

10 Dorchester Drive London SE24 0DQ

22/02824/LB and 22/02823/FUL

Comments on behalf of the Herne Hill Society



12 September 2022

Introduction

The background history for the house is set out in detail in the Historic England Official List entry (1480933). The reasons for designation refer, with regard to architectural interest, to “the survival of the compact but flexible plan” and the “good survival of its exterior”. In terms of historic interest there is emphasis on the building’s rarity and the building’s importance is also highlighted as being one of a group that contains the neighbouring Dorchester Court and Dorchester House, all designed by the architects Kemp & Tasker in collaboration with the builder-developers, the Morrell brothers.

in the C20 Society’s submission to Lambeth dated 7 September the house is described as a “superb and rare example of a 1930s Ideal Home showhouse”. The significance of the house is again emphasised in the local context of other buildings on Dorchester Drive, in particular Dorchester Court and the Dorchester House, both Grade II listed.

There is no comparable group of buildings in the Herne Hill area and the Herne Hill Society, as the only local group active in responding to planning applications and defending local heritage assets, considers it crucial that the house be protected from inappropriate development.

The Society’s submission sets out why we consider the proposed scheme damages the essential character of the house through the removal of significant parts of the original building and replacement with elements that will create a markedly different building. In so doing the building will lose much of what constituted key reasons for its listing by Historic England, namely the good survival of its exterior and the survival of the compact but flexible plan. Our submission also opposes the proposed scheme because the detail provided in the application is inadequate and the quality of the proposal fails, in our view, to meet the high standard required of alterations to a designated heritage asset.

Planning policy and guidance

Provisions of the National Planning Policy Framework 2021 (NPPF) are set out in the applicant’s Heritage Statement and in the comments of the C20 Society. The material provisions are in Section 16 “Conserving and enhancing the historic environment”, paras 189–208. Of particular relevance in this case are paras 194, 195, 199, 200, 201 and 202. Also relevant is Policy Q20 in the Lambeth Plan, which itself reflects the NPPF.

Discussion of the proposal

1. The proposed extension requires the demolition of the greater part of the rear wall of the house up to first floor level. The loss of original fabric is described in detail in the comments of

the C20 Society (p.3-5). A consequence of the proposed extension is also the loss of part of the building's original plan.

2. As Historic England's Advice Note No.2 *Making Changes to Heritage Assets* points out (para 42) "The historic fabric will always be an important part of the asset's significance". It goes on to note occasions when replacement of what cannot be repaired will be justified (the example is given of rotten timber or corroded steel) and continues – "In normal circumstances, however, retention of as much historic fabric as possible, together with the use of appropriate materials and methods of repair, is likely to fulfil the NPPF policy to conserve heritage assets in a manner appropriate to their significance, as a fundamental part of any good alteration or conversion. It is not appropriate to sacrifice old work simply to accommodate the new." Historic England's Advice Note also points out (para 45) that "The plan form of a building is frequently one of its most important characteristics [...] Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations."
3. It is not suggested in this application that the demolition of part of the rear wall and alteration to the plan form of the building is necessitated by a need to replace something incapable of repair. Thus, if proper regard is to be paid to the principles contained in the NPPF the particular significance of 10 Dorchester Drive as a heritage asset should include the "good survival of its exterior" and the "survival of the compact but flexible plan", these being characteristics identified by Historic England as providing grounds for the listing of the building in June 2022. These characteristics provide the essential integrity of the building and value as a heritage asset.
4. It follows that these characteristics form part of the particular significance of the building and in these circumstances, as provided in NPPF para 199, "great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". With regard to NPPF para 195, conflict between conservation of the asset and the proposed rear extension is not capable of being minimised. It can only be avoided, especially when taking account, as para 195 provides, of relevant expertise – in this case the expertise of Historic England in their reasons for the listing of the building. Avoidance of conflict in this case dictates the need to prevent the proposed alteration.
5. NPPF para 200 provides that any harm (we emphasise that the term "any" is used) to the significance of a heritage asset resulting from its alteration requires "clear and convincing justification" and that substantial harm to a Grade II listed building should be "exceptional". It is explained above that the integrity of the original building is an essential element in the significance of the asset. However, nowhere in the application is there a justification, let alone one that is clear and convincing, for the harm that this proposal will inflict on the building's significance. The applicant's Heritage Statement offers no reasoned analysis to justify the proposal. Instead, planning policies are reproduced at length, along with the full text of the English Heritage designation, a list of features of the house that have "merit" and features "that detract" (illustrated with photographs) and a summary of the proposed works. There is no suggestion that the rear wall of the house, the partial demolition of which is proposed, or the original downstairs plan, which will be partially lost, "detract" from the significance of the heritage asset and therefore justify the proposed alterations. The suggestion is not made, because without any doubt it would be manifestly untrue.

