



Appeal Decisions

Site visit made on 20 December 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal A Ref: APP/N5660/W/23/3325690

29 Roupell Street, Lambeth, London SE1 8TB

- 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 Jermaine Pryce against the decision of London Borough of Lambeth.
 - The application Ref 23/00480/FUL, dated 14 February 2023, was refused by notice dated 3 May 2023.
 - The development proposed is Removal of existing sash window and cill down to floor level.
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Appeal B Ref: APP/N5660/Y/23/3325693

29 Roupell Street, Lambeth, London SE1 8TB

- 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 Jermaine Pryce against the decision of London Borough of Lambeth.
 - The application Ref 23/00481/LB, dated 14 February 2023, was refused by notice dated 3 May 2023.
 - The development proposed is Removal of existing sash window and cill down to floor level.
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Decisions

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

Preliminary and Procedural Matters

2. The appeals concern works and development to 29 Roupell Street, a Grade II listed building (List Entry Number: 1338587) listed on 27 August 1978. It is group listed with 26 to 42 Roupell Street and therefore has group value as a component part of a larger heritage asset of listed houses.
3. In addition, the listed building is situated within Roupell Street Conservation Area (CA). I am therefore mindful of my statutory duties in respect of 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act).
4. These decisions address both planning and listed building consent appeals for the same site and same scheme. Although the remit of both regimes is different, in order to reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision.
5. There is planning and listed building consent history associated with the appeal property by virtue of consents granted for both internal and external alterations including a side infill extension between the offshoot and back of the main

dwelling¹. From what I could see from my site inspection, some of these approved works and development have been implemented although the infill extension had not yet commenced. A further linked appeal for planning permission and listed building consent has been submitted by the appellant for the 'Removal of existing gate and replacement with solid timber gates with enlarged opening' at the rear boundary of the same site and is determined under separate cover.²

6. The National Planning Policy Framework (the Framework) has been updated on 19 December 2023, and after the submission of the appeals. The historic environment policies have remained unchanged within the updated version of the Framework which is a material consideration.

Main Issues – both appeals

7. The main issues are whether the proposed works and development would preserve the special interest of the Grade II listed building or any features of special architectural or historic interest that it possesses, and whether the works and development would preserve or enhance the character or appearance of Roupell Street Conservation Area (CA).

Reasons - both appeals

8. The appeal property is group listed as part of numbers 26-42 Roupell Street and is situated on its south side. The heritage asset as a group is significant for its architectural and historic interest, built as a two-sided terrace in the early mid-19th Century and constructed as single bay houses from London stock brick. The group shares homogeneity to its front elevation with an interesting detail of regimented stone coped undulating parapets and ordered fenestration pattern of eight over eight timber sliding sash windows. It retains significant traditional characteristics with the use of high-quality materials, and the group as an asset remains as an 'intact survivor' of early 19th Century houses, according to the Roupell Street Conservation Area Statement 2007. Their front doors lead directly onto street level and unfussy style extols its simplistic vernacular that is redolent of their humble origins built, according to the Roupell Street Conservation Area Statement 2007, as modest two storey housing for the low social status of the early 19th century.
9. The flat fronted façade juxtaposes with the built rhythm of the rear elevations that resembles an off-shot extension with their visible consistency and mono-pitch roof sitting perpendicular to the main dwelling, subservient to it with lower ridgeline. From my inspection, obvious physical changes have occurred to the rear facades over time, notably outward extensions to outriggers and infill extensions to enclose the space between the side of the off-shot and rear of the main dwelling. Rear fenestration remains largely traditional in style and appearance and continuous in their order and pattern with much continuity visible across the group asset. Despite modifications that have occurred, the rear facades are an important element in defining the character of the heritage asset as a group that retains significant unifying cohesiveness.
10. Internally, the simple two plan form with modest proportions consists of a ground floor room both front and back, accessed off the hallway with off-shot

¹ Application references 22/04254/FUL & 22/04255/LB Erection of a single storey ground floor rear/side infill extension. Approved 25.01.23.

² Appeals references APP/N5660/W/23/3325687 & APP/N5660/23/3325689

containing the main services of the dwelling. Above are three bedrooms to the first floor and a partial basement level.

