

**LONDON BOROUGH OF WALTHAM FOREST**

Committee/Date:	Planning 16 <sup>th</sup> July 2024
Application reference:	240862
Applicant:	London Borough of Waltham Forest
Location:	Vestry House Museum, Walthamstow, E17 9NH
Proposed development:	Listed building consent for partial demolition of modern ground floor extension and construction of a replacement single storey extension to facilitate the creation of event space and café at ground floor level (Use Classes E(a)) and F1(e)) featuring new entrance doors and glazing to the south and west elevations. Laying of replacement paving to provide levelled access to the primary front museum entrance. Part change of use at ground and first floor level to provide creative workspaces (Use Class E(c) and E(g)). Construction of a glazed walkway at first floor level. Associated landscaping including the removal of several trees and designated hard landscape features. General refurbishment of the external facade together with alterations to the fenestration including the reinstatement of selected window openings. Provision of bicycle parking and additional bin storage.
Wards affected:	Hoe Street
Appendices:	None

**1 RECOMMENDATION**

- 1.1 That listed building consent is GRANTED subject to conditions and informatives.

**2 REASONS REFERRED TO COMMITTEE**

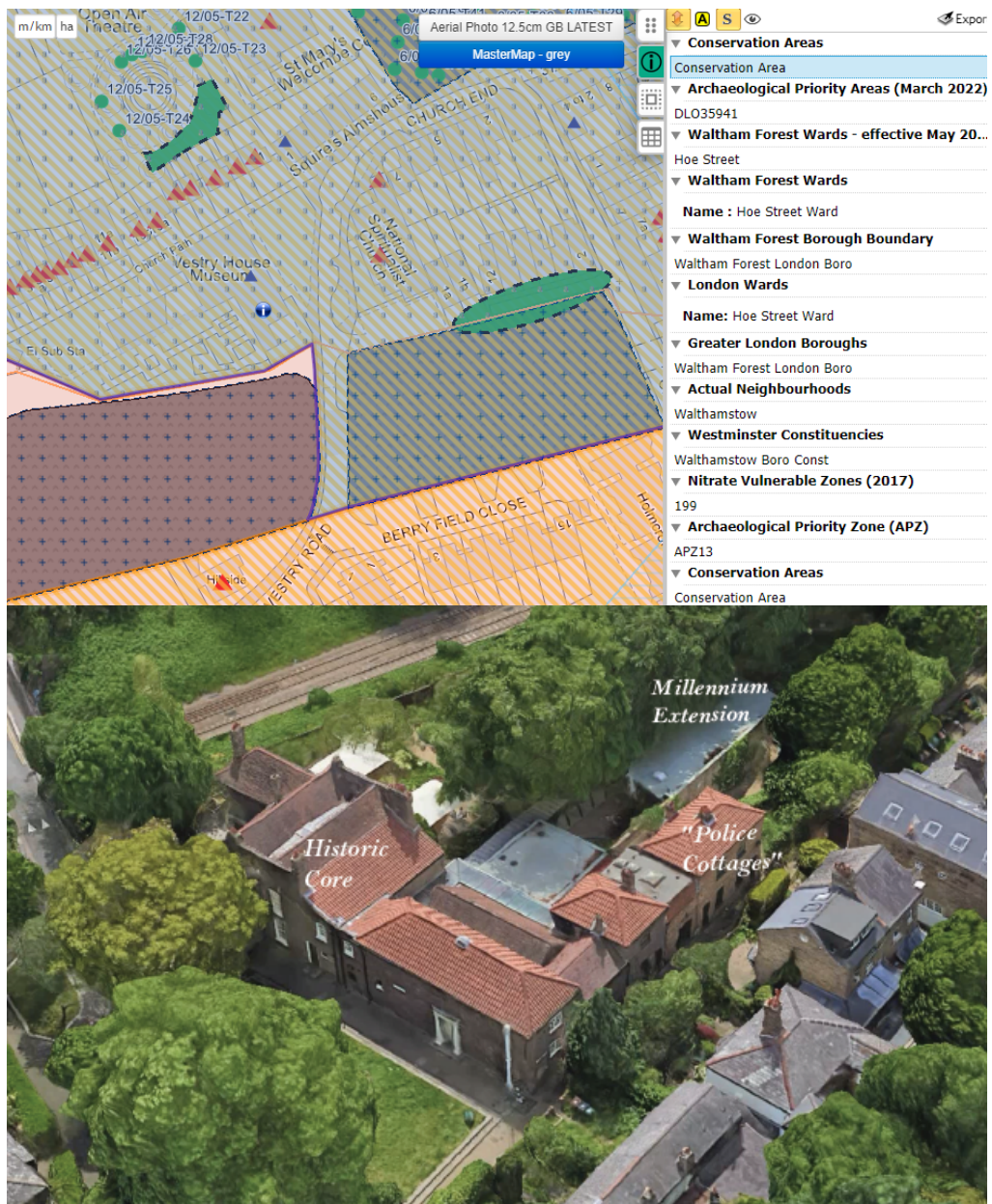
- 2.1 The application is referred to the Planning Committee because it is a Council-organised scheme to revitalise the museum.

