
Appeal Decisions

Site visit made on 7 October 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2025

Appeal A Ref: APP/N5660/D/25/3365023

51 Courtenay Street, Lambeth, London SE11 5PH

- 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 Ms Anna Bruning against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24-03176/FUL.
 - The development proposed is a single storey rear 'infill' extension with associated internal alterations and the installation of new like-for-like sash windows throughout.
 - Erection of a single storey rear infill extension, with associated internal alterations, with the installation of new like-for-like sash windows.
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Appeal B Ref: APP/N5660/Y/25/3365022

51 Courtenay Street, Lambeth, London SE11 5PH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Ms Anna Bruning against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24-03177/LB.
 - The works proposed are as per Appeal A.
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Decisions

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

Preliminary Matters

3. Although the application form indicates that work has not already been started, the main parties agree that the like-for-like sash windows have been installed by the appellant and I observed during my site visit that other renovation works were underway or had been completed. Nevertheless, as other aspects of the proposal have not commenced, I have treated both appeals as proposed and have determined them with reference to the application drawings.
4. As the site comprises part of a listed building, I have had regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). Given the site is located within a conservation area, I have also had regard to section 72(1) of the Act.
5. Whilst I am aware that the appeal property is the subject of an enforcement case, this is not a matter for these decisions.

Main Issue

6. The main issue in both appeals is whether the proposal would preserve the Grade II listed building comprising 45-51 Courtenay Street SE11¹ or its setting or any of the features of special architectural or historic interest it possesses; and whether it would preserve or enhance the character or appearance of the Kennington Conservation Area (the KCA).

Reasons

7. The appeal site comprises the end property within a building constructed during 1913-1914 as part of the comprehensive redevelopment of land within the Duchy of Cornwall's Estate. The building is made up of two pairs of mirrored two-storey cottages which collectively form one listed building entry. It is constructed from yellow stock brick with a feature cill band at first floor level and a top cornice and blocking course. Other features of the building include sash windows with gauged brick detail above and lozenge-glazed top lights over the front doors.
8. At the rear, each cottage has a single storey projection with a mono pitched roof. The adjoining property to the site (49 Courtenay Street) is the appeal cottage's pair and also has a single storey projection, mirrored along the site boundary. This arrangement is replicated in the other pair of cottages within the listed building (45 and 47 Courtenay Street). None of the cottages have other projections into their rear gardens. Therefore, the listed building's footprint, together with its roofscape forms and fenestration arrangement to the front and rear elevations, accentuates the symmetry of the listed building.
9. The architects of Courtenay Street and nearby Courtenay Square and Cardigan Street were Stanley Davenport Adshead and Stanley Churchill Ramsay. The KCA Statement² identifies this part of the Estate as a particularly fine example of early twentieth century town planning and urban renewal. Courtenay Street comprises predominantly two storey residential properties fronting onto a fairly narrow road. Despite the variation in roofscapes, materials, porch styles and the incorporation of shallow bay windows at ground floor level to some dwellings, the street has a uniformity that is emphasised by consistent building lines and low-level white hoop topped cast-iron railings which bound the pavement on both sides of the street.
10. The southern part of the street, including the appeal dwelling, is characterised by modest Regency style buildings with clean lines, a uniform arrangement of openings and the selective use of colour and architectural features. Around Courtenay Square, more decorative features and adornments, such as arched windows and swept canopy porches with ornate, white cast-iron trellis supports contributes to the smart formality of the architecture.
11. The special interest of the listed building, insofar as it is relevant to the proposal, includes the symmetry of its form, including its footprint, fenestration arrangement and roofscapes alongside the incorporation of subtle architectural features that reflect the Regency style vernacular. While the official listing focuses primarily on the features present in the building's façade, nevertheless, the purpose of a listing is for identification, rather than providing a complete or exhaustive description of its special interest. Moreover, unless otherwise stated, the listing includes the

¹ List Entry Number: 1080448, date first listed 27 March 1981

² Kennington Conservation Area Statement (KCA Statement), dated March 2012

structure itself and any object or structure fixed to it (whether inside or outside) or within its curtilage.