6. The applicant's Heritage Statement at para 1.2 states that it "provides an assessment of the proposed works in terms of the effects on the architectural and historical significance of the listed building. It demonstrates that the proposal accords with the National Planning Policy Framework (2021) and London Plan Policy HC1 and Policies Q5, Q8, Q11 and Q20 of the Lambeth Local Plan (2021)." That assertion is misconceived. The provisions of the NPPF are set out at length in the Heritage Statement, as are provisions in the London and Lambeth Plans, but there is no demonstration of how the proposal accords with those policies. On that the Heritage Statement is silent.
7. It is of course not difficult to see why a rear and side extension is proposed. An enlargement of the ground floor and alterations such as conversion of a bedroom into an en-suite bathroom will correspond to the expectations of many homeowners today. Those expectations will be different to those of homeowners in the 1930s. However, it is not the role of planning policy devised to conserve heritage assets, to facilitate alterations to such assets merely because such expectations change. If that were so the whole purpose of the primary legislation, now contained in the Planning (Listed Buildings and Conservation Areas) Act 1990, would be undermined. Alterations to listed buildings would be judged on the same criteria as those applicable to non-listed buildings.
8. Because the applicant's Heritage Statement offers no reasoned analysis of the proposal in the context of planning policy relating to the conservation of heritage assets, it is not possible to say whether the applicant does or does not accept that the proposal would cause "substantial harm" to the heritage asset, the test in NPPF para 200. We accept that the proposed rear extension would be largely not visible from the public realm and that the building has a first-floor rear extension that is not original. The harm in this case is nevertheless substantial because the proposal alters the essential integrity of the building and its particular significance as a rare surviving example of its building type.
9. Under NPPF para 201 in cases of substantial harm or total loss "local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss". Again, this provision is not addressed in the applicant's Heritage Statement. It is, in our view, not possible to point either to any "necessary" achievement of public benefits or any substantial "public" benefits. There is no necessity for this proposal and any benefit from it has no public dimension; it would be restricted to the private enjoyment of the occupiers of the house.
10. If, contrary to our view, the harm should be considered less than substantial, NPPF para 202 provides that "this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." The applicant's Heritage Statement does not address this point. The private advantages to occupiers of the house of the proposed extension cannot be regarded as "public benefits". Neither is the enlargement of the house appropriate, when the "optimum viable use" of the house would be best achieved by a careful and sympathetic restoration of the house. It could be suggested that harms at the rear of the house could be offset by a thorough and more active restoration/conservation of the "public" face of the building, visible from the public realm, but the applicant's Heritage Statement does not suggest this and, in any event, would not be supported by the evidence.
11. As regards Policy Q20 in the Lambeth Plan, the proposal cannot be supported because, as we explain more fully above, the proposal does not conserve but harms the significance and special interest of the listed building. Moreover, the application is not "justified and supported by a robust Heritage Statement". The supporting text at 10.96 adds: "Applicants will be required to

provide a heritage statement for their proposals which explains in detail the significance of the building and the impact of the proposals on that significance. In line with NPPF any proposed harm to significance will require a clear and convincing justification.” As already explained above, the applicant’s Heritage Statement fails to do this

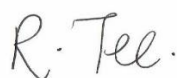
12. We agree with the conclusions of the C20 Society (at p.6) that the alterations proposed in this application together amount to substantial harm to the building’s heritage significance, and that the dwelling can continue to provide a dwelling without the proposed alterations. We also agree that such alterations do not achieve public benefits that outweigh the harm to the significance of the heritage asset. We therefore also conclude that the application fails to follow national (and local) policies for the conservation of designated heritage assets and should be refused.

