

## DUGARD WAY, KENNINGTON, LONDON, S.E.11.

### A RESPONSE TO THE HERITAGE ASPECTS OF THE PROPOSALS

Proposed demolition of the Woodlands Care-home and the redevelopment of the site with one hundred and twenty-six residential units comprising a central block ranging from three to fourteen storeys in height and peripheral blocks, part-three and part-four storeys in height, with servicing, parking for those with disabilities, cycle-parking, landscaping, public realm, new vehicular and pedestrian access and associated works, retaining the former Administrative Block (present Cinema Museum) and associated ancillary buildings unaltered.

### APPLICATION REFERENCE 21/04356/FUL

‘Development proposals should: ...Enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions’ and ‘respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character’.

*The London Plan, March, 2021, Policy D3. D. 1) and 11)*

#### I. INTRODUCTION

- I.1 This statement has been prepared by Paul Velluet, Chartered Architect, on behalf of Mr Jamie Hamer, the owner and occupier of the listed Water Tower, in parallel with the objections already submitted by The Stop the Blocks Community Action Group, The Victorian Society and Historic Buildings and Places in response to the proposed development proposals put forward by T P Bennett on behalf of Anthology Kennington Stage Ltd which are the subject of the current application for Planning Permission, Lambeth Council reference 21/04356/FUL. The statement focuses on heritage-related aspects of the proposals.
- I.2 The statement is based on an inspection of the application-site and its immediate and wider settings, including nearby conservation areas, and an understanding of their particular special interest and significance – see Appendix A; on a careful reading of the drawings and other relevant documentation submitted in support of the application; and an assessment of the potential effects of the proposals on designated and non-designated heritage assets against the relevant national, London-wide and local planning policies and guidance – see Appendix B.

1.3 Importantly, it is noted that despite the application-site including the listed Administrative Block of the former Lambeth Workhouse and the various, surviving, original, ancillary buildings that fall within the curtilage of the former Administrative Block and thereby share in its listed status, and which are also locally listed, no works of repair, alteration or extension to those buildings are proposed. Whilst it is noted that landscaping and other works relating to the surface areas immediately adjacent to those buildings are proposed, no definitive proposals for the restoration, improvement or enhancement of the present Cinema Museum are being put forward; let alone, as potential heritage or other public benefits to balance or outweigh any harm effected to the significance of the listed Administrative Block or other heritage assets resulting from the current development proposals. Accordingly, it is assumed that any works of works of alteration or extension affecting the character of those buildings will be made the subject of separate applications for Listed Building Consent at some future stage.

## 2. SUMMARY

2.1 This statement concludes that the proposed development of a block at the centre of the application site, rising from three to fourteen storeys (Block A), by virtue of its siting in relation to the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse and other designated and non-designated heritage assets, and its overall height and bulk will:

- Fail to sustain and reinforce the local distinctiveness of this part of Lambeth or contribute a creative and innovative contextual response to positive aspects of the locality and its historic character, contrary to Policy Q5. A, B and C of the *Lambeth Local Plan* of September, 2021;
- Fail to possess the bulk, scale/mass, siting building line and orientation which adequately preserves or enhances the prevailing local character, contribute towards the intended future character of the area, contrary to Policy Q7. i and ii of the *Lambeth Local Plan*, of September, 2021;
- Fail to conserve, but rather, will have a harmful impact on the immediate settings and significance of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse, and on the settings of the various, surviving, original, ancillary buildings that fall within the curtilage of the former Administrative Block and thereby share in its listed status, and the settings of the nearby listed, former Lambeth Magistrates' Courthouse and Fire Station at nos. 43 and 46, Renfrew Road, and the K2 telephone kiosk outside the former Magistrates' Court, and on views to and from the listed buildings contrary to Policy Q20. i, ii and iv of the *Lambeth Local Plan* of September, 2021;

- Fail to preserve or enhance the character or appearance of the Renfrew Road Conservation Area or protect its setting, including views in and out of the area; and fail to protect views out of the Walcot Square Conservation Area, contrary to Policy Q22. A of the *Lambeth Local Plan* of September, 2021; and will also harm views out of the Elliotts' Row Conservation Area in Southwark;
- Cause harm to the setting of the former *Court Tavern*, Public House, at no. 42, Renfrew Road as a non-designated heritage asset of local significance contrary to Policy Q23. C. of the *Lambeth Local Plan* of September, 2021;
- Have an adverse impact as a tall building on the settings of heritage assets, and, in the absence of clear and convincing justification, or evidence demonstrating the appropriateness of the site for a tall building having regard to the impact on heritage assets, the form, proportions, composition, scale and character of the immediate buildings and the character of the location, or that it forms part of a comprehensive scheme which integrates well with the locality, is contrary to Policy Q26. B. of the *Lambeth Local Plan* of September, 2021;
- Fail to provide proposals which enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions, and respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character, contrary to Policy D3. D. 1) and 11) of the *London Plan* of March, 2021;
- Fail – as noted very clearly in paragraph 22 of the GLA's pre-application advice of the 4<sup>th</sup> August, 2021- to adhere to the policy for the location of tall buildings set out in Policy D9. B. 3) of the *London Plan* of March, 2021;
- Fail to conserve the significance of affected heritage assets by being sympathetic to their significance and appreciation within their surroundings, contrary to Policy HCI.C of the *London Plan* of March, 2021;
- Will fail to be visually attractive as a result of good architecture and layout, and to be sympathetic to local character and history, including the surrounding built environment and landscape setting, and fail to establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and a distinctive place to live, work and visit contrary to Paragraph 130. b), c) and d) of the *National Planning Policy Framework* of July, 2021;

- Fails to take account of the views of the community and effective engagement with the community contrary to Paragraph 132 of the *National Planning Policy Framework* of July, 2021;
- Cause substantial harm to the immediate settings - and to the significance to which they positively contribute - of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse and to the significance of the Renfrew Road Conservation Area as designated heritage assets, and to the immediate settings - and to the significance to which they positively contribute - of the various, surviving, original, ancillary buildings that fall within the curtilage the listed Administrative Block and thereby share in its protected status and to the immediate settings - and to the significance to which they positively contribute - of the nearby listed, former Lambeth Magistrates' Courthouse, former Fire Station at nos. 43 and 46, Renfrew Road and K.2 telephone kiosk outside the Courthouse, as designated heritage assets, and to the immediate setting - and to the significance to which it positively contributes - of the former *Court Tavern*, Public House, at no. 42, Renfrew Road, as a non-designated heritage asset; and harm to the settings – and to the significance to which they positively contribute - of listed and other buildings within the Walcot Square and Elliott's Row Conservation Areas as designated heritage assets, and, in the absence of clear and convincing justification and sufficient potential benefits that would outweigh or balance such harm would be contrary to Paragraphs 197, 199, 200, 201, 202 and 203 of the *National Planning Policy Framework* of July, 2021;
- Fail to either enhance or better reveal the significance of the Renfrew Road Conservation Area in which part of the application-site is located or the significance of the listed buildings and other structures, the immediate settings of which the proposed development will affect, and will fail to preserve those elements of their settings that make a positive contribution to the relevant assets, contrary to paragraph 206 of the *National Planning Policy Framework* of July, 2021;
- Fail to preserve the immediate settings of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse (and the settings of the various, surviving, original, ancillary buildings that fall within the curtilage of the former Administrative Block and thereby share in its protected status) and the settings of the nearby listed, former Lambeth Magistrates' Courthouse, former Fire Station at nos. 43 and 46, Renfrew Road and K.2 telephone kiosk contrary to Section 66(1) of the *Town and Country Planning (Listed Buildings and Conservation Areas) Act, 1990*; and
- Fail to preserve or enhance the character or appearance of the Renfrew Road Conservation Area contrary to Section 72(1) of the *Town and Country Planning (Listed Buildings and Conservation Areas) Act, 1990*.

2.5 On this basis, the application for Planning Permission should be firmly refused.

(In reaching judgements about the extent of potential harm to the significance of heritage assets and their settings, and potential public benefits, full account has been given to the relevant guidance of Central Government contained in paragraphs 018 and 20 of *National Planning Practice Guidance* of April, 2014/July, 2019, and to the Court of Appeal's judgement in paragraphs 74 and 75, paragraphs 76 *et seq.* of the *Bramshill v. Secretary of State* case).

### **3. DETAILED COMMENTS ON THE PROPOSALS AND THE DRAWINGS AND OTHER DOCUMENTATION SUBMITTED IN SUPPORT**

- 3.1 Most usefully, even without adequate 'as existing elevations' or a comprehensive series of 'as existing' and 'as proposed' sections, Grid Architects' 'as proposed' elevations submitted in support of the application, together with a limited number of verified 'before' and 'after' views included in Montagu Evans' *Built Heritage, Townscape and Visual Assessment* of October, 2021 make very clear the substantial height and bulk of the proposed Block A development and demonstrate the highly damaging potential impacts of that part of the proposals on both designated and non-designated heritage assets in around the application-site.
- 3.2 Grid Architects' 'As proposed' elevations PL 300, 301, 302, 303, 304 and 307 most usefully demonstrate the substantial and disconcerting disparity in height and bulk of proposed Block A not only in relation to the nearby designated heritage assets, but also in relation to the proposed perimeter Blocks B, C, D, E and F. Together with other elevational drawings, they also demonstrate the underwhelming mediocrity of the external design of Block A.
- 3.3 Of the limited number of verified 'before' and 'after' views included in Montagu Evans' *Built Heritage, Townscape and Visual Assessment*, the following are most instructive, and demonstrate very clearly the potentially harmful impact of Block A of the proposed development on a series of designated heritage assets. However, there are many other 'before' and 'after' views in and around the application site which have not been included in Montagu Evans' study, which may be highly relevant in assessing the full potential impact of the proposed fourteen-storey block.
- 3.4 View 6A – 'Walcot Square (North-west corner)' on pages 100 to 102, usefully demonstrate the potentially harmful impact of Block A on the view south-eastwards down the north-eastern side of Walcot Square (within the Walcot Square Conservation Area), compromising the roofline of the listed terrace of properties located along the southern side of the square and obscuring the upper part of the listed Water Tower.
- 3.5 View 7 – 'St Mary's Gardens' on pages 108 to 110, usefully demonstrate the potentially harmful impact of Block A on the view eastwards down the northern side

of St Mary's Gardens (within the Walcot Square Conservation Area), further compromising the roofline of the listed terrace of properties along the south-eastern side of St Mary's Walk and further consolidating the massive damage caused by other, existing, tall buildings.

