



Appeal Decisions

Site visit made on 22 January 2026

by Ann Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2026

Appeal A Ref: APP/X5210/W/25/3371851

45 Arlington Road, London NW1 7ES

- 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 Adam Andrews against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/4689/P.
 - The development proposed is erection of lower ground floor rear extension with terrace, alterations to front and rear elevation windows.
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Appeal B Ref: APP/X5210/Y/25/3371852

45 Arlington Road, London NW1 7ES

- 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 Adam Andrews against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/4751/L.
 - The works proposed are erection of lower ground floor rear extension with terrace, alterations to front and rear elevation windows and internal alterations.
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Decisions

1. **Appeal A Ref: APP/X5210/W/25/3371851:** The appeal is dismissed.
2. **Appeal B Ref: APP/X5210/Y/25/3371852:** The appeal is dismissed.

Preliminary Matters

3. The appeals concern the same site. Although the remit of planning permission (Appeal A) and listed building consent (Appeal B) regimes are different, to reduce repetition, I have dealt with both appeals together in a single decision letter.
4. The description of development and works provided on both applications forms reads 'lower ground floor rear extension with minor internal reconfiguration'. The Council changed the descriptions to those in the banner headings above to also include the proposed alterations to windows. These descriptions were also used by the appellant for the purposes of the appeals and are more precise. Consequently, I am satisfied that no party will be prejudiced by my use of them.
5. As the site is in a conservation area and relates to a listed building, 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).
6. The appeal proposal comprises several elements of development and works. The Council's reasons for refusal for both appeals focus on specific matters in relation

to the proposed rear extension with terrace, including the perceived associated loss of historic fabric and planform. In relation to Appeal B only, the Council's reason for refusal also includes matters relating to the removal of historic glass and alterations to the vaults. There is no disagreement between the parties that, with the exception of those elements cited above, all other aspects of the development and/or works proposed are acceptable, subject to conditions where necessary.

7. In exercising the relevant statutory duties of the Act and from the evidence presented, I have no reason to disagree with the conclusions of the main parties' in this regard. I find that the uncontested elements of development and works would preserve the special interest of the listed building and the character and appearance of the conservation area, and would not harm the significance of these designated heritage assets. Consequently, for the avoidance of doubt, I have focused my considerations on the elements of the scheme where harm to significance has been identified.
8. The reasons for refusal refer to policies of the London Borough of Camden Local Plan 2017 (CLP). Although not referred to in the reasons for refusal, reference has been made by both parties to the emerging Draft Camden Local Plan (incorporating Site Allocations) consultation. The Council confirm that there are no material differences between relevant policies of the CLP and the emerging plan in relation to this appeal, and that it currently carries limited weight. From the details before me, and that there is potential for changes to the emerging plan, I have no reason to take a different view.

Main Issues

9. The main issues in both appeals are whether the proposal would preserve the Grade II listed building known as 'Numbers 39-51 and attached area railings'¹, or its setting, or any of the features of special architectural or historic interest that it possesses; and the extent which the proposal would preserve or enhance the character or appearance of the Camden Town Conservation Area (CTCA).

Reasons

Special interest and significance

10. 45 Arlington Road (No. 45) is a mid-terrace three-storey plus lower ground floor residential property which, together with properties at 39-51 Arlington Road (odd numbers only), form one listed building entry. The building is described in the list entry as a terrace of 7 houses built in the 1840s. It is set back from Arlington Road behind cast iron railings with spearhead finials that surround a basement lightwell and extend either side of a stepped entrance to each property. The building is constructed in stock brick with frontages incorporating rendered ground floor and basements. All front windows on each of the 7, 2-bay wide properties forming part of the listed building feature 12-light glazing bar sashes in moulded architrave surrounds and first floor windows have distinctive cast-iron balcony fronts.
11. At the rear, the listed building is plainer with varied ground and first floor additions. However, there is still a consistency derived from the use of stock brick, simple segmental brick headed windows, unusual hanging slate tiled second floors and

¹ National Heritage List for England, List entry number: 1244687

tall party wall chimney stacks that protrude along the rear elevations of each property. Internally, the individual properties within the listed building are narrow. Inside No.45, despite the absence of some architectural features and the historic ground floor passage wall, the historic plan form remains largely legible, with modest sized rooms and a dog-legged staircase rising through the floors.

