



Appeal Decisions

Site visit made on 27 February 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 30 April 2024

Appeal A Ref: APP/H5960/W/23/3330739

Northcote Lodge Preparatory School, 26 Bolingbroke Grove, Wandsworth SW11 6EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mrs S Thompson of Northcote Lodge School against the decision of London Borough of Wandsworth.
- The application Ref 2023/1097, dated 20 March 2023, was refused by noticed dated 15 May 2023.
- The development proposed is alterations including erection of single storey building to provide new classrooms and ratification of school pupil numbers.

Appeal B Ref: APP/H5960/Y/23/3330738

Northcote Lodge Preparatory School, 26 Bolingbroke Grove, Wandsworth SW11 6EL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mrs S Thompson of Northcote Lodge School against London Borough of Wandsworth.
- The application Ref 2023/1107, dated 20 March 2023, was refused by noticed dated 15 May 2023.
- The works proposed are alterations including erection of a single storey building to provide new classrooms. Installation of 3 x air source heat pumps to roof; Installation of new escape doors; and re-levelling of existing playground.

Decision

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

Preliminary Matters and Main Issues

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).
4. The revised National Planning Policy Framework (the Framework) was published on 20 December 2023. While this is a material consideration in the determination of the appeals, I am satisfied that the revisions are not directly relevant to the main issues in these appeals. Therefore, the interests of the parties would not be prejudiced by my taking it into account.
5. The Wandsworth Local Plan 2023-2038 (the LP) was adopted in July 2023, after the applications were determined. Consequently, the LP is the development plan for the purposes of determining these appeals and it supersedes the Wandsworth Local Plan Development Management Policies that

were cited in the decision notices. However, the decision notices refer to the emerging LP policies and the Council's appeal statement addresses the altered policy context. I am therefore satisfied that both parties will have been aware of the adopted LP and they have been provided with the opportunity to comment on it through the appeal process.

6. The description of the development in the planning application decision notice and the appeal form is "alterations including erection of a single building to provide new classrooms; installation of 3 x air source heat pumps on roof; installation of new escape doors; releveling of existing playground; ratification of school pupil numbers. (Listed Building Consent 2023/1107)". Although the planning appeal form states that the description has not changed from that stated on the application form, nevertheless the descriptions differ. Therefore, I have adopted the original description from the application form in the banner heading above.
7. The planning application was refused on several grounds, including in relation to the proposed acoustic timber fencing. However, the appellant states that the proposed Air Source Heat Pump, and consequently the acoustic fence, no longer forms part of the proposal.
8. Planning permission and listed building consent (Refs: 2022/4057 and 2022/4090) was granted in 2023 for the re-leveling of existing playground and associated works. Consequently, the acceptability of those elements of the proposal have already been established.
9. Therefore, based on the evidence before me, the main issues are whether the proposal, with particular reference to the single storey building, would:
 - i) Preserve a Grade II listed building "26, Bolingbroke Grove" (Ref: 1183521) (the LB), 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 Wandsworth Common Conservation Area (the CA); and
 - ii) Make adequate provision for waste storage and servicing.

Reasons

Heritage assets

10. The CA covers the open common and the surrounding principally residential urban area, which includes Victorian terraces and prominent community buildings laid out in a largely regular grid pattern of streets. The streets leading away from Bolingbroke Grove and the common are densely developed, featuring two- and three-storey semi-detached properties in brick with a variety of architectural features including bays, parapets, cornices and string courses. The part of Bolingbroke Grove that includes the appeal site is characterised by mid to late Victorian 3-storey detached and semi-detached buildings set back from the road and well-separated from neighbouring properties to the rear. The significance of the CA, insofar as it relates to these appeals, is primarily associated with the cohesive architecture and materials of the Victorian townscape.
11. The LB dates from 1876 and it is a substantially large detached house of two main storeys plus basement and garret. It is a picturesque design in yellow

brick, with red brick dressings, arched windows and a Dutch-gable frontage. It is set well back from Bolingbroke Grove in large grounds that extend along Dents Road. Historic maps illustrate that the LB frontage has remained relatively unchanged but the historic grounds to the rear have been subdivided and developed, with a range of ancillary school buildings and playground.