- 3.6 View 8 - 'Hayles Street' on pages 112 to 114, usefully demonstrate the massive potentially harmful impact of Block A on the view southwards down the eastern side of the street (within the Elliott's Row Conservation Area), negating the existing and valuable open prospect southwards down the street .
- 3.7 View 9 – 'Renfrew Road' on pages 116 to 118, usefully demonstrate the potentially harmful impact of Block A on the view from the south-western side of the road towards the listed, former Magistrates Court on the north-eastern side of the road (within the Renfrew Road Conservation Area) compromising the distinctive profile and seriously damaging the setting of the listed Courthouse which contributes positively to its particular significance as a designated heritage asset.
- 3.8 Dugard Way Kinetic Study Views A, B and C on pages 145 to 153 usefully demonstrate the potentially harmful impact of Block A in views of the listed Administrative Block looking northwards along Dugard Way from the south, compromising its distinctive profile and seriously damaging the setting of the listed Administrative Block which contributes positively to its particular significance as a designated heritage asset.
- 3.9 George Mathers Road Kinetic Study Views A and B on pages 155 to 160, usefully demonstrate the massive potentially harmful impact of Block A in views of the listed Water Tower looking north-westwards along Dugard Way from the south-east, massively compromising of its distinctive profile and outstanding pre-eminence which contribute so positively to its significance as a designated heritage asset.
- 3.10 Despite their considerable length and detail, Montagu Evans' 170-page (plus five appendices) *Built Heritage, Townscape and Visual Assessment* and T P Bennet's, 103-page Planning Statement, massively understate the potentially damaging impacts of the fourteen storeys high Block A of the proposed development on a series of nearby and more distant designated and non-designated heritage assets.
- 3.11 Referring to the Summary and Conclusion in Montagu Evans' *Built Heritage, Townscape and Visual Assessment*, the author states (in paragraph 12.8) that 'The assessment identified that there would be no change to the special interest of the following heritage assets in the surrounding area arising from the Proposed Development... including 'the Walcot Square Conservation Area (and the listed buildings within it), the Elliotts Row Conservation Area, the listed telephone kiosk outside the former Magistrates' Court and the former Fire Station' (in Renfrew Road), However, significantly, the author fails to refer to the particular character, appearance

or significance of the conservation areas, or the settings and significance of the listed properties within the areas, or views within and out of the respective areas.

- 3.12 Similarly, in paragraph 12.10, the author states that ‘We have identified no harm to the Master’s House or Water Tower’. However, significantly, the author fails to refer in this paragraph to the settings or significance of the respective listed buildings.
- 3.13 In paragraph 12.11, the author states that ‘The reduction in height to 14 storeys has meant that the Proposed Development no longer competes with the listed buildings or draws attention from their primacy in local views, notwithstanding that the Proposed Development would introduce a new feature to their setting (sic)’. However, from the drawings and verified ‘before’ and ‘after’ views referred to above, it is abundantly clear that the fourteen-storey block will compete with the nearby listed buildings and draw attention from their primacy in local views.
- 3.14 In paragraph 12.12, the author states that ‘The impact of the Proposed Development on the setting of the listed buildings has been managed through design, and it is considered that the proposed Development would be an attractive new element seen in the historic context of the Site’. However, from the drawings and other supporting documentation, there is no apparent evidence to suggest that the potential impact of the proposed fourteen-storey block on nearby and more distant designated heritage assets has been ‘managed’ in any meaningful way.
- 3.15 In paragraph 12.13, the author states that ‘If the LPA were to disagree and identify harm to either listed building, this would only be a very low level of less than substantial harm. This would engage paragraph 202 of the NPPF and require a balance against the planning benefits of the Proposed Development’. However, from the drawings and verified ‘before’ and ‘after’ views referred to above, it is abundantly clear that the fourteen-storey block will cause substantial harm to the settings of the listed Administrative Block and the Water Tower of the former Lambeth Workhouse and the listed Courthouse in Renfrew Road, which contribute positively to their particular significance as designated heritage assets. Such a level of potential harm to these designated heritage assets - whether considered individually or cumulatively – would need to be justified clearly and convincingly in accordance with paragraph 200 of the *NPPF* of July, 2021, and only accepted if the harm caused is necessary to achieve substantial public benefits that outweigh that harm in accordance with paragraph 201 of *NPPF* of July, 2021. Even if the Lambeth Council considers that the harm caused is only ‘less than substantial’, such harm will still need to be justified clearly and convincingly in accordance with paragraph 200 of the *NPPF* of July, 2021 and only accepted if the harm caused is balanced by potential public benefits.
- 3.16 In paragraph 12.14, the author refers to the potential public benefits of the development, and specifically to ‘the improvements to the setting of the Master’s House and Water Tower which are likewise delivered by the Proposed Development,

as well as improvements to the function of the townscape'. However, the proposed landscaping works to the development site do not go beyond in extent or detail of what would be reasonably expected in the context of a large scale residential development, and any potentially benefits accruing are massively outweighed by the substantial harm caused by the proposed development of the fourteen-storey block and would count for little 'towards countervailing any less than substantial harm that could be identified, particularly considering this has to be very limited' as suggested in paragraph 12.15.

- 3.17 In paragraph 12.16, the author states that 'we have identified a very low level of less than substantial harm to the Renfrew Road CA and Former Magistrates Court. As above this would engage paragraph 202 (of the NPPF) and be weighed against the planning benefits'. However, from the drawings and verified 'before' and 'after' views referred to above, it is abundantly clear that the fourteen-storey block will cause substantial harm to the setting of the listed Magistrates' Court, which contributes positively to its particular significance as a designated heritage asset, and to the character, appearance and significance of the Renfrew Road Court Conservation Area, as a designated heritage asset. Such a level of potential harm to these designated heritage assets - whether considered individually or cumulatively – would need to be justified clearly and convincingly in accordance with paragraph 200 of the *NPPF* of July, 2021, and only accepted if the harm caused is necessary to achieve substantial public benefits that outweigh that harm in accordance with paragraph 201 of *NPPF* of July, 2021. Even if the Lambeth Council considers that the harm caused is only 'less than substantial', such harm will still need to be justified clearly and convincingly in accordance with paragraph 200 of the *NPPF* of July, 2021 and only accepted if the harm caused is balanced by potential public benefits in accordance with paragraph 202.
- 3.18 In paragraph 12.17, the author states that 'We have identified no harm to the locally listed buildings at the Site (those which represent the former workhouse). In the event that the LPA were to disagree, this harm would be tested under paragraph 203 of the NPPF which takes a holistic view of the effect on a non-designated heritage asset as a planning consideration'. However, contrary to the claim, the proposed 14-storey block will clearly harm the settings of the locally listed (and potentially listed) ancillary buildings forming part of the former Lambeth Workhouse complex which contribute positively to their significance, without potentially balancing benefits contrary to paragraph 203 of the *NPPF*.
- 3.19 In paragraph 12.18, the author states that 'Overall, the special interest of listed buildings in the study area is considered to be preserved, and therefore the Proposed Development meets the terms of Section 66 (1) of the 1990 Act, Policy HC1 of the London Plan and Policy Q20 of the London Plan. However, significantly, the author fails to refer to the settings and significance of the listed properties affected by the proposed development.