12. Insofar as is relevant to the appeal proposals, the significance of the listed building derives from its architectural and historic interest being a good example of the formal appearance of 19th century town houses. Important contributors in this regard are the ordered arrangement and spacing of the windows and door, the consistent use of traditional building materials, and cast-iron balconies and railings. The unusual and relatively intact rear hanging tile second floor façade, distinctive chimney stacks, and sash windows also positively add to its special interest.
13. The Camden Town Conservation Area (CTCA) is essentially formed of separate commercial and residential areas. Pertinent to this appeal, Arlington Road generally forms the eastern edge of the residential area and is varied in character, with grand terraces of predominantly of 19th century origin on the west side of the road, with more modern residential blocks and some commercial uses to the east. From the information before me, including the Camden Town Conservation Area Appraisal and Management Strategy (undated) (CAAMS), I find the significance of the CTCA, draws in part, from the vibrant high street and the high proportion of intact architecturally designed 19th century buildings.
14. The listed building subject of the appeal has been included on the list for its group value. It, together with the rest of the attached terraced and attached railings, comprising 53-85 Arlington Road (odd), also a Grade II listed building, form an imposing, generally uniform street frontage. The townhouses on the street, together with the impressive terraces on Albert Street, Delancy Street, Mornington Terrace and Mornington Crescent, form part of a well-preserved enclave of mid-19th century housing which makes a positive contribution to the character and appearance of the CTCA as a whole.

Proposals and effects

Rear extension with terrace

15. The proposed extension would require the demolition of No.45's two existing outriggers. Evidence indicates that neither were constructed at the same time as the listed building. However, the appellant's heritage statement² (HS) notes that the northern outrigger may include parts of a late 19th century structure. Indeed, it is clear from information on the Ordnance Survey Maps of 1894 and 1951 that some form of outrigger existed to the rear of all the properties within the listed building. Although I recognise the southern outrigger is not historic, and the northern outrigger may not be in its original form, it nonetheless provides evidential value in understanding the utilitarian appendages historically associated with each property in the listed building. For this reason it is of some, albeit limited, special interest in the evolution of the building and as one of the only remaining subordinate outriggers within the overall listed building.

² Para 6.1.1, Heritage Statement of Case, Michael Copeman MSc BA IHBC on behalf of Mutiny Architects, August 2025.

16. Importantly, the two outriggers sit either side of an existing arch-headed lower ground floor window opening which is vertically aligned with the ground, first and second floor windows above. From the information provided to me, the fact that this window is, or would be (should recent permissions granted at other properties in the listed building be implemented) the only remaining lower ground floor window clearly visible within the rear elevation of the listed building, serves to reinforce its importance.
17. The distinctive chimney stack on the rear elevation would remain, the proposed extension would be constructed in stock brick and include cast iron rainwater goods which would harmonise with the building's existing features. However, the extension would fill the width of the plot and have a larger floor area than the main front room on all floors. As a result, it would erode the distinctive narrow plan form of No.45 and weaken the hierarchical importance of the front rooms. As referred to above, it would also 'cover-up' the only historic rear-facing lower ground floor window remaining in the listed building.
18. Although the rear elevation of the proposed extension would only be visible from within the raised rear garden of No.45, the width of the French doors would be at odds with the solid to void ratio of the rear elevation. Moreover, the proposed balustrade, metal balustraded steps and the privacy screens would be visible from the upper floor rear windows of No.45 and neighbouring properties. Together, they would add visual clutter to the building's rear elevation and result in a somewhat prominent and contrived arrangement. This would appear incongruous with the relatively simple and authentic appearance of No.45's rear elevation and diminish the degree to which its historic legibility would be appreciated.
19. Furthermore, given the existing rear lower ground floor room would be subdivided to create an internal access route to the proposed extension and a bathroom, the historic proportions of this room would be altered. However, reflecting its subordinate function, the spaces at this level are of a more modest character, with few features of interest and detailing when compared to the rooms above. While the HS identifies that the internal configuration of this floor has already been changed by the removal of the passageway adjacent to the front room, its plan form is largely legible. Thus, the subdivision of the room would further weaken the building's historic plan form, albeit to a limited degree given the reversibility of the proposed partition wall.

Windows/doors

20. To access the proposed extension and roof terrace, a door opening would replace both the existing lower ground and ground floor window openings. While the window head and reveal of the windows would be retained, the enlarged opening would cut through the cill and completely alter the design and appearance of the windows. Individually and together, such alterations would result in the loss of architectural features which contribute to the significance of the building whether visible or not.
21. All timber-framed sash windows at the rear of No.45, except those referred to above that are proposed to be replaced with doors, would be changed to timber-framed double-glazed windows. It is put to me by the appellant that these windows do not contain historic glass and that the new windows would either re-use the

existing sashes and replace only the glazing, or, if impractical to do so, fit new sashes to match the existing design.

22. These are broad parameters, and although they may not be historic, the existing windows are of a traditional architectural style and materials. There are no detailed plans of the proposed double-glazed windows to show how they would sit within the reveal, the thickness of glass, glazing bars, frames, hanging counterbalancing weights or other elements. As such, although I acknowledge Historic England's guidance in relation to the provision of slim profile or vacuum double-glazing on listed buildings³, I cannot be sure that the design of the proposed windows would be suitable in this regard or the effect of them on the retained fabric of the building.
23. Given the importance of these details for considering the historic character of the building and importance of traditional materials and techniques, it would not be appropriate to impose a condition requiring such details to be agreed after any permission/consent being granted.
24. Although from my observations several may need repair works, the windows to No.45 form an important part of the overall listed building's significance, particularly because they all, save for the lower ground floor front windows, remain single glazed, timber framed sash in style. No detailed information has been provided to justify their replacement or why other options such as secondary glazing would not achieve the same thermal improvements.
25. The lower ground floor front single-glazed Crittal window and the size of the opening are a relatively modern and incongruous feature on the listed building. The replacement of this window would be an enhancement to the aesthetics of the No.45 in isolation but it would be incongruous and inconsistent with the remainder of No.45 if only that window were to become double glazed.
26. An existing high-level window under the enclosed front steps to the street would be replaced with a timber-framed glazed door providing access to the front lightwell. Since the enclosure of the front steps is not historic, this change would not be harmful to the special interest of the listed building.
27. The existing rear doorway between lower ground and ground floor that historically provided access to the rear garden would be blocked up. Since the door itself is not historic, its loss would not be harmful. However, the doorway is of evidential value in demonstrating the historic access to outdoor space. While in principle its blocking-up would be acceptable, it is unclear how this would be achieved or how it would appear. Consequently, I cannot be certain this would represent an appropriate alteration which would not further dilute the hierarchy of the property.

Vaults

28. From my observations and the evidence, it is likely that the vaults were constructed in the 19th century and are part of the recognisable special interest of London townhouses built during this period. It is proposed to remove the front masonry infill from the two vaults. Even though the more modern infill is not a historically important part of the building, and evidence found within the other properties forming part of the listed building show open-fronted vaults, it is unclear from the submitted information how the vaults would be 'reinstated to their original

³ Adapting Historic Buildings for Energy and Carbon Efficiency: Historic England Advice Note 18, July 2024 with minor revisions published February 2026.

form'. As such, while in principle this may be acceptable, I cannot be certain how it would be achieved and how it would appear. Consequently, I cannot be certain this would better reveal the historic vaults and in so doing preserve or enhance the listed building.

