
Appeal Decision

Site visit made on 17 November 2020

by Jo Dowling BA(Hons) MPhil MRTPI

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

Decision date: 02 December 2020

Appeal Ref: APP/E5330/Y/20/3254062

24 King George Street, Greenwich SE10 8QJ

- 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 Christopher Mills against the decision of Royal Borough of Greenwich Council.
 - The application Ref 20/0530/L, dated 17 February 2020, was refused by notice dated 3 April 2020.
 - The works proposed are removal of first floor rear chimney breast and remaining fireplace features.
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Decision

1. This appeal is dismissed.

Procedural decision

2. The description of works and the decision notice refer to the removal of first floor rear chimney breast. However, I noted on site that whilst the majority of the original fireplace has been removed the mantle shelf, firebricks and decorative 3 bar hob grate for this room have been retained. Due to the fact that the room was carpeted it was not possible to check whether the hearth was also still in place. The removal of the chimney breast would also require the removal of these elements. I have therefore amended the description in the banner heading to reflect this and considered the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would preserve a Grade II listed building, 24 King George Street, and any features of architectural or historic interest that it possesses.

Reasons

4. 24 King George Street forms part of a Grade II listed Georgian terrace. It is located within the West Greenwich Conservation Area and the Maritime Greenwich World Heritage Site. The appeal property is a two storey with basement mid terraced unit. It is constructed of stock brick with a slate roof. Many buildings in the surrounding streets retain their original windows and architectural detailing which contribute positively to the character and appearance of the Conservation Area and its significance as a designated heritage asset.

5. I observed at my site visit that the property has recently been extended and reconfigured at basement level and whilst this may have resulted in the loss of some of the historic plan form, at ground and first floor level I note that much of the original layout and many of the original features such as chimney breasts, fireplaces and sash windows have been retained.
6. The first-floor rear bedroom has been subdivided to provide a bathroom with the remaining space used as a study/ store. The chimney breast, mantle shelf, firebricks and decorative 3 bar hob grate for this room have been retained. The appeal proposal would remove the chimney breast and remaining fireplace features in order to improve the functionality of what is a very narrow room.
7. The Appellant advocates that as the chimney breast and remaining fireplace features form part of a secondary room they are not a major contributor to the significance of the heritage asset. However, notwithstanding the historic subdivision of the room I consider that they do contribute to the buildings historic plan form and agree with the Council that they reflect the building's typology, domestic function and period. Consequently, I consider that the loss of these features would cause harm to the significance of the heritage asset, albeit I acknowledge that this harm would be less than substantial.
8. I agree with the Appellant that the removal of these features would improve the useable space within the property. However, this is a private benefit and as such I consider that it is insufficient to outweigh the harm to the historic fabric of the building that I have identified. Furthermore, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
9. As a result, I consider that the works would fail to preserve the special architectural and historic interest of the building for which a clear and convincing justification has not been provided. The works would therefore not comply with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act); paragraph 196 of the National Planning Policy Framework (the Framework); London Plan policy 7.8 and policies DH3 and DH (i) of the Royal Greenwich Local Plan: Core Strategy and Detailed Policies (2014).
10. In coming to this conclusion I have taken into account the fact that the Appellant considers that Listed Building Consent for these works already exists by virtue of the fact that the works were included on a plan approved by the Council (Ref: 18/3008/L) as part of a wider scheme of works.
11. However, the decision notice for that consent states that "the Local Planning Authority grants listed building consent for the development (sic) described above **and** referred to in your application dated 28 August 2018 **and** in accordance with the plans submitted". Whilst I accept that the works appear on an approved plan they are not included in the description of works nor are they referred to in the application documentation and as such would not comply with all three requirements of the consent.
12. Furthermore, section 8(1) of the Act states that works to a listed building are only authorised if written consent has been granted by the local planning authority and where they are executed in accordance with the terms of the consent **and** any conditions attached to it. As the removal of the chimney

breast and remaining fireplace features were not included in the description of works or referred to in the application documentation I do not consider that they are included in the terms of the consent and therefore both elements of this requirement would not be met. As such I do not consider that the fallback position advocated by the Appellant exists.

13. In coming to this conclusion, I have noted the comments made by the Appellant regarding a similar situation at No. 7 King George Street. However, for the reasons outlined above this does not lead me to a different conclusion.

Other Matters

14. The Appellant has cited the Councils approval for the removal of a chimney breast at No. 26 King George Street as setting precedent for the works to the appeal property. However, I note from the plans submitted by the Appellant that it was a fireplace in the ground floor rear extension and as such I consider that the context differs to that of the scheme before me and does not lead me to a different view on this case.
15. The Appellant has placed weight on the fact that the chimney breast and fireplace features are not included in the list description. However, because something is omitted from a list description does not mean that the feature is lacking in historical significance. In this case I consider that the historical significance of the building is not solely related to the exterior and for the reasons set out above I am of the opinion that the chimney breast and fireplace features reflect the building's typology, domestic function and period and should therefore be retained.
16. As the proposed works would be internal, they would not affect the character of appearance of the West Greenwich Conservation Area or the Maritime Greenwich World Heritage Site.

Conclusion

17. Accordingly, for the reasons set out I conclude that the removal of the chimney breast and remaining fireplace features would fail to preserve the special architectural and historic interest of 24 King George Street and as such the appeal should be dismissed.

Jo Dowling

INSPECTOR