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## Appeal Decisions

Site visit made on 29 April 2025

**by S Ashworth BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 MAY 2025**

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### **Appeal A: APP/X5210/W/24/3354633**

#### **Flat B, 79 Arlington Road, London NW1 7ES**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Heather Christie against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2024/0749/P.
  - The development proposed is erection of mansard roof extension.
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### **Appeal B: APP/X5210/Y/24/3354337**

#### **Flat B, 79 Arlington Road, London NW1 7ES**

- 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 Heather Christie against the decision of the Council of the London Borough of Camden.
  - The application Ref is 2024/1774/L
  - The works proposed are erection of mansard roof extension and associated minor interior alterations.
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## **Decision**

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

## **Preliminary Matters**

3. The appeals relate to Flat B, 79 Arlington Road, which is part of a grade II listed building, 53-85 Arlington Road, and is located within the Camden Town Conservation Area. In determining the appeals, I have considered the statutory duties under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The description of development is similar for both proposals although the application for listed building consent includes both internal and external works. In the banner heading above I have used the description of development as set out in the Council's decision notices and the appeal forms rather than that on the application form because it more concisely reflects the proposal.
5. The National Planning Policy Framework (the Framework) was revised on 12 December 2024, after the planning and listed building applications were refused. I have determined these appeals on the basis of the most up to date

version of the Framework and have taken into account the comments made in relation to it.

## **Main Issue**

6. The main issues in this case are whether the proposal would preserve the listed building and any features of special interest it possesses and linked to that, whether the proposal would preserve or enhance the character or appearance of the conservation area.

## **Reasons**

### *Listed Building*

7. No 79 Arlington Road is a mid-terrace property dating from the 1840's. It is three storeys in height with a basement and, being 3 bays wide, is wider than other properties in the terrace. The property is well proportioned and detailed and is faced in stock brick with render to the lower parts.
8. The property has been subdivided into two flats and No 79B, which is a three-bedroomed unit spanning two floors, occupies the upper part of the building. Occupiers of the property have access to a rear garden which accommodates a garden room. No 79A is a separate residential unit occupying the ground and lower ground floors.
9. No 79 is part of a long terrace of residential dwellings which spans from No 33 to No 95. Within that terrace Nos 53-85, of which the appeal site forms part, is a listed building comprising 17 dwellings. The significance of the listed building, as a heritage asset, lies in the age and detailing of the individual dwellings and the general uniformity of the row considered as a whole. Although there are some differences between the houses, the terrace has a visual rhythm and consistency as a result of its generally regular pattern of windows, chimneys, cast iron balcony fronts, railings and consistent building materials. The properties, generally have a butterfly roof form concealed by a parapet. The elegant form and proportions of the building with hidden roofs to the front, is an important aspect of its significance and special interest.
10. The proposed mansard would have a traditional design with a sloped upper roof. It would be covered with grey slate and would feature three timber-framed sash windows to the front and three to the rear, all carefully detailed to match the existing windows. In addition, the chimneys would be raised in height. Internally a staircase would be taken from the second floor to the new attic level to form a large master bedroom with en-suite bathroom. The creation of the staircase would involve the removal of some original fabric. There would also be a limited alteration to the plan form and hierarchy of space within the building. Nevertheless, I am satisfied that the internal works would not harm the significance of the listed building considered as a whole.
11. However, by adding to the roof the proposal would result in the loss of the butterfly roof form. In this case the existing roof is not original and has been constructed in artificial materials but nevertheless it has been purposefully designed, as originally intended, to be hidden behind the parapet. In contrast to that, the mansard would have a bulky form clearly visible above the parapet that would alter the dwellings proportions and detract from its formal and elegant original design intent. Moreover, the introduction of the mansard roof

would significantly undermine the unified appearance of the listed building as a whole.

12. I acknowledge that there is already a mansard roof on this particular listed building some distance away at No 53. However, I am unconvinced that the presence of this extension justifies further uncharacteristic works to the listed building. Adjoining properties Nos 39-51 is also grade II listed building under a separate entry on the national list and Nos 47-51 all have mansard roof extensions which adjoin that at No 53. I do not have the details or circumstances that led to these extensions being granted consent. Nevertheless, they form a group and are not directly comparable to the proposal before me.
13. For the reasons set out, the proposal would weaken the architectural consistency and quality of the listed building overall, thereby undermining an important component of the special interest of the heritage asset. The degree of harm would be increased by the prominence of the extension a long section of the terrace where the roofline remains unbroken.
14. Accordingly, the proposal would fail to preserve the special architectural and historic interest of the grade II listed building and would therefore conflict with the statutory requirements of s.16(2) and s.66(1) of the Act. For the same reasons, although not determinative, the proposal would also be contrary to Policy D2 of the Camden Local Plan 2017 (the Local Plan) which seeks to preserve and where appropriate enhance heritage assets including through resisting proposals for extensions to listed buildings where this would cause harm to the special architectural and historic interest of the building.

