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## Appeal Decision

Site visit made on 25 August 2020

**by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI**

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

**Decision date: 14 September 2020**

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**Appeal Ref: APP/A5840/Y/19/3240098**

**65 St. George's Road, London SE1 6ER**

- 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 Amy Eccles against the decision of the Council of the London Borough of Southwark.
  - The application Ref 19/AP/1532, dated 22 May 2019, was refused by notice dated 17 July 2019.
  - The works proposed are lower ground floor subterranean front garden extension to provide a new multi-purpose room and WC, to include an open lightwell with fire escape and a fixed rooflight - lowering of the floor with full refurbishment of 2no. existing brick vaults - alterations to the existing house to provide access to the new extension - hard and soft landscaping to the front garden.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Though applications for both listed building consent and planning permission were submitted for this proposal, it is only the decision to refuse listed building consent which is the subject of this appeal. As it concerns a listed building in a conservation area, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The name and title of the appellant in the banner heading above has been taken from the application the subject of the appeal.

### Main Issues

4. The main issues are:
  - whether the proposed works would preserve the grade II listed building, whose statutory address is 63-83 St. George's Road, and any features of special architectural or historic interest that it possesses; and,
  - whether it would preserve or enhance the character or appearance of the West Square Conservation Area.

### Reasons

*The significance of the listed building*

5. The building has historic significance as a relatively intact example of a late C18 terrace of London town houses developed after the construction of
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Westminster Bridge and Blackfriars Bridge across the river Thames, on land administered by the Bridge House Estate. The consistent, repeated arrangement of the houses, as much in their characteristic, historic plan layout as in the distinctive order of their detailing, retains a strong architectural unity across the terrace.

*The effect of the works on the significance of the listed building*

6. The cellars of No 65 stand below ground level in the front garden, separated from the front facade of the house by an open well which brings light down to the basement windows. While some lightwells in the terrace appear to have been enlarged, this feature appears common across the terrace.
7. I appreciate that the entrance stair rising from the front garden to the front door of the house at ground floor oversails one end of the lightwell, already partly enclosing it. However, completely enclosing this end to form a lobby would undermine the hierarchical order of the arrangement of these ancillary spaces in the historic plan layout of the house, which retain their distinctive separation from the main section of the house by means of the open lightwell.
8. Undermining this spatial feature of the historic plan layout would diminish the historic significance of the listed building, harming its special historic interest. Other C18 houses in London may have enclosed their lightwells, but this appears not to be the case in this listed building, which retains this important element of its historic significance. Moreover, the projection of the lobby beyond the stairway, with a short flat roof over the glazed door, would appear an awkward architectural junction, intrusive in the simply ordered front elevation and the uncomplicated lines of its detailing, diminishing the special architectural interest of the listed building.
9. Notwithstanding this, I can see no harm to spatial order, in principle, from using a cellar as a utility room or passage, nor from the addition of a basement room displaced from the main section of the house, the connecting element of which would be unenclosed, as discussed above. In terms of the significance of the historic plan layout of the house, this would be functionally little different to a garden room, albeit under the garden rather than above it. Given the potential discreteness of such an extension and subject to the hierarchical separation of the historic plan layout being maintained as discussed above, the significance of this listed building would not be undermined.
10. The cellars retain their low, arched form but have been rendered and refinished. The openings into them and the main house are short and appear to hold no historic joinery. I appreciate that lowering the floors of the cellars and lightwell would increase the floor to ceiling height within the cellars and the basement door opening. However, I can see no harm from this degree of increase in height, to the significance of the building. Save for my comments above on connection, the cellars would retain their spatial character of efficiently, enclosed, ancillary spaces, and the lightwell depth would not change markedly. The original profile lines of the historic floors could be sensitively marked to distinguish them from new work. If any excavations revealed floor material of special historic interest, this could be recovered and re-laid or incorporated into the works. Similarly, the sensitivity to historic fabric of thermal insulation and tanking could be conditioned.

11. Punching through one cellar to form an opening into a new room would remove some historic walling, however, the extent would be very limited relative to the retained area of cellar walls. The opening-up of the partially filled coal hole at ground level would be a positive element in the works demonstrating a previous use of the cellar and could be conditioned to retain historic forms and materials. Ventilation ducting could be conditioned to ensure its size, material, fixings and routing would be sensitive to the listed building.

*The West Square Conservation Area (CA)*

12. I have had regard to my duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, to the distinctive townscape and landscape of which the front gardens of the houses in this listed building play a pivotal landscape role. As well as enclosing the street, they provide a foiled transition from the street to the sanctuary of the home.
13. The basement extension would preclude the planting of trees with deep roots within the front garden. I noted a number of approaches to garden planting in the terrace including lawns, shrubs, tall trees, specimen shaped trees, and a group of birches. The front gardens are not deep, and the height and order of the façade of the terrace gives it a bearing in the street. There is no evidence that the gardens were intended to conceal or to screen the façade or to provide discrete spaces within them. I can see no harm to the landscape balance between the listed building, the front garden, and the street, and its contribution to the appearance of the CA from the landscape effects of the basement excavation, in terms of future tree planting.
14. In isolation, the introduction of a second lightwell and a walk-on rooflight, both close to ground level in the garden, would not disrupt the landscape relationship of the front garden to the house. As relatively small, discrete ground level elements in the garden they would not, in principle, undermine its spatial character, or the appearance of the CA.
15. Notwithstanding this, the indicated arrangement of sleeper walls, pebble borders, stone finishes, metal gratings, walk-on glass sheets, and drainage channels in the front garden would make for a frenetic landscape with varying levels and numerous materials. This landscape design would compete with the rigid geometry of the façade of the house and the more restrained ordering of its arrangement and materials. It is unclear if an amended design could incorporate the spatial requirements of these works. I am not convinced therefore that this can be left to a condition to be resolved after the design of the main spaces to which they relate. For this reason, I find the design of the elements of the extension as they affect the front garden of the listed building would harm the appearance of the CA.

**Conclusion**

16. I conclude that the works would fail to preserve the special architectural and historic interest of the listed building and the appearance of the CA, contrary to the clear expectations of the Act. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets.

Although the degree of harm here would be less than substantial, this does not equate to a less than substantial planning objection, especially where the statutory tests are not met.

17. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimal viable use of listed buildings. I appreciate that the works would increase the living accommodation of the house. However, the continued viable use of the house as a dwelling is not dependent on the works as the house has an ongoing residential use that would not cease in their absence. While the accommodation would meet the needs of its occupiers, the benefits to flow from this would be private rather than of benefit to the public at large.
18. Improving the thermal efficiency of the building would contribute to the environmental objective of sustainable development. The marking of the coal-hole and the incorporation of a sensitive tanking system would help to sustain the significance of the building and to secure its long term conservation. These public benefits do not, however, outweigh the harm identified above to the significance of the heritage assets, to the conservation of which the Framework indicates great weight should be given.
19. In the absence of any public benefit to outweigh the harm identified above, I conclude that the works would fail to preserve the special historic and architectural interest of the grade II listed building as well as the appearance of the CA. It would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and development plan policies insofar as relevant. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Patrick Whelan*

INSPECTOR