Conclusion on effects

29. While there are some beneficial aspects to the proposal, such as the reinstatement of the internal ground floor passageway and stair wall, and the replacement Crittal window, this does not outweigh the harm that would be caused to the listed building's intrinsic historic value that I have set out above. I find that the proposal would fail to preserve the special interest of the listed building.
30. In terms of the CTCA, part of its character and significance is derived from the high quality of the historic buildings it contains. At the rear, the upper floors of the listed building are clearly seen from Mornington Street, including those at No.45, as I saw at my site visit when leaves were not on surrounding trees. The CAAMS identifies that the very distinctive local roof form and large chimney stacks on the rear elevation of the Arlington Road terrace positively contribute to the special character of the area. These features would be unaffected by the proposals.
31. The proposed rear extension and roof terrace would be hidden from public views from Mornington Street, and as such the attractive streetscape that forms this part of the CTCA would not be materially affected. However, the CAAMS states that the removal or loss of original architectural features and the use of inappropriate materials is considered to be harmful to the appearance of the CTCA. Given my findings above in relation to the proposed extension and the uncertainty about proposed window alterations at the rear of No.45, I consider that the proposal would, in turn, harm the character and appearance of the CTCA. Consequently, whilst the magnitude of the harm may be concluded to be minor adverse in the context of the CTCA as a whole, it would nevertheless fail to preserve it.
32. Drawing the above together, the proposal would fail to preserve the special interest of the Grade II listed building known as Numbers 39-51 and attached area railings, or its setting or any features of special architectural or historic interest which it possesses. The proposal would also fail to preserve or enhance the character or appearance of the CTCA as a whole. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act. As such, there would be harm to the significance of these designated heritage assets.

Public benefits, heritage balance and conclusion

33. In finding harm to the significance of designated heritage assets, the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) requires the category of harm to be 'explicitly identified', and the extent of harm within that category to be 'clearly articulated'⁴.
34. Due to the extent of the works and lack of information in certain areas, I find the harm in this instance would lead to a moderate level of less than substantial harm. Nonetheless, this harm carries considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be

⁴ Paragraph: 018 Reference ID: 18a-018-20190723

weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use. The PPG is clear that public benefits should flow from the development or works. They should be of a nature and scale to be a benefit to the public at large and not just be a private benefit⁵.

35. The proposal would generate economic benefits in the construction phase and social and environmental benefits through an improvement to the local housing stock. Moreover, heritage benefits would accrue from the reinstatement of the internal ground floor passageway and stair wall, and the replacement Crittal window. The overall scale of the above benefits that would flow to the public at large would be moderated by the relatively limited extent of the proposal and lack of detail surrounding some of the works.
36. I acknowledge that double glazing would improve the thermal efficiency of the property. However, I have not been provided with substantiated evidence that the windows could not be made more efficient through repair works, eg. draught proofing. Nor have I been provided with evidence with regard to the use of secondary glazing as an alternative. Lastly, I have not been provided with specifics regarding the amount of benefit that would accrue from the proposed new windows in terms of increased efficiency, either intrinsically or in comparison to alternatives. This attracts limited weight.
37. The proposal would offer additional and enhanced living accommodation for occupiers of the site. However, this is a mainly private benefit, and there is no firm evidence before me to demonstrate that the continued viable use of the appeal property as a residential dwelling is dependent on the proposal as the building has an ongoing residential use that would be unlikely to cease in its absence.
38. Paragraph 200 of the Framework is explicit in its requirement that any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification, which, in all of the respects outlined above, I find not to be the case in the appeals before me.
39. Overall, the weight that I ascribe to the public benefits that would result from the proposal would not be sufficient to outweigh the weight that I attach to the harm I have identified, and I am not persuaded that the only way of securing such benefits would be via the particular scheme that is before me.
40. As such, the proposal would fail to satisfy the requirements of the Act and would be contrary to Policies D1 and D2 of the CLP which seek, amongst other things, that development preserves, conserves and where appropriate, enhances the significance of heritage assets. There would also be conflict with the provisions of the Framework which seek to conserve and enhance the historic environment. The Council has referred to the London Plan, 2021, in the reasons for refusal on the decision notices. However, no specific policies have been referred to and it has not been determinative in the appeals.

Other Matters

41. The Grade II listed building within which the appeal site sits is also attached to another Grade II listed building⁶. From the information before me and my observations on site, the special interest and significance of this listed building

⁵ Paragraph: 020 Reference ID: 18a-020-20190723

⁶ National Heritage List for England, List entry name Numbers 53-58 and attached area railings, List entry number:1244688

primarily stems from its historic and architectural interest. It is also derived, in part, from its group value as part of the long terrace of listed 19th century architecturally designed townhouses within a planned urban setting.

42. Given the location and extent of the proposal, I find that the setting of this listed building would be preserved and its significance would not be harmed. This would meet the requirements of section 66(1) of the Act; the provisions in the Framework regarding the conservation and enhancement of the historic environment; and Policy D2 of the Local Plan, referred to above.
43. My attention has been drawn by the appellant to several examples of extensions and alterations to other properties within the listed building which are perceived to be similar to the appeal proposals. Dating from the 1970's, the extension at 39 Arlington Road significantly pre-dates the date of listing, publication of the Framework and the CLP. At 41 Arlington Road the existing two storey rear extension was approved in 2017⁷ and merely replaced an earlier extension of similar size and form.
44. At 43 Arlington Road (No.43), a rear extension and lower ground floor bathroom was approved by the Council in 2023⁸. Information submitted by both main parties shows that the existing lower ground floor rear window was not a sash window, there was only one outrigger which was rebuilt in the same form and the rear extension infill set back from it, the lower ground floor was already open plan and therefore less sensitive to change, and the originally proposed double-glazed replacement windows were removed from the scheme. An insensitive opening through the historic rear chimney stack was blocked up and a historic fireplace was reinstated. As such, there are distinct differences in the detailed design and heritage merits of the granted scheme at No.43 and the proposal before me.
45. At 47 Arlington Road, permission/consent was granted in 2011⁹ for a two-storey rear extension that was similar to that already approved in 2003 and 2006 which pre-date publication of the Framework and the CLP. At 49 Arlington Road (No.49) permission/consent was granted for an infill rear extension with roof terrace¹⁰. This scheme is relatively recent and in terms of the size and form of the rear extension is similar to the appeal proposal. Nevertheless, window replacements on the rear elevation of No.49 were single glazed units and the buildings demolished were modern flat roof additions.
46. Finally, at 51 Arlington Road, permission/consent was granted in 2008 for a rear extension, roof terrace and ramp to garden¹¹, pre-dating publication of the Framework and the CLP.
47. Whilst consistency of decision making is important, I cannot be certain that the baseline for assessing all the above schemes is the same for each property within the listed building. There are material differences in the policy considerations at the time of some of the above examples being approved, and differences in the detailed design of the approved schemes when compared with the proposal now before me. Moreover, the fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable

⁷ LPA Ref: 2017/4350/P

⁸ LPA Refs: 2022/0016/P and 2022/0759/L

⁹ LPA Refs: 2011/0723/P and 2011/0725/L

¹⁰ LPA Refs: 2022/2351/P and 2022/2346/L

¹¹ LPA Refs: 2008/0271/P and 2008/0274/L

development. I have considered the appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

48. I note the appellant's comments about the Council's handling of the applications. However, this has had no bearing on the outcome of these appeals as I have only had regard to the planning merits of the proposal that is before me.

Conclusions

49. Appeal A: The proposed development would conflict with the development plan as a whole and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, Appeal A is dismissed.
50. Appeal B: For the reasons given, Appeal B is dismissed.

Ann Veevers

INSPECTOR