For the reasons set out above, the proposals would unacceptably diminish the architectural and historic interest of the listed building thereby undermining the significance of the designated heritage asset. The proposal would therefore fail to preserve the special architectural and historic interest of the Grade II listed building.
30. The proposals would cause harm to an asset which adds positively to the significance of the CA. It follows that they would fail to preserve or enhance the character or appearance of the CA.
31. In finding harm to the significance of a designated heritage asset the Framework requires the category of harm to be identified. The Planning Practice Guidance (PPG) expands upon this by requiring the extent of harm within that category to be clearly articulated. In this instance, given the extent and nature of the proposed development and works, the harm to the significance of the designated heritage assets would be at the lower end of less than substantial. Notwithstanding this, the identified harm is of considerable importance and weight.
32. The approach set out in the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public benefits and heritage balance

33. It is not unreasonable to conclude that the proposals would lead to economic, social and environmental benefits. Amongst other things, these would stem from engaging local professionals, trades and suppliers. The evidence before me indicates that, at present the property's third bedroom does not meet the size recommendations within the Nationally Described Space Standards. The proposed extension would enhance the property to create a home suitable for family occupation with three full sized bedrooms in an area where there is a high demand for this type of accommodation. Notwithstanding this, there is no substantive evidence before me which demonstrates that the proposed development and works are necessary to secure the ongoing use of the heritage asset as a family home.
34. I accept that the scheme has a number of other potential benefits; particularly with regard to elements of the building which would be enhanced to better reveal their significance. The enhancements include revealing chimneybreasts, reinstatement of chimneypieces, cornices, the removal of detracting overlights at lower ground floor level and the removal and replacement of doors. However, the details of these works are limited and it is unclear exactly what they entail and, therefore, what the precise magnitude of any associated heritage benefits would indeed be. Moreover, in my view, such improvements could be made through alternative schemes which would not cause the degree of harm I have outlined above.
35. The evidence before me also indicates that the cast-iron railings to the front of the property would be reinstated. Though this would undoubtedly be a benefit it is related to a separate planning permission and listed building consent and not directly linked to the appeals before me. There is no substantive evidence before me which would lead me to conclude that this benefit would not be achieved were the proposals before me not to go ahead.

36. Whilst a number of the benefits outlined above would be private, they would also be such that they could be considered to be of broader benefit to the public. Overall, the associated benefits are limited by the information before me, the questions regarding their direct reliance on the appeal proposals and the scale of the proposals and must be considered in that context. The benefits in this instance therefore carry moderate weight.
37. Conversely, on the other side of the balance, I have found that the proposals would fail to preserve the special architectural and historic interest of the Grade II listed building and would not preserve or enhance the character or appearance of the CA. The Framework indicates that great weight should be given to the conservation of these heritage assets. Consequently, the public benefits of the scheme do not outweigh the harm identified.
38. The proposal would, therefore, conflict with the statutory presumptions of s.16(2), s.66(1) and s.72(1) of the Act. The proposal would also conflict with Policies DH1 and DH2 of the Islington Local Plan Strategic and Development Management Policies, September 2023 (LP). Taken together and amongst other things these policies state that the Council will conserve or enhance Islington's heritage assets and their settings in a manner appropriate to their significance and proposals that harm the significance of a listed building or conservation area must provide clear and convincing justification for the harm. In this instance no such justification is present.
39. The proposals would also fail to conform with the guidance set out within the CADG which states that the Council will normally require the use of traditional materials which should be sympathetic to the character of the area, in terms of form, colour and texture and goes on to say that rear extensions will be permitted on their merits and only where the scale, design and materials to be used are in keeping with the existing property.
40. I recognise that the Council's general Conservation Area Design Guidelines, revised January 2022 and the CADG set out that full width rear extensions higher than one storey will not normally be permitted. In this respect the proposals would sit within the constraints of this guidance. However, the proposals would conflict with other elements of the adopted local plan and the associated guidance. Furthermore, these documents do not cover every scenario and the use of the word "normally" within that guidance allows for exceptions. These appeals relate to a Grade II listed building of high significance and not simply to any building within a CA and as such the circumstances are markedly different.

Other Matters

41. I note that the appellant has made changes to previous schemes with the aim of overcoming any harm. However, in my view, the revised scheme would, nevertheless, cause harm to the designated heritage assets as set out above.
42. The appellant has also expressed a willingness to further alter the proposals, in particular the green roof and the raised roof lantern. However, such negotiations are between the appellant and the Council and these revisions do not form part of the scheme before me and, in any event, would not overcome the harm I have found in other respects.

43. I have given careful regard to all of the above considerations. However, none are sufficient to dissuade me from the conclusions I have reached above.

Conclusion

44. For the reasons set out above the appeals are dismissed.

L J O'Brien

INSPECTOR