12. In this regard, the single storey matron's office and the hall building to the rear of the site were constructed after 1948. However, the two-storey Gymnasium building to the rear of the matron's office was apparently constructed shortly after the conversion of the LB to a school in the late 19th century. The curtilage listed Gymnasium building is a substantial building but its wide separation and its high quality design respects and reflects the LB, including in terms of its decorative gables, matching brick and brick dressings and its fenestration. Notwithstanding the listed building description states that the outbuildings are of no interest, by virtue of the passage of time since the building was listed and its architectural and historic relationship with the LB, the curtilage listed building has heritage value. Given the above, I find that the Gymnasium building contributes to the special interest of the LB, insofar as it relates to these appeals, as a prominent and high status dwelling constructed as part of the late 19th century development of the area, and its subsequent conversion and ongoing use as a school.
13. The proposed classroom would extend from the matron's office towards the playground, finishing beyond the principal side elevation of the Gymnasium. It would protrude forward from the gable end of the Gymnasium to finish in close proximity to the rear of the LB. Notwithstanding previous alterations to the rear of the LB, including fire escape, matron's office and playground, there is little evidence of a historic precedent for an ancillary outbuilding in this location.
14. At the point of attachment to the Gymnasium building, part of the existing gable wall and the ground floor window would be removed and replaced with bifold opening doors. While the existing fanlight would be retained above the classroom building, the loss of the historic ground floor window and the introduction of contemporary bifold doors would not be sympathetic or in keeping with the historic character and appearance of the curtilage listed Gymnasium building. Consequently, the proposal would significantly detract from the Gymnasium building and there would be a loss of historic fabric.
15. While it would be relatively low in height, the new building would be substantially large. Notwithstanding its vertical emphasis, the extensive glazing would not relate well to the pattern or arrangement of fenestration in the LB and curtilage listed building. The external render and extensive flat green roof would be similarly out of keeping in the context of the traditional materials and pitched roofscapes of the LB. The classroom would be an alien and incongruous feature that would not be assimilated into its surroundings. It would disrupt the visually harmonious group of school buildings, including during conditions of low natural daylight due to the extensive glazing. By virtue of its siting, scale and design, it would be a discordant and prominent feature that would detract from the architectural and historic interest of the LB.
16. With the exception of the modern two-storey building to the rear of the site, the LB and associated school buildings abut the Dents Road footway. However, the matron's office is a low building with a blank rear elevation such that, while its low clock tower and front gable feature are visible from the road, it gives

the impression of a brick boundary wall between the LB and the Gymnasium. As the proposal would be taller than the matron's office, it would be visible from Dents Road and the nearby houses. In some views, the proposal would be seen against the backdrop of the tree canopies in the neighbouring rear gardens. In this context, the green roof could help assimilate the large flat roof into its surroundings. Nevertheless, by virtue of its size, height above the boundary and external render, the building would be a visually obtrusive feature. Its overtly contemporary design would be conspicuous and wholly out of keeping in the context of the coherent school group. It would not make a positive contribution to sense of place nor maintain or enhance the distinctive Victorian townscape. On the basis that it would be prominent in views, it would be capable of harming the wider character and appearance of the CA.

17. Given the above, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
18. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, 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. Given the scale and nature of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
19. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use. The appellant acknowledges that the modern classroom building would be out of keeping and it would result in less than substantial harm to the heritage asset. However, she considers that there would be significant benefits including: the provision of modern, light and airy and adaptable teaching spaces; additional space in accordance with Department for Education (DfE) guidelines for mainstream educational facilities, resulting in a higher quality learning experience; and the provision of special needs assistance space for students requiring additional help including those with mobility issues. Furthermore, the proposal would be an energy efficient building and the green roof would benefit biodiversity.
20. Enhanced educational facilities provide social and community benefits, but there is little substantive evidence that the existing school fails to provide pupils with a reasonable standard of education. Similarly, there is an absence of substantive evidence relating to the existing provision for pupils with special needs, or how the new classroom spaces would better function in this regard. The new classrooms would provide more generous space per pupil than many of the existing rooms. However, the DfE guidelines are non-statutory and intended to be applied flexibly, depending on circumstances. There would be modest, short-term economic benefits during construction. The green sedum roof would provide limited biodiversity benefits. There is little evidence that the proposal would increase the energy efficiency of the school or make more than a limited contribution to climate change mitigation. The location is accessible by sustainable transport modes, but this a requirement of planning policy and

not a public benefit. The proposal would provide additional cycle storage, but it would not demonstrably reduce car journeys.