12. In addition, the considered approach the aforementioned architects took when planning the pattern of development within the surrounding area, including the wider KCA, its part in the renewal of the Duchy's Estate and the overall quality of the area is intrinsically linked to the features and characteristics of the listed building. These factors make a positive contribution to the significance its setting makes to the special interest of the listed building. Furthermore, the aforementioned architects and their approach to the comprehensive redevelopment of the Duchy's Estate also underpins the significance of the KCA, alongside the formal road pattern and quality of the built form therein, including the listed building as a whole.
13. To facilitate the proposed infill extension, part of the rear elevation of the dwelling at ground floor level and the side elevation of the single storey projection would be removed, resulting in a loss of part of the historic fabric of the building. In addition, structural steelwork would be required to support the rear elevation at first floor level. The specific construction details of these works, including the size and type of structural support required, have not been provided. As such, I am unable to quantify the effect these works would have on the property internally or externally.
14. Despite having a small set back in the depth of the extension to provide a contrast with the existing rear projection, in response to the refused planning application³ and listed building consent⁴, nonetheless the introduction of a flat roof would disrupt the symmetry of existing roofscape and rear elevation of the listed building. Furthermore, the full height glazed, three-section bi-fold and fully glazed door in the existing rear projection would introduce openings of a scale that jar against the proportions of the existing windows.
15. The additional floorspace created between the rear projection and the rear boundary with the properties off Courtenay Square would also unbalance the footprint of the listed building and, in turn, harm the spatial character of the KCA and the ability to appreciate the appeal property's historic spatial form. Although not visible from the street, the rear extension would still be appreciable in views from nearby private garden areas, including properties in the KCA, despite being partially screened by existing trees.
16. Whilst the currently installed windows are referred to as 'like for like' replacements of the property's historic sash windows, they are noticeably different from those elsewhere in the front elevation of the listed building, with thicker jambs, horns and a spring balance mechanism. Moreover, the window details provided with the application comprise extracts from a window manufacturer's general sales information. These details are not specific to the appeal property nor are they consistent with the installed windows.
17. Notwithstanding that the property once had windows installed much further forward than would historically have been the case, as indicated by the residue which I observed remaining on the external brickwork and cills, this is not a reason to allow the replacement of unauthorised windows with further unauthorised and unauthentic windows. As set out in the Lambeth Design Guide - July 2023 (Design

³ Council ref: 24/01281/FUL, dated 5 August 2024

⁴ Council ref: 24/01282/LB, dated 5 August 2024

- Guide), the use of double glazing should only be considered if it accurately matches the appearance of the original (historic) windows, their frames, glazing bars and the reflective qualities of the glass. It has not been demonstrated that the installed windows or those shown in the manufacturer's details would achieve this.
18. The Council's Officer Report indicates that internal walls at ground floor level have been removed unlawfully, referring to auction particulars from 2023/2024. However, these details are not before me and the appellant has emphasised that the walls had been removed prior to purchasing the property early in 2024, hence the existing floor plans show an open plan lounge/dining room.
 19. Nonetheless, various internal alterations to the property are proposed including the creation of a utility room and toilet on the ground floor, requiring partition walling to be installed, extending the wall between the hallway and lounge area. The resultant ground floor layout plan would, aside from the new utility and toilet, be fully open plan, taking the form of one, large L-shaped space. This would result in almost the complete removal of the dwelling's historic floor plan at ground floor level.
 20. Despite the use of matching materials, I conclude that the proposal would result in harmful alterations and additions to a designated heritage asset, which would detract from its importance. It would not, therefore, preserve the Grade II listed building or its setting or the features of special architectural or historic interest it possesses. Nor would it preserve or enhance the character or appearance of the KCA.
 21. As such, the proposal conflicts with policies Q5 and Q11 of the Lambeth Local Plan 2020-2035 (the Local Plan) which requires development to respond to the positive aspects of its locality, including its vernacular architecture, amongst other features. It is also contrary to the Design Guide in this regard.
 22. The proposal also runs counter to s16(2), s66(1) and s72(1) of the Act. The level of harm to the listed building and the KCA, in this case, would be less than substantial. Taking into account the disruption the proposal would have on the symmetry of the listed building's footprint, rear roofscape and fenestration arrangement, in addition to the loss of the internal layout, the magnitude of harm would be moderate. Through the incongruous addition to the pattern of development and the introduction of double glazing that differs from the rest of the listed building, the proposal's effect on the KCA would be at a low level of less than substantial harm.
 23. In accordance with the Framework⁵, harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification and should be weighed against the public benefits which would be derived from it, including securing its optimum viable use, where appropriate. Policies Q20 and Q22 of the Local Plan reflect this approach.
 24. The proposal would provide additional accommodation that supports a modern lifestyle, assisting in helping to future-proof this part of the listed building. Whilst this would primarily be for the benefit of the appellant, social benefits would be derived from the housing stock and is supported by Policy Q11 of the Local Plan. The various construction and alteration works would also lead to economic benefits through supporting employment and business for local trades, albeit at a small

⁵ National Planning Policy Framework (the Framework)

scale. The installation of correctly fitted and insulated double glazing would have an environmental benefit in terms of thermal retention and reduced heat costings. Again, due to the scale of the scheme, such benefits would also be small.

25. The appellant emphasises that much of these works are necessary to make the property habitable following a period of time when the dwelling was occupied by squatters. During my site visit I did observe that the roof of the appeal property's rear projection was covered with waterproofing sheeting and internally, some of the plaster and insulation material was missing. However, in the absence of photographic evidence showing the property when it was purchased by the appellant, its condition on that date is unverified. Moreover, as various renovations have already been carried out internally and the property is currently occupied by the appellant, I am unable to conclude with certainty that it was at considerable risk of further neglect, decline and/or damage prior to its purchase. Nor has it been demonstrated that the continued optimal viable use of the property as a dwelling is dependent upon the proposal in its entirety.
26. My attention has been drawn to several properties in Courtenay Street and within other nearby streets that have been granted planning permission for extensions and/or internal alterations, considered by the appellant to be comparable to the appeal scheme. However, specific details of these are not before me and, whilst also located within the KCA, not all referenced properties are listed. In addition, many permissions and consents relate to decisions determined some time ago when a different planning regime was in place. Nevertheless, I have found the proposal would not preserve the listed building or the KCA. Consequently, the presence of similar development to the appeal scheme within the surrounding area does not weigh in favour of the proposal.
27. The totality of the benefits specified above do not, however, outweigh the level of harm identified to the special interest of the listed building and the significance of the KCA. Clear and convincing justification for this harm has not been demonstrated. The proposal would fail to preserve the special historic interest of the listed building and the character or appearance of the KCA would not be conserved or enhanced. This carries considerable importance and weight, consistent with the statutory duties in the Act and as reiterated within the Framework.
28. Consequently, I conclude that the proposal would not preserve the Grade II listed building comprising 45-51 Courtenay Street SE11 and its setting and any of the features or special architectural or historic interest that it possesses. Nor would it preserve the character or appearance of the KCA. It would, therefore, be contrary to policies Q20 and Q22 of the Local Plan and the approach to building alterations and extensions within the Design Guide together with the provisions of the Framework.

Other Matters

29. The absence of harm to the living conditions of occupiers of the appeal cottage or those within nearby properties does not weigh in favour of the appeal scheme.
30. The behaviour of the Council during the determination of the planning application and listed building consent is not a matter for this decision.

Conclusion

31. For the reasons set out above, I conclude that proposal is contrary to the development plan as a whole and material considerations, either individually or in combination, do not indicate that it should be determined other than in accordance with it. For the reasons given above, and having regard to all relevant matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Juliet Rogers

INSPECTOR