**3 SITE AND SURROUNDINGS**

- 3.1 Vestry House Museum (VHM) is a Grade II listed building located within the St Mary's Church (Walthamstow Village) Conservation Area. It is one of the oldest surviving heritage assets within the borough and provides

arguably the best evidence within a single building of the growth of Walthamstow over time from a small rural community to a suburb of the capital city. The immediate area surrounding the museum is mixed-use, with a terrace row of residential properties to the north and the spiritualist church to the east. The buildings form an attractive borough of Waltham Forest as evidenced by the conservation area.

- 3.2 The museum has undergone alterations over time. Originally built as a workhouse with a room for meetings of the Parish Vestry, it later became its main office, a police station, an armoury, a builder's workshop, a literary and scientific institute and a private house, before becoming a local history museum which it continues as today.
- 3.3 It is a much-loved local asset with a high level of heritage significance, both as a standalone building and the contribution it makes to the conservation area and its wider surroundings as well as its cultural value as a local museum.



## **4 APPLICATION PROPOSAL**

- 4.1 The application seeks listed building consent (LBC) for various alterations to the building to ensure its long-term viability as both a museum and local attraction for the borough.
- 4.2 Demolition of the existing 'millennium' extension is proposed along with a replacement single-storey rear extension of comparable proportions. This extension would be within the footprint of the existing extension.
- 4.3 A first-floor extension is proposed to link the older parts of the museum in the form of a walkway, which would mean that visitors/staff could use an internal lift to access the first floor of the museum.
- 4.4 Alterations to the public footpath in front of the building (Vestry Road elevation) are proposed to increase its height and provide level access to the building from the street. Further alterations to the internal layout would continue this level access to the full ground floor of the building, which the existing building currently fails to provide.
- 4.5 Landscaping works are proposed within the rear garden to improve circulation around the building.
- 4.6 Other development is proposed within planning application 240859 which would not necessarily require listed building consent.
- 4.7 Various internal works are proposed including removal of some internal walls and construction of various internal ramps, which would improve circulation particularly for wheelchair users.

## **5 RELEVANT SITE HISTORY**

### **5.1 Planning:**

- 222049 - Minor Material Amendment to Listed Building Consent for variation of condition 2 (Approved Plans), 4 (materials) and 5 (Colour of parasol) attached to planning permission reference 220097 granted 10/03/2022. The purpose of the variation is to allow for the extension of the disabled path using the same material used in the original proposal and installation of a metal gate painted olive green to secure the entrance, painting exposed metal of the parasol olive green, and keeping the cream-coloured canopy instead of changing this to black. (Approval)
- 220097 – Listed building consent for external alterations to facilitate use as a separate cafe (Class E) including alterations to garden area including formation of an outdoor seating area, resurfacing and installation of two parasols. (Approval)
- 212033 - Listed building consent for the installation of a temporary access ramp and steps at south elevation and installation of refuse & buggy storage. (Approval)
- 050278 - Installation of a wall mounted streetlight on the Church Path elevation as shown on drawing number(s) 1 & 2 received on 4th May 2005. (Approval)

- 980764 - Extension to museum building, alterations to elevations and to gardens to create formal gardens and a play area. (Approval)
- 980105 - Replacement of timber boundary fence with low wall and metal railings. (Approval)
- 940448 - Replacing existing roof covering to display hall with plain clay tiles. (Approval)

## 5.2 **Pre-application:**

- PRE\_23\_0486 – Pre-application advice sought with regard to the development proposed in the live application, as part of a development performance agreement with the Council's project delivery team. (Generally supported subject to additional detail)

## 5.3 **Enforcement:** None

## 5.4 **Adjacent sites:** None relevant

# 6 **CONSULTATION**

## 6.1 **Public Consultation**

The application was advertised by press notice dated 17<sup>th</sup> April 2024 and by physical site notice dated 23<sup>rd</sup> April 2024. The owners/occupiers of neighbouring properties were consulted by individual letter notification (96 recipients). One objection was received, citing amenity concerns relating to light, use of the path and the kitchen extraction system. This is not a material consideration for applications for LBC. The objector is advised to refer to planning application 240859. The Council has organised community engagement events throughout the project timeline where residents were provided with the opportunity to ask questions about the revitalisation of VHM.

## 6.2 **Statutory Consultation**

<b>Consultees</b>	<b>Response</b>
Highways (internal)	Relevant comments to LBC include specification of heritage materials for the front path – separate consent is required from the Highway Authority for the proposed development
Transport Policy (internal)	No comments received (not relevant)
Conservation (internal)	Broadly in support of the proposal in that it will have a positive impact on the heritage asset, subject to additional detail
Place & Design (internal)	No comments received, however the wider project has been part of a DPA with design officers
Environmental Health (internal)	No comments received (not relevant)

Consultees	Response
Tree Officer (internal)	Raises some concern that the submitted documents are unclear in specifying removal of small sections of hedge
Historic England (external)	Confirmation for the LPA to determine the application, broadly supportive of the proposal subject to additional detail

## 7 DEVELOPMENT PLAN

### 7.1 The London Plan (2021)

On Tuesday 2nd March 2021 the Mayor of London published the replacement London Plan. From this date it forms part of the Development Plan for the purpose of determining planning applications. The 2021 London Plan supersedes the 2016 London Plan, which no longer has any effect. The relevant policies within the London Plan 2021 are:

- D1: London's form, character and capacity for growth
- D4: Delivering good design
- HC1: Heritage, Conservation and growth

### 7.2 Waltham Forest Local Plan LP1 (2024)

The draft version of the Local Plan underwent Regulation 18 public consultation between July 2019 and September 2019 and consultation on the proposed submission version between 26 October and 14 December 2020. It underwent examination and consultation on proposed modifications concluded on 21 September 2023. The Waltham Forest Local Plan (LP1) was subsequently adopted 29 February 2024 and therefore now forms a key part of the development plan in determining all planning applications. The previous Core Strategy (2012) and Development Management Policies (2013) are superseded by LP1. The relevant policies are:

- 53: Delivering High Quality Design
- 71: Listed Buildings
- 72: Conservation Areas
- 80: Trees

## 8 OTHER MATERIAL PLANNING CONSIDERATIONS

### 8.1 National Planning Policy Framework (2023)

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It is material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.

For decision-taking the NPPF states that the presumption means “approving development proposals that accord with an up-to-date development plan without delay” and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless “...any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The NPPF gives a centrality to design policies; homes should be locally led, well-designed, and of a consistent and high-quality standard. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish “between permission and completion, as a result of changes being made to the permitted schemes.”

The specific policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:

- Conserving and enhancing the historic environment

## 8.2 **Historic England Advice Note 3: The Setting of Heritage Assets (2017)**

This document sets out guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.

## 8.3 **Other Planning Guidance**

- Walthamstow Village Conservation Area appraisal

## 9 **ASSESSMENT**

9.1 The main issues for consideration, in relation to the proposed development are as follows:

- A. Principle of development
- B. Design and character
- C. Impact on the fabric of the listed building
- D. Conservation area
- E. Trees and biodiversity

### **A. Principle of development**

9.2 No objection is raised to the principle of demolishing the existing extension at the museum as this would not involve demolition of any part of the building which contributes to the character of either the listing or conservation area in terms of heritage. Additionally, there is no objection raised to the improvement of existing facilities, which have been designed in conjunction with the Council’s project delivery team to revitalise the museum and ensure the longer-term viability of the building as a much-loved community asset.