- 3.20 In paragraph 12.19, the author acknowledges that ‘There would be harm to the Renfrew Road CA’, but ‘it is capable of being outweighed by public benefits in accordance with the NPPF. Therefore, the terms of Section 72 (1) of the 1990 Act would be satisfied...’. However, in implying that the potential harm would be ‘substantial’ there is no evidence adduced that that the potential heritage or other public benefits are sufficient to outweigh or even balance the potential harm to the affected individual heritage assets or to the affected heritage assets cumulatively.
- 3.21 In paragraph 12.21, the author states that ‘The locally listed buildings would be preserved in line with Local Plan Policy Q23’. However, this does not address the potential impact of the 14-storey block on the settings of nearby locally listed properties, such as the *Court Tavern*, Public House at no. 42, Renfrew Road, which contribute positively to their significance, nor the potential harm caused to their significance, without potentially balancing benefits contrary to paragraph 203 of the *NPPF*.
- 3.22 Finally and extraordinarily, in paragraph 12.23, the author states that ‘Overall, the effects on the local townscape are considered beneficial – they would achieve the regeneration of the Site in architecture of high quality which has a contextual response to its context - seemingly, based on the similarly extraordinary claim made in the Executive Summary to the document that ‘The architecture of the new buildings draws on the history and character of the Site and its local context’ and that ‘this is manifested in the use of traditional materials and fenestration details in particular’. For all the reasons stated above, these claims are seriously open to challenge.
- 3.23 In relation to potential heritage or other public benefits, as noted in paragraph 1.3 above, the submitted proposals do not appear to include any proposals for works of repair, alteration or extension of the listed, former Administrative Block or the ancillary buildings within the former workhouse site, nor any definitive proposals for the restoration, improvement or enhancement of the present *Cinema Museum* or the long-term conservation of the buildings.
- 3.24 Unless it can be clearly and convincingly demonstrated that other potential public benefits, such as the provision of social and market housing, cannot be developed satisfactorily on the site in buildings no greater than four storeys in height, there would appear to be neither heritage nor other potential benefits that can be reasonably considered to balance, let alone, outweigh, the substantial and less than substantial harm to designated and non-designated heritage assets by the proposed development of a 14-storey high block in the centre of the application site – and a building, too, containing only one staircase despite its height and girth and potential level of occupancy.

#### 4. CONCLUSION

4.1 In the light of the above, it is concluded that the proposed development of a block at the centre of the application site, rising from three to fourteen storeys (Block A), by virtue of its siting in relation to the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse and other designated and non-designated heritage assets, and its overall height and bulk will:

- Fail to sustain and reinforce the local distinctiveness of this part of Lambeth or contribute a creative and innovative contextual response to positive aspects of the locality and its historic character, contrary to Policy Q5. A, B and C of the *Lambeth Local Plan* of September, 2021;
- Fail to possess the bulk, scale/mass, siting building line and orientation which adequately preserves or enhances the prevailing local character, contribute towards the intended future character of the area, contrary to Policy Q7. i and ii of the *Lambeth Local Plan*, of September, 2021;
- Fail to conserve, but rather, will have a harmful impact on the immediate settings and significance of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse, and on the settings of the various, surviving, original, ancillary buildings that fall within the curtilage of the former Administrative Block and thereby share in its listed status, and the settings of the nearby listed, former Lambeth Magistrates' Courthouse and Fire Station at nos. 43 and 46, Renfrew Road, and the K2 telephone kiosk outside the former Magistrates' Court, and on views to and from the listed buildings contrary to Policy Q20. i, ii and iv of the *Lambeth Local Plan* of September, 2021;
- Fail to preserve or enhance the character or appearance of the Renfrew Road Conservation Area or protect its setting, including views in and out of the area; and fail to protect views out of the Walcot Square Conservation Area, contrary to Policy Q22. A of the *Lambeth Local Plan* of September, 2021; and will also harm views out of the Elliotts' Row Conservation Area in Southwark;
- Cause harm to the setting of the former *Court Tavern*, Public House, at no. 42, Renfrew Road as a non-designated heritage asset of local significance contrary to Policy Q23. C. of the *Lambeth Local Plan* of September, 2021;
- Have an adverse impact as a tall building on the settings of heritage assets, and, in the absence of clear and convincing justification, or evidence demonstrating the appropriateness of the site for a tall building having regard to the impact on heritage assets, the form, proportions, composition, scale and character of the immediate buildings and the character of the location, or that it forms part of a comprehensive

scheme which integrates well with the locality, is contrary to Policy Q26. B. of the *Lambeth Local Plan* of September, 2021;