21. Even accepting these could collectively amount to moderate public benefits, they are not sufficient to outweigh the harm that I have identified, taking into account the great weight attached to the asset's conservation. Moreover, there is little to suggest that the continued viable use of the appeal property is dependent on the proposal as the building has an ongoing use that would not cease in its absence.
22. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building and the character or appearance of the Wandsworth Common Conservation Area would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act, paragraph 205 of the Framework and conflict with LP policies LP1 and LP3 that seek, among other things, to ensure that proposals conserve the significance and character of heritage assets, taking into account the prevailing local vernacular, character and architectural precedents. As a result, the proposal would not be in accordance with the development plan.

Waste storage and servicing

23. The planning application was refused on grounds relating to the absence of details in relation to refuse and recycling provision to demonstrate sufficient capacity to serve the 260 pupil capacity that the proposal seeks to ratify.
24. The evidence with the appeal clarifies that the proposal would not increase pupil numbers and the existing arrangements for waste and recycling would continue if the appeal was allowed.
25. Therefore, on the basis that the existing arrangements are adequate for the current number of students, and this number would not be increased, I conclude that the proposal would make adequate provision for waste and recycling. It would accord with LP Policy LP2 in this regard.

Other Considerations

26. The LP recognises the importance of social and community infrastructure and facilities, including schools, and their vital contribution to sustainable communities. Accordingly, LP Policy LP17 supports the principle of new, improved or extended social and community infrastructure. This is consistent with the policies in the Framework, including paragraph 99 which advises that great weight should be given to the need to create, expand or alter schools in order that a sufficient choice of school places is available to meet the needs of existing and new communities.
27. As noted above, there would be no increase over existing pupil numbers. While the proposal would create larger, modern classrooms, I am not aware that the school is currently failing to provide pupils with a reasonable standard of education or that it cannot accommodate children with special needs or mobility issues. As the proposal would not demonstrably contribute significantly to policy aims in relation to meeting community needs, the policy support in this regard carries only limited weight in favour of the proposal.
28. The proposal seeks to ratify a 260 pupil school capacity. This would be in accordance with the capacity indicated on the Government's Get Information

About Schools return, which appears to be based on school census data. This number would be considerably higher than the 140 maximum number of students established by earlier planning permissions or the existing number, which is stated to be 224 pupils although I note the Government data indicates 202 pupils in 2023. Nevertheless, the Council considers that increased pupil numbers would be acceptable in principle, subject to the proposal being acceptable in other regards. However, this is not a matter that weighs in favour of the scheme.

29. I understand that the existing school provides roughly 1.5sqm per pupil, based on 18 pupils per classroom, which is less space than recommended in the DfE guidelines. However, the room size inventory includes many rooms that are not classrooms and it is not entirely clear which rooms were included in the space calculation. While a number of rooms may be too small to accommodate 18 pupils, there appears to be a reasonable number of classrooms that could accommodate 18 pupils at 1.8sqm or thereabouts. Moreover, while I accept that dividing year groups may not be ideal, including in terms of the efficient use of staff, the evidence suggests that some years comprise smaller class sizes such as may be accommodated in the existing smaller classrooms.
30. That being said, the proposed classrooms would undoubtedly provide a contemporary, spacious and flexible teaching environment for staff and pupils. Even so, the DfE guidelines are clear insofar as they are non-statutory, they do not necessarily have to be met in every case and should always be applied flexibly in light of the particular circumstances. Taking into account the particular circumstances of the designated heritage asset, and the existing pupil numbers, there is little compelling evidence that strict adherence to the guidelines is necessary or that it weighs to any significant degree in favour of the scheme.
31. I note the reference to the provision of special needs assistance space for students requiring additional help and those with mobility issues. However, there is little substantive evidence in this regard and it has not been demonstrated that these needs are not being met by the existing facilities. Moreover, even if there was an essential need to provide specialist facilities, it has not been demonstrated that similar benefits could not be achieved by alternative proposals that would result in less or no harm to the heritage asset.
32. The third party representations raise concerns in relation to the safe operation of the highway around the school. However, the proposal was not refused on grounds relating to highway safety and, on the basis that the proposal would not increase student numbers, this is not a matter I need to consider further.

Conclusion

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

Sarah Manchester

INSPECTOR