9.3 The matter of loss of some historic fabric of the building is justified in this instance for the wider public benefit of the scheme. The majority of

demolition relates to the extension, built ca. 2000, which on its own is not considered to contribute to the significance of the listing.

**B. Design and character**

- 9.4 Policy 53 of LP1 seeks to ensure that development responds appropriately to its context in terms of scale, height and massing, enhancing local character in relation to the architectural integrity of the area.
- 9.5 The proposal would involve demolition of the existing single-storey rear projection which was constructed ca. 2000. This is a relatively recent addition to the building which does not contribute to the character of the listing. It has deteriorated in terms of its condition and would require a scheme of modernisation to operate efficiently. The design of the replacement single-storey extension is modern and the applicant references Lea Bridge Library as a precedent, which is a comparable development by the same architect. A contemporary design helpfully distinguishes it from the historic areas of VHM. The footprint would also not be materially different to the existing, with exception to a small in-fill amount where currently is a small, hardsurfaced area of the garden. The design includes a large, glazed elevation to the south, a new entrance door to the north from Church Path with some clerestory windows on the north elevation which would ensure that the café space is well-lit. The roof would have a mono-pitch, increasing slightly in height to the north to house the clerestory windows. On balance this is not considered to change the situation in terms of the scale of development present at VHM. The design would remain subservient to the main building and would not cause harm to its character and appearance and would provide for an attractive addition overall.
- 9.6 A first-floor in-fill extension is proposed, which would be situated behind the pitched roof linking the historic part of the museum with the former policemen's cottages. This would facilitate the creation of level access in conjunction with an internal lift to the first floor of VHM, where currently access is very limited for wheelchair users or those with less mobility. This element of the proposal would not be visible from key public vantage points due to its relatively low height and would be glazed on the south elevation with views internally to the existing pitched roof. The north elevation would join the ridge of the existing roof at this point. The design would follow a similar appearance to the modern extension which, equally, would distinguish it from the historic parts of VHM.
- 9.7 Materials of the ground-floor extension are proposed as reusing existing or reclaimed brickwork externally with timber-framed glazing, finished with a corrugated metal roof in red/orange, which would complement the brickwork. Rainwater goods would be concealed within the structure. The first-floor extension would be entirely glazed on the southern elevation with a corrugated roof which is as good as flat and would appear light-touch. Overall the materials are considered to provide a contemporary look which would complement the historic building. Although there is no precedent for modern timber window frames or a metal corrugated roof, good design mustn't always constitute something

which is a copy of its surroundings, especially for a building which evidences different architectural periods. The development is likely to provide the next step in VHM's architectural history. It is recommended that specific material samples are submitted as a condition for review by conservation officers.

**C. Impact on the fabric of the listed building**

- 9.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving the character of Listed Buildings and their setting or any features of special architectural and historic interest. Section 72 of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.9 In accordance with Policy 71 of LP1, proposals are expected to conserve listed buildings and where possible enhance the significance of the heritage asset. There are many small interventions across the main historic part of the building which require LBC. No objection is raised to demolition of the 2000 extension as this is not considered to contribute to the historic significance of VHM.

*Ground floor*

- 9.10 Demolition of and construction of a single-storey rear extension is acceptable given that the existing projection is not contemporary with the historic parts of the building and does not provide a significant contribution to the significance of the listing.
- 9.11 This includes refurbishment of the historic entrance door to reinstate this as the main entrance. This would involve cleaning and restoring the fanlight glazing, polish the door, refurbish/repaint the boot scraper, install a brush to the door base and repaint the columns and entablature.
- 9.12 Some new fenestration would be installed (WP-01 and WP-14). These would read as modern interventions within these elevations but, given what they would replace, present a minimal loss of historic fabric. WP-01 would be located near the front entrance, serve the circulation space and replace the existing boiler flue. WP-14 would be located externally only as on the inner face of the building is historic panelling which would be retained as per the pre-application advice. Full detailed design is recommended to be subject to a pre-occupation condition. In this area of the building two further internal windows are proposed to be reopened (WE-03 and WE-04, between the reception/shop and learning space) which are currently boarded up.
- 9.13 Removal of some internal walls is proposed which would allow for the installation of an internal ramp (rooms AG4, AG6, AG7, AG10, AG11). In this area it is expected that there would be a loss of some historic fabric (doors and internal detailing) though the installation of the ramp would ensure an accessible route for wheelchair users around the ground floor of the historic area of the building and is acceptable on balance.



- 9.14 A lift is proposed to be installed in room BG2/3/4 which would further facilitate level access for users of the building. Some internal walls/doors would be removed in this area to create the larger circulation space here, which would provide a better flow to the building.
- 9.15 Windows facing Church Path would be reopened and any shutters retained. No additional windows/doors are proposed at this elevation and there would be no loss of historic fabric. Other rooms within the historic part of building would remain as existing in terms of historic fabric and provide spaces which are ancillary to those of a museum, e.g. exhibition space, learning room, gift shop.

*First floor*

- 9.16 A new walkway is proposed to link the historic part of the building with the former policemen's cottages at first-floor level. To facilitate this, a full-height opening would be created within window WE-36 and a new opening from room B1.6 (currently office, proposed to be circulation space). This would ensure that level access is provided for as much of the museum as is logistically possible at first-floor level. This is a sensible approach to ensuring a minimal loss of historic fabric as the opening would be within what is an existing window.
- 9.17 Other internal changes within the first floor of the historic building include removing small parts of walls and some doors to create a better circulation space. The current layout is clumsy in A1.6 and A1.8 due to various internal alterations over time. In this area new toilets would be installed. A1.1 to A1.4 would remain as existing in terms of their basic layout. It is not logistically possible to create level access to these areas of the building due to the work required which would remove a significant amount of historic fabric.
- 9.18 Changes are proposed to the internal layout within the policemen's cottages to facilitate the change of use to a co-working space, meaning that B1.5/6 would form a circulation space and new toilets. Other layout changes within this area are sensible and create usable office space for future occupiers.

*Garden/Landscaping*

- 9.19 Some landscaping is proposed to improve the appearance of the rear enclosed garden, which shows some signs of deterioration. This would include some garden planters and replacing the ground finish with a mixture of set gravel, loose gravel and retained grass.
- 9.20 At the front elevation, the front boundary wall and existing entrance ramp would be demolished and a unified surface would be installed to blend the public/private space to create an outdoor exhibition square. This would mean for an attractive front elevation and improve the kerb appeal of VHM.

**D. Conservation area**

- 9.21 The majority of works would be limited to the rear and side elevations of the building and any works affecting the Vestry Road and Church Path elevations of the historic parts of the building are minor interventions. Although some limited oblique views may be had from St Mary Road/Church Path through the existing boundary treatment, the majority of the extension would not be visible from key public vantage points. Therefore, it is not considered to alter the character of the wider conservation area when viewed as a whole as the main development replaces an already modern extension.
- 9.22 Any works which are likely to affect the conservation are limited to the front landscaped area, which would see the boundary wall demolished and creation of an outdoor exhibition square. This is considered to improve the appearance of VHM when viewed within the wider conservation area.

### **E. Trees and biodiversity**

- 9.23 There are a number of mature trees within the vicinity of the application site and within the landscaped rear garden. The arboricultural impact assessment (AIA) identifies the likely impact to trees that would result from the development and that T37 would be removed to facilitate the single-storey rear extension. It is described as a tree with limited long-term value and tree officers agree that its removal is justified.
- 9.24 The proposal should provide a meaningful replacement for any felled tree. The application proposes two smaller trees in its replacement though no additional information has been provided as to the type/species or future maintenance. The proposed ground floor layout indicates some cutting back of hedges H6, H7 and H8 by the new café entrance route, which is at an indicative level of detail only. With this in mind, a condition is recommended as part of a wider landscape management plan for the gardens as this area lacks the level of detailed required.
- 9.25 The arboricultural impact assessment (AIA) outlines that tree protective measures will be installed prior to demolition to minimise harm to any retained trees, which includes protective fencing and ground coverings. This is considered the safest option with regard to protecting trees, in line with the objectives of Policy 80 of LP1.
- 9.26 Some confusion has arisen with the requirement for biodiversity net gain (BNG) which came into force on 12<sup>th</sup> February 2024. In the case of applications for LBC BNG does not apply.