- Fail to provide proposals which enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions, and respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character, contrary to Policy D3. D. 1) and 11) of the *London Plan* of March, 2021;
- Fail – as noted very clearly in paragraph 22 of the GLA’s pre-application advice of the 4<sup>th</sup> August, 2021- to adhere to the policy for the location of tall buildings set out in Policy D9. B. 3) of the *London Plan* of March, 2021;
- Fail to conserve the significance of affected heritage assets by being sympathetic to their significance and appreciation within their surroundings, contrary to Policy HCI.C of the *London Plan* of March, 2021;
- Will fail to be visually attractive as a result of good architecture and layout, and to be sympathetic to local character and history, including the surrounding built environment and landscape setting, and fail to establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and a distinctive place to live, work and visit contrary to Paragraph 130. b), c) and d) of the *National Planning Policy Framework* of July, 2021;
- Fails to take account of the views of the community and effective engagement with the community contrary to Paragraph 132 of the *National Planning Policy Framework* of July, 2021;
- Cause substantial harm to the immediate settings - and to the significance to which they positively contribute - of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse and to the significance of the Renfrew Road Conservation Area as designated heritage assets, and to the immediate settings - and to the significance to which they positively contribute - of the various, surviving, original, ancillary buildings that fall within the curtilage the listed Administrative Block and thereby share in its protected status and to the immediate settings - and to the significance to which they positively contribute - of the nearby listed, former Lambeth Magistrates’ Courthouse, former Fire Station at nos. 43 and 46, Renfrew Road and K.2 telephone kiosk outside the Courthouse, as designated heritage assets, and to the immediate setting - and to the significance to which it positively contributes - of the former *Court Tavern*, Public House, at no. 42, Renfrew Road, as a non-designated heritage asset; and harm to the settings – and to the significance to which they

positively contribute - of listed and other buildings within the Walcot Square and Elliott's Row Conservation Areas as designated heritage assets, and, in the absence of clear and convincing justification and sufficient potential benefits that would outweigh or balance such harm would be contrary to Paragraphs 197, 199, 200, 201, 202 and 203 of the *National Planning Policy Framework* of July, 2021;

- Fail to either enhance or better reveal the significance of the Renfrew Road Conservation Area in which part of the application-site is located or the significance of the listed buildings and other structures, the immediate settings of which the proposed development will affect, and will fail to preserve those elements of their settings that make a positive contribution to the relevant assets, contrary to paragraph 206 of the *National Planning Policy Framework* of July, 2021;
- Fail to preserve the immediate settings of the listed Administrative Block and the listed Water Tower of the former Lambeth Workhouse (and the settings of the various, surviving, original, ancillary buildings that fall within the curtilage of the former Administrative Block and thereby share in its protected status) and the settings of the nearby listed, former Lambeth Magistrates' Courthouse, former Fire Station at nos. 43 and 46, Renfrew Road and K.2 telephone kiosk contrary to Section 66(1) of the *Town and Country Planning (Listed Buildings and Conservation Areas) Act, 1990*; and
- Fail to preserve or enhance the character or appearance of the Renfrew Road Conservation Area contrary to Section 72(1) of the *Town and Country Planning (Listed Buildings and Conservation Areas) Act, 1990*.

4.2 On this basis, the application for Planning Permission should be firmly refused.

## **APPENDIX A - DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS**

A.1 As acknowledged by the applicants in the documentation submitted in support of the application, the proposals may affect the settings of a number of listed buildings, non-listed buildings of local significance, and conservation areas as designated and non-designated heritage assets.

A.2 Of particular importance amongst these heritage assets are:

- The specifically listed, former Administrative Block of the Lambeth Workhouse and the specifically listed, former Water Tower of the former Lambeth Workhouse;
- The surviving, original, ancillary Workhouse buildings which fall within the curtilage of the listed former Administrative Block and thereby share in its protected status and which are located within the application-site;

- The surviving, original, ancillary Workhouse buildings which fall within the curtilage of the listed former Administrative Block and thereby share in its protected status and which are located outside the application-site;
- The listed, former Lambeth Magistrates' Courthouse and former Fire Station at nos. 43 and 46, Renfrew Road;
- The listed K2 telephone kiosk outside the former Magistrates' Court in Renfrew Road;
- The unlisted former Court Tavern, Public House, at no. 42, Renfrew Road, as a building of local significance;
- That part of the application-site that falls within the boundary of the Renfrew Road Conservation Area and that part of the Renfrew Road Conservation Area outside the boundary the application-site but falls within the immediate setting of the conservation area; and
- The Walcot Square Conservation Area within the Borough of Lambeth and the West Square and Elliott's Row Conservation Areas within the Borough of Southwark.

#### THE LISTED SURVIVING PARTS OF THE LAMBETH WORKHOUSE

- A.3 As may be seen from historic mapping of the area, the application-site falls within the area once occupied by the former Lambeth Workhouse complex of buildings of 1871-1873 (as extended in 1880). Whilst the rear half of the central block of the original complex, the two, interlinked pavilions of the original complex to the north-west of the central block, the two, interlinked pavilions of the original complex to the south-east of the central block, and various, separate, smaller ancillary buildings that once formed part of the original complex, have been demolished, the front half of the central block of the original complex with its directly attached, two-storey, north-west and south-east wings (as extended rearwards), the two-storey covered link attached to the north-west side of the retained part of the central block, the pair of the gate-houses serving the original entrance-gateway to the workhouse complex and the ancillary buildings that form part of the original complex attached the boundary-walls to the north-west and south-east of the original entrance-gateway to the complex survive, together with the detached water-tower to the north-east of the retained part of the central block.
- A.4 The central block of the original workhouse complex (referred to as 'the Administrative Block' in the listing-entry) – occupied by The Cinema Museum since 1998 - and the detached Water Tower have been specifically listed since September, 2008. Under the normal tests, those surviving parts of the original workhouse complex which are directly linked to the listed central block, such as the two-storey covered link attached to the north-west side of the retained part of the central block, and the separate ancillary buildings that form part of the original complex, such as the

pair of the gate-houses serving the original entrance-gateway to the workhouse complex, the gate-piers and the ancillary buildings that form part of the original complex attached the boundary-walls to the north-west and south-east of the original entrance-gateway to the complex, within the curtilage of the listed central block may be properly considered as sharing in the listed status of the central block, despite their being identified as 'not of special interest' in the description attached to the formal listing-entry. However, they are rightly designated by Lambeth Council in the *Renfrew Road Conservation Area Statement* as locally listed given their positive contribution to the conservation area.