Details of the proposal

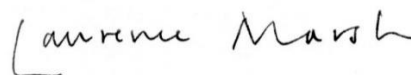
13. Lambeth’s *Local Applications Requirements* (July 2016) (LAR) includes the requirement in applications for listed building consent (p.8): “Detailed Drawings (Scale 1:10; 1:5 or full size as appropriate) of proposed features such as windows, doors, ironwork, plasterwork or joinery should be provided.” These have not been provided. Since the proposal is for a rear and side extension that involves extensive new construction including new doors and windows this is a significant omission.
14. Lambeth’s LAR also provides (p.8): “Plans relating to a development in a Conservation Area or a listed building must be drawn to a scale of not less than 1:50 (i.e. 1:1; 1:5; 1:10; 1:20; 1:50)”. The plans provided are in some cases considerably smaller and never larger than the minimum of 1:50. Detail is especially important in the context of LBC applications. Given the significant alterations proposed the detail in this application is poor and makes it difficult to assess the application. Assessment is also not assisted by the absence of a Design & Access statement.
15. Attached to this submission is an **Appendix** which lists particular concerns arising from the applicant’s Schedule of Works. We highlight here two particular concerns:
 - (i) the expansion of hard landscaping in front of the house. This is not acceptable as it will change the appearance of the building when viewed from the street. Firstly, it ignores the original design (revealed by our historical research); secondly, it removes a significant amount of planting space that can benefit the street scene; thirdly, it appears to have the aim of increasing parking space. While the plan suggests only two parking spaces it seems that it makes space for potentially two or three cars at the right-hand side as well as at least one at the left. Aside from issues related to what Lambeth’s current planning policy has to say about encouraging private car use, this potentially creates a situation where the view of the house changes from one where the frontage might be flanked by two parked vehicles, but with greenery and planting between it and the street, to one where the view could easily be of two modern vehicles blocking half of the view of the frontage of a house designed in an era when vehicles were generally much smaller. In any case a full landscaping scheme is required. The application contains no landscaping scheme.
 - (ii) We note that the painting of the windows in a grey colour appears to have already started. We also share, in this context, the concern of the C20 Society about other work

currently proceeding at the house and the removal of substantial amounts of material in skips. It is not possible to judge the precise nature of this work, not least because in mid-August hoardings were erected across the whole street frontage. Such work has proceeded despite the planning and LBC applications not having been decided.

16. Our overall criticism of the proposal is its lack of ambition: either to restore the building in a way that would truthfully reflect the design and character intended by its architects and builders, or to provide a 21st-century addition that would fit its originality and design quality enhance the 1930s building. The C20 Society comment that they would not object to an extension at the rear of the house “if it was a modest scale, respected the host building in its design and materiality, and if it attached to the building in a way that ensured its impact on the fabric was limited.” In principle we agree with that comment, but of course this is not what is currently proposed. The C20 Society in their submission also highlight missed opportunities for restoration of original features. At the same time the proposal provides a design that is predictable and fails to respond creatively to the design qualities of the original building. To use the words of Lambeth Plan Policy Q5 –there is “no creative and innovative contextual response”. In this context we note that the plans appear to show no involvement on the part of an architect.
17. For these further reasons we say that the application fails to meet the relevant criteria for alteration of a listed building and should be refused



Chair Herne Hill Society



Vice chair Herne Hill Society,
co-ordinator of the Society’s planning group

APPENDIX

(numbered references are to the applicant’s Schedule of Works dated 4 August 2022)

2.5: “*The existing render will be removed and replaced by an acrylic render ...*” the traditional material in the context of this listed building should be cement mortar.

2.6: “*All original metal windows ... will be painted anthracite grey*”. The traditional colour in the context of this listed building should be a pale green or white. See also para 15(ii) above.

2.8/9: As above. Anthracite grey is not an original colour for Crittall windows and is not appropriate for original or replica fenestration.

2.10: “*The glazed doors in the rear addition will be aluminium framed and anthracite grey*”. It is essential to have details of the glazing system. These are currently not provided. The term “aluminium framed” can encompass a huge range of systems of varying type and quality. The test is whether the system would be appropriate for this particular building. On the information provided it is not possible to judge that.

2.15: *“Repair of canopy above ground floor windows and installation of zinc covering”*. Zinc would not be a suitable material for repair of an original element. The material used should be lead.

3.1: *“Expansion of areas of hard landscaping at the front of the house”*. See para 15 of our submission above.

3.2: *“Parts of the front boundary walls next to the vehicular entrance points are to be demolished and re-built”*. Details are required of materials etc proposed to be used for rebuilding the “wider vehicular access points”.

3.3: *“Hard surfacing to be provided immediately to the rear of the rear extension”*. No landscaping plan is provided to illustrate what is proposed.

4.6: *“Installation of engineering flooring at first floor level”*. The term “engineering flooring” is not understood.

4.7: *“New plaster finish to all ceilings”*. It is very likely that ceilings are made from lath and plaster, so this needs clarification and a method statement supplied. Simply applying a new “plaster finish” over the old ceilings is unlikely to be feasible unless the correct procedure is followed. It appears that many ceilings have been plagued by the addition of Artex – this is a finish that often contains asbestos.

4.12: *“The following changes are proposed”* (first floor bathroom)

- *“New shower valves and shower tray”* In the listing it notes that the shower is original and this should be checked as it is not clearly shown in the attached photographs.
- *“New floor tiles”* In the listing it notes that the bathroom floor is original

4.13: *“A new toilet and basin would be installed”*. The toilet and basin in the Ground Floor WC would appear to be original. The green colour is very typical of the age and should be replicated if indeed the fittings are modern.