
Appeal Decisions

Site visit made on 20 April 2022

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

APPEAL A

Appeal Ref: APP/A5840/W/21/3287279

79 St George's Road, London, SE1 6ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Tom Winchester against the decision of the Council of the London Borough of Southwark.
 - The application Ref: 21/AP/2878, dated 12 August 2021, was refused by notice dated 7 October 2021.
 - The development proposed is to glaze over the front lower ground courtyard with a transparent structural glass roof light.
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APPEAL B

Appeal Ref: APP/A5840/W/21/3285583

79 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 Tom Winchester against the decision of the Council of the London Borough of Southwark.
 - The application Ref: 21/AP/2879, dated 12 August 2021, was refused by notice dated 7 October 2021.
 - The works proposed are to glaze over the front lower ground courtyard with a transparent structural glass roof light.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matter

3. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building, 79 St George's Road, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the West Square Conservation Area.

Reasons

5. The appeal site forms part of a Grade II Listed terrace (Nos.63-83 (odd) St George's Road). The dwellings are brick with butterfly roofs, of four storeys including a basement. The terrace conforms to a townhouse typology, with diminishing hierarchy and has a large degree of similarity between each dwelling, to the extent they read as a group, albeit with some alterations. The significance of the listed building lies in the built form as a terrace with its period architectural details including fenestration, roof form, and layout, reflected externally in the windows, and internally in the floor plan. The front light well surrounded by railings is also a key architectural detail, seen across the terrace and reflecting the period and hierarchy of the building.
6. The residential areas of West Square Conservation Area, including West Square, the Albert Triangle and the townhouses on St Georges Road were developed in the late 18th century post the road network of St Georges Road and Lambeth Road. They mainly comprise townhouses, of brick with slate roofs, sometimes with mansards, or stucco at ground floor, set back behind modest gardens or railings, often with basements. The area is notable for this largely intact, high-quality environment. The appeal terrace, built in 1794 is amongst the oldest in this phase of the West Square Conservation Area. The terrace contributes positively to the significance of the conservation area as a good example of middle-class late 18th century townhouses, which remain in a relatively intact state.
7. The appeal proposal would involve lowering the existing ground level within the front lightwell and relaying the existing flagstones so as to achieve sufficient head room beneath a new glazed roof, enclosing the lightwell. The works, including the installation of frameless glazing over the lightwell would be a relatively modest alteration but its effect less so.
8. The glazing would stand proud of the existing front paving and rise at a shallow gradient to meet the front elevation of the property, enclosing the current void and introducing a visual anomaly behind the existing railings. The glazing would appear overtly modern and, whilst transparent and allowing views through, its reflective properties and interaction with daylight would make it clearly visible on approaching the property.
9. It would disrupt the elegance of the front façade and the uniformity within the terrace. It would also detract from the hierarchy of the building, bringing the traditionally lower status basement level firmly to the forefront of the building's principal elevation, as a prominent and unsympathetic intervention.
10. The appellant has suggested that the proposal would not harm the listed building because it would not be widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained. In this case, glimpsed views of the upstanding glazing would be possible from the entrance gate to passers-by, notwithstanding the existing planting on the site frontage.
11. To this extent, there would also be harm to the West Square Conservation Area, the terrace representing an important component of its special character and significance. The works would erode the sense of unity between the dwellings and become a discordant feature. Given the above, I find that the proposal would fail to preserve the special interest of the listed building and

would harm the conservation area. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.

12. When considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. The harm arising from the works would be less than substantial in the terms of the National Planning Policy Framework (the Framework), but there are few public benefits to be weighed against this harm. The works might make this part of the property more useable or functional to the existing occupants but there is no evidence before me to suggest that the existing property would not remain in its residential use and continue to provide suitable accommodation in the absence of the works. As a building constructed as a dwelling, the existing residential use must remain its optimal viable use in heritage terms.
13. The ongoing upkeep and protection of the building remains the responsibility of the owner and there is no reason to expect that appropriate ongoing maintenance, such as the clearing of leaves from drains and gutters, would not sufficiently address concerns of damp or flooding. Insufficient information has been submitted to demonstrate that the proposal would reduce carbon emissions or the sustainability of the building, particularly as it is suggested that the lightwell would be heated after the works, but any benefit in this regard would likely be very small. Overall, the benefits of the proposal would largely be private in nature but having considered all of the potential benefits identified by the appellant so far as they could be considered public benefits, it is clear that they would not outweigh the harm that I have identified.
14. I conclude that, on balance, the proposals would fail to preserve the special historic interest of the Grade II listed building and the character or appearance of the West Square Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policy HC1 of the London Plan (2021) and policies P19 and P20 of the Southwark Plan (2022) that seek, among other things, to conserve heritage assets. As a result, the proposal would not be in accordance with the development plan.

Conclusion

15. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR