
Appeal Decisions

Site visit made on 11 June 2019

by A Napier BA(Hons) MRTPI MIEMA CEnv

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal A Ref: APP/N5660/W/18/3204269

74 Roupell Street, London SE1 8SS

- 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 E F Language Schools Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/01398/FUL, dated 21 March 2017, was refused by notice dated 8 December 2017.
 - The development proposed is described as 'demolition of existing brick wall, railings and gates, and erection of two storey extension for use in connection with existing school (Use Class D1)'.
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Appeal B Ref: APP/N5660/Y/18/3204267

74 Roupell Street, London SE1 8SS

- 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 E F Language Schools Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/01399/LB, dated 21 March 2017, was refused by notice dated 8 December 2017.
 - The works proposed are described as 'demolition of existing brick wall, railings and gates, and erection of two storey extension for use in connection with existing school (Use Class D1)'.
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Decisions

1. Appeal A and Appeal B are dismissed.

Preliminary Matter

2. As part of the appeal process, a completed unilateral undertaking was submitted on behalf of the appellant. As the potential need for, and provisions of, such a planning obligation were considered within the appeal submissions of the main and other interested parties, I am satisfied that my intention to consider this as part of the appeal process would not unfairly prejudice the interests of others.

Main Issue

3. The appeal building is a grade II listed building and other listed buildings are situated nearby. The appeal site is located within the Waterloo Conservation Area and adjacent to the Roupell Street Conservation Area. These are designated heritage assets and I am mindful of my statutory duties in these regards.

4. The main issue in these appeals is whether or not the proposal would preserve the listed building, any architectural or historic features of special interest that it possesses, its setting, or the setting of other listed buildings nearby, and whether or not it would preserve or enhance the character or appearance of the Conservation Areas.

Reasons

5. The appeal site is located on the edge of, and immediately outside, the Roupell Street Conservation Area. This area is predominantly residential in character and largely comprised of two-storey terraced houses, which are strongly uniform in their scale, design and appearance. Built form dominates this area, with very little, if any, public open space between the buildings and only modest garden areas to serve the dwellings. Within this context, the adjacent Waterloo Conservation Area is more mixed in character, with a greater range and variety of development within it, including areas of open space between and around buildings, such as within the Peabody Estate, adjacent to the appeal site.
6. From the evidence available to me, including the appellant's Heritage Statement, I consider that the importance of the Roupell Street Conservation Area is mainly drawn from the regular street pattern, the consistency of building design, the domestic scale and highly urban form of development, with long rows of terraced houses and an absence of open space. The importance of the Waterloo Conservation Area largely stems from the generally high architectural quality of the buildings within it, the urban pattern and form of development, including larger scale buildings, and the areas of space between and around them.
7. The appeal property is a U-shaped four-storey building, partly set back from the road, with two projecting wings extending towards the site frontage. The front courtyard area of the school is enclosed by walls and railings and represents a visually and functionally important, largely undeveloped, space within an otherwise highly developed immediate local environment. This courtyard space contains a number of trees and a distinctive street tree also exists immediately adjacent to the site, within the highway. The evidence provided indicates that the appeal building was built as a school in around 1868. It is a former Church of England Primary School, with the adjacent building No 76, which lies outside the appeal site, likely by the same architect, originally built as a vicarage. Both these buildings have a distinctive architectural style and high level of consistency in their design and detailing.
8. From the details available to me, including the listing description, I consider that the significance of the listed appeal building is largely drawn from its historic age, educational use, form, fabric and architectural features. In addition, the setting of the school, described by Historic England as within a very intact Victorian townscape, and its contribution to the setting of other listed buildings nearby, make an important contribution to its significance.
9. Longer distance views of the school are restricted. However, due to its comparatively larger scale, distinctive design, form and siting, it nonetheless has an imposing presence within the street scene. The form of the building, the visual and historically functional relationship of it to other built development around the site and the area of openness provided by the courtyard and trees to the site frontage, expressively described in one

representation as a 'much needed and delightful breathing space', are such that the appeal property also makes a valuable and positive contribution to the character and visual amenities of both Conservation Areas.

10. The proposal would result in the demolition of the existing front boundary treatment and the erection of a two-storey extension to the school building, which would extend across the frontage of the appeal site and enclose the courtyard area. Although the design of the scheme would allow for some views through the building to the inner courtyard area, these views would be relatively limited, even taking into account the walkway and proposed use of the ground floor of the building.
11. As a result, notwithstanding the proposed scale, design details and use of materials, the proposal would result in a fundamental change to the form, appearance and historic character of the appeal property. Due to the form and siting of the appeal scheme, I consider that the proposal would result in a visually dominant addition, which would largely screen the courtyard elevations of the school building and result in the loss of an important area of openness within the street scene. Although replacement planting is proposed, it would also result in the removal of five of the seven trees within the courtyard area, which have been assessed as having a moderate amenity value. Overall, I find that the proposal would significantly detract from the setting of the appeal building and the setting of other listed buildings nearby and would materially diminish the character and visual amenities of the local area.
12. The proposal would result in the re-instatement of the original quadrangle on the site, which was lost prior to listing in 1979, following the demolition of the Infants Hall by 1951, after serious bomb damage. The reinstatement of built development on the site frontage would have some benefits, as it would return the listed building closer to its original plan form. However, whilst the current form of the building is not original, it is long-established, and the courtyard area is a highly valued and important space. As a result, overall, I consider that these benefits would be relatively modest and would not outweigh the harm to the significance of the heritage assets identified above.
13. Local concerns have been expressed about the merits of the contemporary design proposed for the extension. Whilst I have carefully considered these concerns, I have also had regard to other views expressed, including those of Historic England and the Council's Conservation and Design Officer. Whilst I consider that the contemporary approach proposed would not represent a reason to find against the proposal, the absence of harm in this regard does not address or outweigh the harm identified above.
14. Consequently, I conclude that the proposal would materially detract from the setting of the listed appeal building and the setting of other listed buildings nearby and would not preserve the character and appearance of the Conservation Areas. It would be contrary to the *Lambeth Local Plan 2015* (LP) Policies Q2, Q11 and Q20, where they collectively seek to protect local character and appearance, including the historic environment, and the similar aims of LP Policies Q5 and Q22, which have also been drawn to my attention.
15. For the reasons given, I have found that the proposal would cause harm to the significance of the heritage assets, to which I attach considerable importance and weight. However, it would not lead to the loss of the listed appeal building and would result in the further development of one site within a much larger

Conservation Area. As such, considered both individually and cumulatively, I find the harm, whilst material, would be less than substantial. Paragraph 196 of the National Planning Policy Framework 2019 (NPPF) requires that, in the case of designated heritage assets, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use of the heritage asset.

16. The proposal would result in the provision of additional accommodation to serve the school. I recognise that the historic nature of the building may involve some compromises in relation to accommodation. I have no doubt that the proposal would make the accommodation more comfortable and spacious. In addition, the relocation of the reception area may have some benefit in terms of improved security and safety within the site. The development as proposed may also reduce the noise generated by the use of the courtyard area and limit student congregation outside the site.
17. As such, the proposal would support the continued educational use of the building in the longer-term. Nonetheless, the existing building is a reasonable size and I observed a range of teaching and other spaces within it. Furthermore, there is nothing substantive before me to lead me to consider that the proposal would be essential to secure the long-term use of the building as a school, or that alternative, potentially less harmful, options for the reconfiguration of the space would not be viable or feasible.
18. The proposal would also result in improvements to the accessibility of the space within the existing building, as well as the provision of accessible communal space within the proposed extension, which would be a clear benefit of the scheme. However, the improvements would not extend to the whole of the existing building, which limits the extent of public benefit resulting from the proposal in this regard.
19. Reference has also been made to improvements to energy efficiency and refuse storage and collection provision that would result from the proposal. However, from the evidence available to me, the enhanced energy efficiency would largely relate to the proposed appeal development and I am not satisfied that it has been demonstrated that potential improvements to refuse arrangements are necessarily dependent on the appeal proposal.
20. The appeal building is used as an established international language school. As such, the proposal would also have some economic benefits, both during construction and following completion, in its support for the continued educational use of the premises. However, no increase in student or staff numbers is proposed as a result of the appeal scheme and, overall, I consider the resulting economic benefits likely to be relatively limited.
21. The planning obligation submitted in support of the scheme would provide for 12 local students to attend the school for 6 weeks per year, for 15 years, should the appeal be allowed. There is nothing before me to indicate that this provision has been made in response to a policy requirement of the Council. Moreover, the reason for the number of students that would be provided for, or the overall length of provision, is not clear. Furthermore, it is not clear to me why the appeal development would generate such a requirement.
22. As such, I am not satisfied that it has been adequately demonstrated that this element of the planning obligation meets the tests of Regulation 122 of the

Community Infrastructure Levy Regulations 2010 and paragraph 56 of the NPPF. For the reasons given, I am not satisfied that the obligation would be necessary to make the development acceptable in planning terms, or fairly and reasonably related to it in scale and kind. Therefore, I am unable to take this aspect of the undertaking into account in my determination of the appeal.

23. The obligation would also make provision for a financial contribution towards the delivery of a blue badge parking bay and a loading bay in the immediate vicinity of the site. Given the unilateral nature of the undertaking, it is not clear to me that this would necessarily secure the provision identified. Moreover, even if it were to be secured, the evidence provided does not adequately justify the scale of contribution to be provided. Therefore, I am not satisfied that it would be fairly and reasonably related to the development proposed. It would not therefore meet the legal and policy tests outlined above. As such, I am also unable to take this element of the undertaking into account in my determination.
24. I have found, therefore, that the proposal would have some benefits and would support a continued viable educational use of the site, which is recognised to be the optimum use for the building. Nonetheless, for the above reasons, I consider overall that these benefits would be relatively modest. However, having regard to paragraph 94 of the NPPF and the identified need to expand or alter the school, I give them great weight.
25. Paragraph 193 of the NPPF advises that great weight should be given to the conservation of a designated heritage asset in considering the impact of a proposal on its significance. Paragraphs 184 and 194 state that heritage assets are an irreplaceable resource and any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. In addition, paragraph 192 refers to the desirability of new development making a positive contribution to local character and distinctiveness. For the above reasons, I consider that the development would not make such a contribution.
26. For these reasons, I find that the great weight given to the relatively modest benefits of the proposal are outweighed by the greater weight given to the harm identified to the significance of the heritage assets. The proposal would not therefore meet the aims of paragraph 184 of the NPPF, to conserve heritage assets in a manner appropriate to their significance. Furthermore, had I been in a position to take into account the submitted undertaking, it would not have changed my overall findings in these regards.

Conclusions

27. For the above reasons and having regard to all other matters raised, I conclude that the appeals should be dismissed.

A Napier

INSPECTOR