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## Appeal Decisions

Site visit made on 27 February 2017

**by Susan Ashworth BA (Hons) BPL MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5<sup>th</sup> May 2017**

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### **Appeal A: APP/X5210/W/16/3164620** **38 Arlington Road, London NW1 7HU**

- 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 Mr David Horbury against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/3389/P, dated 15 June 2016, was refused by notice dated 14 September 2016.
  - The development proposed is mansard roof extension to create an additional floor.
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### **Appeal B: APP/X5210/Y/17/3170043** **38 Arlington Road, London NW1 7HU**

- 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 Mr David Horbury against the decision of the Council of the London Borough of Camden.
  - The application Ref 2016/3650/L, dated 15 June 2016, was refused by notice dated 14 September 2016.
  - The works proposed are mansard roof extension to create an additional floor.
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## Decisions

1. Appeal A : The appeal is allowed and planning permission is granted for a mansard roof extension to create an additional floor at 38 Arlington Road, London NW1 7HU in accordance with the terms of application ref: 2016/3389/P, dated 15 June 2016, and subject to the following conditions:
  1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: 421-100-E (OS Extract); 421-101-E; 421-102-E; 421-103-E; 421-104-E; 421-300-E; 421-200-E; 421-201-E; 421-101-P; 421-102-P; 421-103-P; 421-300-P; 421-200-P; 421-201-P; 421-302-P; Design and Heritage Statement
  3. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture, those of the existing building, unless otherwise specified in the approved application.
2. Appeal B: The appeal is allowed and listed building consent is granted for a mansard roof extension to create an additional floor at 38 Arlington Road, London NW1 7HU, in accordance with the terms of application ref:

2016/3650/L, dated 15 June 2016, and the plans submitted with it, subject to the following conditions:

1. The works hereby permitted shall be begun no later than the end of three years from the date of this consent.
2. All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.
3. Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
  - a) Specification and sample of proposed slate roof tiles.
  - b) Manufacturers details of any new down pipes and hoppers.
  - c) Fully annotated elevations and section drawings at a scale 1:10 showing all proposed interventions associated with structural alterations.

The relevant part of the works shall not be carried out otherwise than in accordance with the approved details.

4. Notwithstanding the approved drawings, details of new windows, rooflights and doors at a scale of 1:10 with typical glazing bar details at 1:1, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

### **Main Issue**

3. The main issue in this case is whether the works proposed would preserve the special architectural and historic interest of this Grade II listed building, and linked to that, whether the proposal would preserve or enhance the character or appearance of the Camden Town Conservation Area.

### **Reasons**

4. 38 Arlington Road and neighbouring property No 40, are a pair of houses which date from the mid 19<sup>th</sup> century and which are listed as a pair. As a result of development around them the pair now forms part of a continuous row of buildings. The special interest of the buildings, which are three storeys in height with a basement, lies in their age and architectural detailing. The list description states that they are 'included as a well-preserved pair of houses'.
5. The dwellings, whilst not symmetrical, replicate each other in terms of their proportions and fenestration pattern and a consistent parapet line. Both properties are two windows wide with cast-iron balcony fronts at first floor level, and have a rhythm to their appearance. No 38 has a butterfly roof form and, whilst the roof covering is not original, there is no reason to suggest the butterfly form was not part of the building's original design. The roof is apparent at the rear of the property and concealed by a parapet at the front. At No 40, the original roof was replaced in the 1970's by a mono-pitched roof,

- concealed by parapets at the front and rear. At the time of my site visit the mono-pitched roof was in the process of being replaced by a mansard roof.<sup>1</sup>
6. The proposal seeks to extend No 38 at roof level by way of a mansard roof to provide additional accommodation. The mansard would be constructed in slate and would incorporate two lead lined dormer windows to both the front and rear. Designed by the same architects, it would match that being constructed at No 40 in terms of its form and materials.
  7. The butterfly roof, otherwise known as a valley or 'V' shaped roof, is a common form of roof on properties of this age. As an original design feature it makes a positive contribution to the special architectural and historic interest of the building. The proposal would result in the loss of that roof form and also a limited amount of historic fabric in terms of the original timber roof structure although I understand that much of that structure has been repaired over time, as has the roof covering and party wall chimney stacks. However, given that the design and rhythm of the buildings as a pair is an essential part of the buildings' significance, the proposal to replicate the mansard roof being constructed at No 40, would restore unity in the proportions and design of the pair as a whole. There is no suggestion by the Council that the design of the roof or that of the dormer windows, in itself, would be unacceptable and I have no reason to disagree.
  8. Although finely balanced, it seems to me that the benefits of restoring the original design intent for a visually harmonious pair of dwellings, outweighs the loss of the original roof form and the loss of a limited amount of original fabric. Consequently taken as a whole the proposal would preserve the special architectural and historic interest of the building as required by Sections 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
  9. In the vicinity of the site, the Camden Town Conservation Area is characterised by both 19<sup>th</sup> century terraces and modern infill developments in the form of large blocks of flats. The terraces and blocks generally have consistent heights and eaves lines and a regularity and rhythm to their design. No 42 Arlington Road, which is a non-listed building adjoining the listed pair, has a mansard roof. Adjoining No 38 on the opposite side is a substantial modern building which is considerably taller than the appeal property. As a result of these taller buildings, and once the mansard at No 40 is constructed, it seems to me that the presence and scale of the appeal building will appear somewhat diminished and as such will become a discordant feature in the street scene.
  10. The proposed increase in the height of the building would match that of No 40 and would thereby reinstate a coherent uniformity and rhythm to the appearance of the terrace as a whole. It would also make the four storey stair tower to the neighbouring modern building appear less dominant. Consequently the proposal would enhance the character and appearance of the terrace and wider Conservation Area in accordance with s 72(1) of the Act.
  11. The approach in the National Planning Policy Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the scheme. I acknowledge that in this case there would be some

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<sup>1</sup> Application Refs: 2016/0771/P and 2016/1210/L granted on 12 April 2016.

loss of fabric and the form of the roof would be altered. However, for the reasons set out there would be no overall harm to the significance of the listed building or the Conservation Area.

12. Furthermore, the proposal would not conflict with Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy 2010 and DP25 of the London Borough of Camden Local Development Framework Development Policies which amongst other things require development to be of a high standard of design that respects local context and preserves or enhances heritage assets and seeks to protect the special interest of listed buildings.

### **Conditions and Conclusion**

13. The Council has suggested conditions in the event of the appeals being allowed which I have considered in the light of advice in the Planning Practice Guidance.
14. To provide certainty and in the interests of proper planning I have imposed the standard time limit and plans conditions on the planning permission. In order to preserve the character and appearance of the building I have imposed a condition requiring that materials used in the development match the existing.
15. In order to protect the special architectural and historic interest of the listed building it is necessary to require samples of the proposed roof materials, details of any new downpipes and hoppers, details of any structural alterations associated with the works and details of the proposed windows and door at a larger scale for clarity. There is no suggestion in the appeal documents that alterations are proposed to the chimney stack. Therefore the suggested conditions relating to it are unnecessary.
16. For the above reasons, and taking account of all other matters raised, the appeals are allowed and planning permission and listed building consent are granted subject to the above conditions.

*S Ashworth*

INSPECTOR