#### *Conservation Area*

15. The Camden Conservation Area incorporates both the busy commercial and retail area and the quieter residential areas beyond it. This particular part of the residential area is defined by a grid like pattern of streets with high quality, late 19th century terraced buildings of a generally consistent and rhythmic appearance, interspersed with modern blocks of flats.
16. There are many examples of mansard roof extensions in the conservation area, particularly on Albert Street where it is the predominant roof form. Nevertheless, a large proportion of the properties on the western side of Arlington Road, in this particular terrace and along the street as a whole, remain as three storey dwellings with their roofs hidden by a parapet. Where they exist, they tend to be in clusters or at the end of a terrace. Nevertheless, the proportion of properties with a mansard roof to those without remains low. Accordingly, the scale, height and formal design of many of the original buildings is still readily apparent. The architectural quality and significance of No 79 makes a positive contribution to the character and appearance of the conservation area.
17. As the extension would be set apart from other mansard extensions, it would be a highly prominent feature particularly when viewed from Arlington Road and from its junction with Delancey Street. It would interrupt the roofline of the terrace at a point where it is currently unbroken and, as set out above, would alter the height and proportions of this particular house to make it more visually prominent in the street. The greater width of the house compared to

others in the row would, to my mind, exacerbate the impact of the extension in that regard.

18. My attention has been drawn to an allowed appeal in another London Borough for a mansard roof in a conservation area<sup>1</sup>. In that case, the Inspector found that because of the position of the proposed mansard at the end of a row, adjacent to an almost identical roof extension, the development would have a neutral impact on the conservation area. Whilst I have taken this decision into account, the circumstances in which it was allowed are not directly comparable to the case before me.
19. For the above reasons, the proposal would neither preserve nor enhance the character or appearance of the conservation area. In that respect the proposal would fail to meet the statutory requirements of section 72 (1) of the Act and would not comply with Policies D1 and D2 of the Local Plan which amongst other things requires development to respect local context and character and preserve or enhance the character or appearance of a conservation area.
20. The approach in the Framework, at paragraph 215, is that where a proposal will 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. Paragraph 213 states that any harm to the significance of a heritage asset should require clear and convincing justification. I will turn to this matter below.

### **Other matters**

21. Chapter 11 of the Framework sets out one of the Government's aims to promote the effective use of land, whilst noting the need to, amongst other things, safeguard and improve the environment.
22. Paragraph 125 c) supports the development of suitable brownfield land for homes or other identified needs. However, the proposal relates to the provision of an extension rather than a new home and there is no convincing evidence before me that there is an identified need for 4-bedroomed units in the Borough. On that basis the proposal does not gain support from this paragraph of the Framework. Paragraph 125 e) states that upward extensions- including mansard roofs - should be allowed where the development would be consistent with the prevailing form of neighbouring development and the overall street scene. In this case, whilst there are some mansard roofs in the wider terrace and along the street, as set out above such development does not constitute the prevailing form of development. Accordingly, the proposal is not consistent with paragraph 125 e).
23. The appellant has outlined that the proposal will improve the sustainability credentials of the building and specifically would provide affordable and sustainable energy use. Whilst there are limited technical details before me, I have no reason to disagree. In addition, I saw at my site visit that the size and configuration of the property is somewhat constrained. Whilst there is no suggestion that the room sizes do not meet minimum standards, the proposal will nevertheless enhance the living accommodation within the unit. To my mind, these matters can be considered public benefits.

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<sup>1</sup> Appeal ref: APP/K5600/W/23/3329833

24. I understand from the correspondence that the appellant is a well-regarded member of the community, wishes to stay in the area and seeks to adapt the property in order to accommodate the changing needs of a growing family. This is a private benefit of the proposal which I have taken into account. However, a benefit such as this is not a matter of sufficient weight to ultimately lead me to different findings overall.

### **Heritage Balance**

25. The Framework states at paragraph 212 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case there would be harm to both the significance of the listed building and to the character and appearance of the conservation area. Each of those harms carry great weight.
26. On the other side of the balance the limited public benefits of the proposal set out above, even considered cumulatively, attract only moderate weight. Therefore, in accordance with the test of the Framework, the public benefits of the scheme do not outweigh the harm to the heritage assets. Hence, conflict arises with policies in the Framework that seek to protect the historic environment.

### **Conclusion**

27. I have found that, in both appeals, the proposal would conflict with the statutory provisions of the Act and the historic environment policies of the Framework. In addition, in relation to Appeal A, the proposal is contrary to the development plan considered as a whole and there are no other considerations, including the private benefit of the scheme to the appellant, that indicate that that the permission should otherwise be granted.
28. Therefore, taking into account all matters raised, including representations of both support and objection from third parties, the appeals are dismissed.

*S. Ashworth*

INSPECTOR