- A.5 Of particular relevance in understanding the significance of the remaining, listed parts of the original workhouse complex – from 1922, together with adjacent, now demolished Workhouse Infirmary to the north-west of 1877, known as Lambeth Hospital – is the reason for designation given in the formal listing-entry:

'Of special interest for the architectural quality of the exterior, whose principal elevations are virtually intact and highly ornate for a workhouse building of the time, especially so for London. The Chapel has special interest for its decorative treatment, which echoes that of the façade, and its unusual and elaborate roof. Of rarity value in London as the principal building of a Victorian metropolitan workhouse, of which only few examples survive. Historic interest as one of the earliest metropolitan workhouses to be rebuilt following the Metropolitan Poor Act (1867). Historic interest for the Charlie Chaplin association, and the Doulton connection. Group value with the water tower, and the courthouse and fire station in Renfrew Road, altogether a good example of Victorian public/institutional buildings'.

- A.6 Despite the demolition of those parts of the original workhouse complex to the north-west, north-east and south-east of the central block after the closure of the hospital in 1976 and the development of the area to the north-west in the 1980s with the Woodlands Nursing Home and the development of the areas to the north-east and south-east after the sale of the land in 2007 with the exemplary Bellway housing development of 115 flats (Limelight House, Goddard House, Wilmot House, Freeman House, and Bolton House), and the earlier Wooden Spoon House (The Mary Sheridan Centre for Child Health) at 5, Dugard Way, the scale of those buildings ranging from two to four and five domestic storeys, and their particular character, do not detract from the setting and significance of the surviving workhouse buildings – indeed, the particular disposition, sensitive external design and well considered landscaping of the Bellway housing development positively complement and sustain the setting and significance of the surviving workhouse buildings, and demonstrate how the redevelopment of the application-site could be carried out to good effect.

- A.7 Of particular relevance in understanding the significance of the listed Water Tower of 1877 is the reason for designation given in the formal listing-entry:

‘Of special architectural interest as an imposing and distinctive water tower in the Venetian Gothic style, constituting a rare feature in inner London. Historic associations with Lambeth Workhouse and Infirmary. Group value with the former workhouse administrative block, whose style it complements, and with the nearby former courthouse and fire station in Renfrew Road. A good ensemble of Victorian public buildings’.

- A.8 Despite the demolition of those parts of the original workhouse complex to the north-west, north-east and south-east of the central block and the development of the area to the north-west in the 1980s with the Woodlands Nursing Home and the areas to the north-east and south-east in the 2000s with the exemplary Bellway housing development (Limelight House, Goddard House, Wilmot House, Freeman House, and Bolton House), and the earlier Wooden Spoon House (The Mary Sheridan Centre for Child Health) at 5, Dugard Way, the scale of those buildings ranging from two to four and five domestic storeys, and their particular character, do not detract from the setting or significance of the water tower – indeed, the particular disposition, sensitive external design and well considered landscaping of the Bellway housing development positively sustain the setting and significance of the water tower, and demonstrate how the redevelopment of the application-site could be carried out to good effect. Importantly, it is the existing immediate and wider settings of the listed Administrative Block and the Water Tower which contribute substantially to the significance of the respective listed buildings. In both cases, it is their uncompromised profiles seen from street level, and the outstanding pre-eminence of the Water Tower in particular, as appreciated in both immediate and wider views, that contribute so positively to their significance as designated heritage assets.

#### THE LISTED FORMER LAMBETH MAGISTRATES’ COURTHOUSE, FIRE STATION AND K.2. TELEPHONE KIOSK

- A.9 The former Lambeth Magistrates’ Courthouse of 1869 (as altered in the 1930s), the former Fire Station of 1868 and 1896 at nos. 43 and 46, Renfrew Road and the K.2 telephone kiosk outside the former Magistrates’ Courthouse in Renfrew Road have been listed since November, 1993, January, 2000 and March, 1981 respectively. All three not only contribute to the particular character, appearance and significance of the Renfrew Road Conservation Area, but also provide a fitting setting to the surviving parts of the nearby workhouse complex.
- A.10 The age, character and almost domestic scale of the former Magistrates’ Courthouse and Fire Station are particularly relevant in understanding their significance. As noted in the descriptions attached to the respective listing-entries for each, the Courthouse ‘is the earliest surviving example of a Criminal Magistrates’ Court in the Metropolitan area’, and the fire station ‘is a rare example of a fire station of 1868 in London’, is given added interest by its recasting with a fine Jacobean-style centrepiece and tower’, ‘is a distinctive, strong example of a London fire station’, and ‘also forms a string group

with the adjoining former courthouse'. Importantly, like the listed Administrative Block and Water Tower of the former Workhouse, it is the existing immediate and wider settings of the listed Magistrates' Court in particular which contribute substantially to its significance. It is its uncompromised profile seen from street level that contributes so positively to its significance as a designated heritage asset.

- A.11 Though modest in scale, the K.2 telephone kiosk is a good example of this one common feature of the London street-scene and complements the settings of the former Magistrates' Courthouse and former Fire Station.

#### THE UNLISTED FORMER *COURT TAVERN*

- A.12 Though not listed, the former *Court Tavern*, Public House, at no. 42, Renfrew Road, is clearly a building of local significance, as formally recognised by the Council, and plays a significant complementary townscape role within the conservation area with the former Magistrates' Courthouse defining the corners of the junction of Renfrew Road and Dugard Way and the approach to the surviving entrance-gateway to the former workhouse complex.

- A.13 Whilst of not of the greatest architectural interest, the modern housing that extends along the south-eastern and north-western sides of Renfrew Road outside the boundary of the Renfrew Road Conservation Area sustains the prevailing modest, three-storey, domestic scale of the area. Only the Gilmour Section House at the south-eastern end of Renfrew Road on its south-western side at the corner of Kennington Lane rises to a greater height at six storeys.

- A.14 Importantly, the settings and views of the surviving listed parts of the former workhouse complex, the listed former Courthouse, the listed former *Fire Station*, the listed K.2 telephone kiosk and the unlisted former *Court Tavern*, Public House have not been compromised to any significant degree by nearby high-rise development, except in a limited number of locations – most significantly in the specific view north-eastwards along the short section of Dugard Way from the junction with Renfrew Road towards the surviving entrance-gateway to the former workhouse complex. Such a view demonstrates very clearly, the serious damage that can be caused by the development of tall buildings without regard to their potential impact on the settings of listed and other historic buildings and on the settings of conservation areas.

#### THE RENFREW ROAD CONSERVATION AREA

- A.15 The character and appearance of the Renfrew Road Conservation Area are described in Lambeth Council's *Renfrew Road Conservation Area Statement* published in November, 2007.
- A.16 Of particular relevance in understanding the significance of the conservation area is the remarkable survival of the group of listed and unlisted 19<sup>th</sup> century buildings dating



from the 1860s to the 1890s comprising the remaining parts of the former Lambeth Workhouse, the former Magistrates' Courthouse, the former Fire Station and the former Court Tavern, Public House, and the spaces between those buildings. Of significance, too, is the general consistency of scale and the distinctive Victorian architectural character, and that despite the extensive residential development of the areas to the north-west, south-east and north-east of the central block of the original workhouse that fall outside the boundary of the conservation area, the scale and layout of the original workhouse complex can still be discerned – attributable to the new developments sustaining the scale of the demolished workhouse buildings.

- A.17 As noted in paragraph 4.13 above, the area to the south-west of the conservation area comprising the modern housing extending along the south-eastern and north-western sides of Renfrew Road sustains the prevailing modest, three-storey, domestic scale of the area. Only the Gilmour Section House at the south-eastern end of Renfrew Road on its south-western side at the corner of Kennington Lane rises to a greater height at six storeys.

#### THE WALCOT SQUARE CONSERVATION AREA

- A.18 The character and appearance of the Walcot Square Conservation Area are described in Lambeth Council's draft *Walcot Square Conservation Area Character Profile* published in 2016.
- A.19 Of particular relevance in understanding the significance of the conservation area is reflected in the summary given in paragraph 4.3 of the *Character Profile*:

'The Walcot Square Conservation Area is one of the most intact and architecturally coherent areas of late 18<sup>th</sup> and early/mid-19<sup>th</sup> century development in Lambeth. With its combination of grand houses on Kennington Road and modest, tighter-grained terraces to the east, it usefully illustrates some of the earliest speculative residential development in the area and the changes brought about by the completion of the Westminster Bridge. The relationship between the landscape/gardens and the buildings creates an area of string streetscape character, enhanced by good architectural detailing and a consistent palette of materials'.

- A.20 Of particular significance too are the two triangular garden squares, Walcot Square and St Mary's Gardens. Of the two, it is Walcot Square which is of outstanding significance. With its west, north-east and south sides lined with listed terraces of 1830s houses, it provides a remarkable consistency of urban scale and uniformity of architectural character - enhanced by its locally listed, central garden and its enclosure by listed railings – and by the unbroken roof-lines of the terraces.

#### THE WEST SQUARE CONSERVATION AREA

A.21 The character and appearance of the West Square Conservation Area are described in Southwark Council's *West Square Conservation Area Appraisal* of March, 2013.

A.22 An important aspect of the significance of the conservation area is reflected in the definition of special interest/significance given in paragraph 3.1.1. of the *Appraisal*

'The West Square Conservation Area is a notable example of high quality late-Georgian and mid-19<sup>th</sup> century townscape, with a number of significant public buildings. The Imperial War Museum, with its surrounding parkland: Geraldine Mary Harmsworth Park, is the centrepiece of the conservation area...'

A.23 Importantly too, is the reference given in paragraph 3.1.4 of the *Appraisal* under the heading 'Setting of the Conservation Area':

'To the south-west, designated conservation areas in the London Borough of Lambeth provide a high quality setting for the West Square Conservation Area. Similarly, to the north-east lies the surviving planned Georgian townscape of the St. George's Circus Conservation Area'.

A.24 Of particular significance to the conservation area in addition to The Imperial War Museum and its surrounding parkland – Geraldine Mary Harmsworth Park – is West Square itself. With an attractive central garden its south-east, south-west and north-west sides comprise listed terraces built between 1794 and 1810, providing a remarkable consistency of urban scale and uniformity of architectural character - enhanced by the unbroken roof-lines of the terraces.

#### THE ELLIOTT'S ROW CONSERVATION AREA

A.25 The character and appearance of the Elliott's Row Conservation Area are described in Southwark Council's *Elliott's Row Conservation Area Appraisal* of March, 2013.

A.26 An important aspect of the significance of the conservation area is reflected in the definition of special interest/significance given in paragraph 3.1.1. of the *Appraisal*

'This is a cohesive townscape comprising development from throughout the 19<sup>th</sup> and early 20<sup>th</sup> centuries. The historic street layout remains, creating a legible and permeable environment. Well defined streets are a feature with high quality and architecturally interesting frontage development. This is a highly urban environment with little in the way of soft landscaping'.