11. The appeal property forms part of the Roupell Street Conservation Area. From my observations at the site visit and the details available to me, including the Roupell Conservation Area Statement 2007, I consider that the significance of the CA is mainly derived from its narrow and formal streets laid out with good quality robust 19th century terraced houses with significant uniformity and regularity to their appearance of predominantly two storeys. Whilst a number have additional storeys, the regular brickwork, solid-void relationship and undulating parapets form a cohesive streetscape. The regimented form contributes to a cohesive sense of space and quality of environment. The houses within the CA have a unified, small-scale character which is drawn from a very limited number of carefully considered and well executed features including windows, doors and tall chimney stacks.
12. The works and development before me entail the removal of the rear ground floor window to the main house and brickwork below whilst retaining the lintel above to create a doorway for through-access from the back room.
13. There is a single window to each ground floor principal room looking out towards the front and towards the rear yard area. The rear window to be removed is an equally proportioned single timber sliding sash window with six over six panels with moulded and narrow glazing bars, single glazed with brickwork above of curved stone gage. Directly above this window is another window of similar proportions, both of which closely resemble the style and materials of the other existing windows of the appeal property and contributes positively to the characteristics of the heritage asset. Despite some damage to the glazing of the ground floor window, it appears traditional in style and materials and in good order. Even if the evidence presented by the appellant leads me to the view that an earlier infill extension behind this room previously existed, it does not demonstrate that the window has been altered or replaced. All things considered including my inspection of the window, leads me to the view that the window is authentic and traditional to the heritage asset and of significant historical value.
14. Even though some of this rear wall would be retained through the works and development before me and the lintel above the window and width of opening would be retained, historic brickwork below the window would be removed to create the proposed enlarged door aperture. This would be taken together with the consented works and development for the removal of a large amount of traditional brickwork to the side wall of the off-shot in order to enclose the space to the side of it. Therefore, as an accumulation of historic fabric to be removed, with no evidence presented that this earlier consented work would not be undertaken, taken together with the quantity of additional historic fabric below the window to be removed would amount to a substantial and detrimental loss of historic fabric to the heritage asset, in perpetuity.
15. Although the dividing wall between the two ground floor principal rooms has been removed, there remains a portion of original wall between rooms. The historic plan form as two separate rooms including fenestration, chimney pieces and some other historic features allows the traditional plan form to remain legible but nonetheless compromised by this substantial modification. In addition, the fenestration supporting each room contributes positively to the

interpretation of the historical plan layout. To lose this would significantly distort the traditional characteristics of the room that have already been undermined by the loss of dividing wall. Harmfully, the removal of fenestration would further weaken the historic characteristics of this room that is a significant contribution to its historic interest.

16. Aside from the properties either side of the appeal building having infilled the space between the outrigger and the rear of the house, there are other similar developments brought to my attention by the appellant. The Council confirms a number of these approvals are attributed to the Lambeth Estate Design Guide (LEDG) of 1978 that sought to improve welfare conditions of housing to the wider area, including Roupell Street. This document has since been withdrawn by the Council in around 2003 and replaced by the Roupell Street Conservation Area Statement 2007. Therefore, the CA statement carries significant weight and I apportion only very limited weight to the advice contained within the withdrawn LEDG. In other situations, similar extensions to dwellings at Roupell Street are not confirmed by the parties as statutorily listed buildings, or the Council confirms that some windows were not authentic to the heritage asset. In other cases, the Council confirms they have no evidence of consents being granted for this type of development and nor has the appellant submitted confirmation or indeed significant details of these works and development for my pursual. However, as is my duty, I have considered the merits of the works and development before me.
17. Conservation is an active process of managing change to heritage assets in ways that sustain, reveal or reinforce their heritage interest. In this instance the proposal would have a harmful erosive effect on the special interest and significance of the appeal property that is a listed building. The works and development would therefore fail to preserve the special interest of the group value as a whole.
18. When considering proposals within a CA, I have had regard to the extant permission to erect an infill extension that would conceal the historic window that would remain in situ from within the wider CA. However, that permission granted a glazed extension with its translucent properties. Irrespective of whether or not an infill extension would be erected, the proposal before me is to entirely remove a traditional feature which carries significant historical value. Within private views from within the CA, the loss would be noticeable. Therefore to lose this feature would not preserve or enhance the character or appearance of the CA but have a small but adverse effect upon the CA as a whole. The expectations of the Act would not be met in this regard.
19. Paragraph 205 of the National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 208 of the Framework requires the less than substantial harm be weighed against the public benefits of the proposal, including where appropriate, securing the optimum viable use. Bearing in mind the scale and nature of the proposals, I judge that the degree of the harm to the significance of the listed building be less than substantial.

20. Considering the benefits of the proposed works and development, a more commodious means of access would not lead me to conclude that this is a public benefit. The mortar to the exterior around the fenestration has been stated by the appellant to be repointed with a more sensitive alternative appropriate to this heritage asset. However, there is nothing to say that this could not be achieved without the proposal before me. Overall, there are no benefits of this scheme advanced by the appellant that would lead me to conclude that they would outweigh the harm arising by way of this scheme that I have concluded would not preserve the significance and special interest of the listed building or group value as a whole. The property is presently vacant and undergoing renovation and there is no evidence presented to indicate it was not already in its optimum viable use. There is nothing before me to suggest that by not permitting this proposal would compromise its optimum viable use. In accordance with the Framework, great weight should be given to the asset's conservation. These works and development would undermine these principles.
21. Therefore, to conclude, I have found that the works and development would cause harm to the significance of the heritage asset and harm to the group asset as a whole and would not preserve or enhance the character or appearance of the CA. On this basis it would not comply with the heritage protection aims of Policy Q20 and Q22 of Lambeth Local Plan 2020 -2035 (2021), as well as the same objectives of the Framework.

Other Matters

22. The statutory listing description is a means to identify the listed building and does not specify all the features that contribute to the historic interest of the heritage asset.

Conclusion

23. Therefore, to conclude, both appeals are dismissed.

Alison Scott

INSPECTOR