

Appeal Decision

Site visit made on 22 August 2024

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th October 2024

Appeal Ref: APP/N5660/Y/24/3337607

19 The Quadrangle, Herne Hill, Lambeth, London SE24 9QR

- 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 Lexadon Property Group against the Council of the London Borough of Lambeth.
 - The application Ref is 23/03835/LB.
 - The works proposed are the renovation of the property, including metal stud partitions, electrical wiring upgrade, previously removed partitions will be restored, loft insulation, and original windows and entrance door conserved and repaired as necessary.
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Decision

1. The appeal is dismissed and listed building consent is refused.

Preliminary Matters

2. The description of the proposed works used in the header above is an abbreviation of the description used in the application form. Although lengthy, the description given in the application form is particularly vague. It also differs from the description given on the appeal form. Part 7 of the appellant's design, access and heritage statement provides a more detailed list, and states that the 'principal' proposals are:
 - Retention of the original plaster skirting;
 - Original floors (wood boards in the living room and tiles in the lobby) to be retained and repaired;
 - Vinyl floor covering to concrete floor (kitchen and shower room);
 - Install new full height dry lined partitions consisting in metal stud walls. The wall will be faced with plasterboard and painted white. The new partitions will recreate the previously existing shower room but with modern fixtures and fittings;
 - Reinstatement of original internal timber door to the living space from the entrance lobby;

- All windows to be retained and repaired;
 - Entrance Door to be retained and repaired;
 - Fireplace covered in tiles to be repristinated to the original aspect;
 - Fitted modern kitchen (as shown in the proposed plan);
 - Existing original cupboard doors to be repristinated;
 - Reinstatement of the existing lath and plaster ceiling; and
 - Internal Insulation of existing loft with 75mm insulation boards fixed internally.
3. In addition to the above list, Appendix B of the statement also adds the installation of new electric panel heaters; new fuse board, sockets and switches; the stripping and repainting of timberwork, retention and repair of terracotta tiles; new shelving in the lobby and larder cupboard replacement of w.c.; and use of the existing vent in the bathroom. The existing plans also propose a 'new picture rail to match the original'.
 4. The application describes all of the works listed above as a scheme of renovation. I have, therefore, determined the appeal on this basis, noting that there is no request for me to issue a split decision, should I consider some elements of the scheme acceptable.
 5. Notwithstanding the above, in its appeal statement the Council refer to additional works, including such matters as the removal of the balustrade and picture rails; the removal of ceiling fabric and the subsequent filling of the opening; the installation of framing on the internal walls and studs on the ceiling; the removal of the partition wall to the kitchen; and the fitting of a new vent pipe. There is also reference in the Council's evidence to 'other associated internal refurbishment works', although these are not detailed.
 6. The Council has acknowledged that some of the above elements are not referred to in the application and I have been given no indication that the appellant has agreed to these matters being added to the scheme of development proposed. Nevertheless, the Council has considered the effect of these additional works in its submissions.
 7. To be clear, my determination of the appeal is confined to the renovation scheme comprising the elements listed in the documents that accompanied the application. Whilst some of these works may have commenced, I have considered the renovation scheme on the basis of what is proposed. I have not considered any other works that have been undertaken to the property.
 8. Clearly some of the matters that comprise the proposed scheme of renovation, such as the retention of original plaster skirting and the use of the existing vent, do not comprise works for the purposes of section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the 1990 Act). Furthermore, other elements of the works listed may not require listed building consent as they may not affect the character of the heritage asset as a building of special architectural or historic interest. As for the remaining works, I have noted the principal elements that are the focus of the Council's objections. I consider these in turn below.

9. At the site visit I observed the condition of the property, including what appeared to be a newly plastered patch on the ceiling and metal brackets fixed at intervals across the ceiling. Across most walls of the property I saw a horizontal scar, at picture rail height, as well as metal rails fixed to the walls. Behind the rails I could see skirting at the base of most walls. There was a vertical mark across the window and rear wall below it, in the side wall, and in parts of the floor and the ceiling, possibly indicating the location of former internal partitions or features. Works appeared partly complete to erect a new timber and board partition enclosing the bathroom area. The cupboard doors and most of the floor tiles adjacent to the front entrance were present. Otherwise, there were exposed floorboards in the remainder of the property. I also saw a section of pipe within the bathroom, inserted through the front wall of the property.

Main Issue

10. I consider the main issue in this case to be whether or not the proposal would preserve the Grade II listed building, The Quadrangle, or any features of special architectural or historic interest which it possesses.

Reasons

Special Interest and Significance

11. The listing description (list entry 1467983) describes the heritage asset as a philanthropic housing development dating from 1911 and built for professional unmarried women. It consists of small flats arranged around a quadrangle, designed to provide its residents with individual privacy as well as promoting a sense of community.
12. Having regard to the evidence before me, the special interest and significance of the listed building is derived from its architectural and historic interest. The exterior and interior of the complex have remained largely intact. Pertinent to the appeal, whilst the flats vary in size, floor plan and detailing, internal layouts and features of interest have mostly survived. These include doors and windows, chimneypieces, tiling, picture rails, cupboards, and balustrade partitions defining bed recesses.
13. Like other units within the complex¹, the internal layout of the appeal property is confined, with a small bathroom and kitchen area, as well as limited, yet adequate living and sleeping space. This layout and features of the appeal property (some of which is still legible) demonstrate the particular purpose for which each unit in the complex was designed, which adds to the building's authenticity.

The Proposal

14. The proposal includes the installation of a new metal stud wall partition to enclose the bathroom. It is suggested that these works would result in an alteration to the layout of the unit to create a slightly smaller bathroom than previous.

¹ During the site visit I was shown two other units.

15. The proposed adjustment to the floor plan of the unit alone might well have an acceptable effect on the special interest and significance of the heritage asset. However, the appellant has provided little detail regarding the new partition wall, including whether there is an intention to replicate the historic timber work and skirting that might have been present on the existing partition wall or elsewhere in the property². Without this information I cannot be certain that this element of the proposed scheme would preserve the listed building's special interest and significance.
16. The proposal also includes the 'reinstatement of the existing lath and plaster ceiling', which indicates an intention to replace the existing ceiling. Again, there is little information about the condition of the existing ceiling, such that I can conclude that its replacement and the loss of historic fabric is necessary. Notwithstanding this, I observed the section of the ceiling that has been plastered, following an attempt to install a set of stairs into the roof space above the unit. Other than this, the ceiling appeared to be in a good state of repair.
17. Without sufficient evidence to demonstrate the need for the replacement of the existing ceiling, I cannot conclude that the loss of historic fabric would be justified, such that the proposed works would preserve the special interest and not harm the significance of the listed building.
18. Furthermore, the means of installing the loft insulation boards within the existing loft space has not been specified. The ceiling is complete with no obvious hatch or other means of access to the loft area. It is likely that the further loss of the existing fabric (be that historic or new) would be necessary to install the insulation boards. Without the necessary details of how this would be achieved, I cannot meaningfully assess the effects of this element of the proposed scheme.
19. I noted the condition of the fireplace. Whilst it may be the case that the existing tiles, proposed to be removed, detract from the special interest and significance of the heritage asset, there is limited detail regarding the proposed finish of the works to re-pristinate the fireplace, such that I could conclude that the building's special interest would be preserved and harm would not be caused to its significance.
20. Finally, whilst the proposal to repair certain features is noted, the condition of these features, the extent of the works of repair proposed and the materials to be used has not been detailed. I am, therefore, unable to conclude that these proposed works preserve the special interest and do not harm the significance of the heritage asset.
21. I have considered whether the imposition of conditions would address any of the matters set out above. However, the details that would be required by any such conditions are fundamental to understanding the effects of the proposed works on the special interest and significance of the listed building.
22. It is essential that the details submitted with an application are accurate and unambiguous to avoid any doubt about what is proposed. This is imperative,

² As I have mentioned above, whilst I noted some plaster skirting at the site visit, there was an obvious horizontal scar in the walls around the room, indicating that there had been a picture rail, but that this is likely to have been removed at some point.

given the building's Grade II listed status. I have had regard to the appellant's intention to make improvements to the property so that it can provide a better quality unit of housing. However, without the necessary detail I am unable to properly assess whether the proposal would preserve the Grade II listed building known as The Quadrangle, or any features of special architectural or historic interest which it possesses.

23. Consequently, I cannot reasonably determine whether the proposal would meet the requirements of sections 16(2) of the 1990 Act. Nor can I draw any conclusions against the relevant policies of the Lambeth Local Plan 2020–2035, adopted September 2021, the London Plan, adopted March 2021³, or the relevant provisions of the National Planning Policy Framework.
24. The Council may not have requested additional information regarding the detail of the proposed scheme. Nevertheless, I have reached my own conclusion on the evidence before me and therefore this does not detract from my findings in this regard, which is born out of a lack of information and uncertainty over what is proposed.

Other Matters

25. I note that there is no objection to the proposal from members of the public or any other interested party. This does not, however, change my conclusions above or weigh in favour of allowing the appeal.

Conclusion

26. For the reasons given above, I conclude that the appeal should be dismissed and listed building consent refused.

J Moss

INSPECTOR

³ Notwithstanding that, as the appeal has been made under section 20 of the 1990 Act, it need not be determined in accordance with the development plan.