A.27 Importantly, whilst the wider settings and views out of the four conservation areas within both Lambeth and Southwark have been compromised to varying degrees by ill-considered high-rise developments in nearby and distant areas

## APPENDIX B - THE POLICY CONTEXT

B.1 As noted above, the proposals have been considered against the relevant national, London-wide and local planning policies and guidance. These include the following:

- Paragraphs 130. b), c) and d) and 132, of the *National Planning Policy Framework* of July, 2021 in relation to the need for development to be visually attractive as a result of good architecture and layout, and be sympathetic to local character and history and to establish or maintain a strong sense of place, and the need to for applicants to take account of the views of the community and to demonstrate early, proactive and effective engagement with the community;
- Paragraphs 197, 199, 200, 201, 202 and 203 of the *National Planning Policy Framework* of July, 2021 regarding the need to sustain and enhance the significance of heritage assets and for new development to make a positive contribution to local character and distinctiveness; the need to give great weight to the conservation of designated heritage assets when considering the potential impact of proposed development on the significance of such assets; the need for any potential substantial harm to the significance of designated heritage assets from alterations or development within their settings to be clearly and convincingly justified; for the need to demonstrate that substantial harm to designated heritage assets is only acceptable if it is necessary to achieve public benefits that outweigh that harm; the need to demonstrate that less than substantial harm to designated heritage assets is only acceptable if it is balanced by public benefits; and the need to take account of the potential effect of proposals on the significance of non-designated heritage assets;
- Paragraph 206 of the *National Planning Policy Framework* of July, 2021 regarding the scope to look for opportunities for new development with conservation areas and within the settings of heritage assets to enhance or better reveal their significance, and to favour proposals that preserve those elements of the settings that make a positive contribution to the assets or which better reveal their significance.
- The relevant guidance of Central Government contained in *Planning practice guidance* of April, 2014/July, 2019 and in the *National Design Guide* of October, 2019/January, 2021; the published guidance of Historic England contained in *Historic Environment Good Practice Advice in Planning: 2 – Managing significance in decision-taking in the historic environment* of July, 2015, *Historic Environment Good Practice Advice in Planning Note 3 (Second edition) – The setting of heritage assets* of December, 2017, and *Historic England Advice Note 4 – Tall buildings* of December, 2015;
- Policy D3. D. 1) and 11) of the *London Plan* of March, 2021 regarding the need to provide proposals which enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy,

building types, forms and proportions, and respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character, contrary to Policy D3. D. 1) and 11) of the *London Plan* of March, 2021;

- Policies D9. B. 3) of the *London Plan* of March, 2021, for the location of tall buildings;
- Policy HCI. C of the *London Plan* of March, 2021 requiring development proposals affecting heritage and their settings to conserve their significance by being sympathetic to their significance and appreciation within their surroundings.
- Policy 7.8.D of the *London Plan, March, 2016* regarding the need for development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail;
- Policies Q5. A, B and C, Q7. i and ii, Q20. i, ii and iv, Q22. A, Q23. C and Q26. B of the *Lambeth Local Plan* of September, 2021 regarding the need for local distinctiveness to be sustained and reinforced through new development, or through a creative or innovative contextual response to positive aspects of the locality or its historic character; for the design of new development to be visually interesting, well detailed, well proportioned; for new development to be of a bulk, scale/mass, siting, building line and orientation which adequately preserves or enhances the prevailing local character; the need for development affecting listed buildings to conserve and not harm their significance, for such development not to harm their significance/setting, including views to and from such buildings; the need for development proposals affecting conservation areas to preserve or enhance their character or appearance by respecting and reinforcing the established, positive characteristics of the areas in terms of building line, siting, design, height and forms, and by protecting their settings, including views in and out of the areas; the need to protect the settings of non-designated heritage assets of local or greater significance; and the need; and the need to provide clear and convincing evidence to justify an exception to the presumption against tall buildings, or evidence demonstrating the appropriateness of the site for a tall building having regard to the impact on heritage assets, the form, proportions, composition, scale and character of the immediate buildings and the character of the location, or that it forms part of a comprehensive scheme which integrates well with the locality. And
- The relevant guidance contained in Lambeth Council's *Renfrew Road Conservation Area Statement* of November, 2007; *Walcot Conservation Area Character Profile* of 2016; Southwark Council's *West Square Conservation Area Appraisal* of March, 2013; and Southwark Council's *Elliott's Row Conservation Area Appraisal* of March, 2013.

Paul Velluet

20<sup>th</sup> October 2022.



The listed Administrative Block of the former Lambeth Workhouse, now the Cinema Museum . View from the south, showing its presently uninterrupted roof-line



The listed former Water Tower of the former Lambeth Workhouse and Hospital. View from south-east showing its present distinctive and uninterrupted profile.



The locally former *Court Tavern* Public House, the listed former Magistrate's Courthouse and the listed former *Fire Station* in Renfrew Road. View from the south, showing their unbroken roof-lines.



The locally listed former *Court Tavern* Public House at the corner of Renfrew Road and Dugard Way and the three-storey housing along the north-east side of Renfrew Road. View from the south showing their present uninterrupted roof-lines.



View northwards along Renfrew Road showing the damaging impact of new development on the distinctive profile of the central dome of the listed Imperial War Museum – compromising a major feature of significance - by poorly considered tall-building development.





**View eastwards along the south side of Walcot Square showing the highly damaging impact of poorly considered tall-building development on the settings and significance of listed and other buildings within the conservation area and on views out of the conservation area.**

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