## **10 CONCLUSION**

- 10.1 In summary the proposed development would not cause significant harm to the fabric of the heritage asset or cause harm to its setting or appearance within the wider conservation area. Any resulting harm is minimal and outweighed by the public benefits of the project, in line with the aims and objectives of Policies 71 and 72 of the adopted Waltham Forest Local Plan LP1 (2024) and Section 16 of the NPPF (2023). Subject to compliance with the relevant conditions, the proposal is acceptable.

- 10.2 It is therefore recommended that listed building consent is granted subject to conditions and informatives.

## **11 ADDITIONAL CONSIDERATIONS**

### **11.1 Public Sector Equality Duty**

11.1.1 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

11.1.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11.1.3 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balanced against other relevant factors.

11.1.4 It is not considered that the recommendation to grant consent in this case will have a disproportionately adverse impact on a protected characteristic.

### **11.2 Human Rights**

11.2.1 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.

## **12 RECOMMENDATION**

12.1 It is recommended to the Planning Committee that listed building consent is granted subject to the following conditions and informatives:

### **12.2 Conditions**

1. The works to which this consent relates must be begun not later than the expiration of three years from the date of this consent.

**Reason:** To comply with the requirements of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and thereafter maintained as such for the lifetime of the development: -

- 300\_D\_101\_00 Rev 6 Proposed Site Plan
- 300\_D\_101\_00 Rev 1 Proposed First Floor Plan
- 300\_D\_111\_00 Rev 5 Proposed Ground Floor Plan
- 300\_D\_111\_01 Rev 3 Proposed First Floor Plan
- 300\_D\_111\_02 Rev 4 Proposed Roof Plan
- 300\_D\_112\_01 Rev 1 Proposed Sections (Sheet 1 of 4)
- 300\_D\_112\_02 Rev 1 Proposed Sections (Sheet 2 of 4)
- 300\_D\_112\_03 Rev 1 Proposed Sections (Sheet 3 of 4)
- 300\_D\_112\_03 Proposed Sections (Sheet 4 of 4)
- 300\_D\_113\_01 Rev 1 Proposed External Elevations (Sheet 1 of 3)
- 300\_D\_113\_02 Rev 1 Proposed External Elevations (Sheet 2 of 3)
- 300\_D\_113\_03 Rev 3 Proposed External Elevations (Sheet 3 of 3)

**Reason:** To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.

3. Prior to the commencement of development, notwithstanding site investigation and clearance works, demolition and construction to slab level, detail and samples of the materials to be used in the external faces of the extension(s) hereby approved, including bricks, fenestration, roof finishes and gates/fencing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

**Reason:** To preserve and enhance the character and setting of the listed building and to preserve and enhance the character and appearance of the conservation area, in accordance with Policies 71 and 72 of the adopted Waltham Forest Local Plan LP1 (2024).

4. The development shall fully conform with the recommendations of Arboricultural Impact Assessment 230971-PD-11a dated April 2024. The development shall be carried out solely in accordance with the approved details, and all works shall comply with BS 3998:2010 (Tree Work - Recommendations) and shall be supervised by a suitably qualified Arboriculturalist and any post-construction mitigation measures shall thereafter be maintained for the lifetime of the development.

**Reason:** To ensure the well-being of the trees and in the interest of biodiversity and the amenity of the surrounding area, in accordance with Policies 80 of the adopted Waltham Forest Local Plan LP1 (2024).

5. Prior to the commencement of development, notwithstanding site investigation and clearance works and demolition, a plan of the proposed new service routes throughout the building, including utility cables, pipes and replacement boiler system, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details and thereafter retained as such.

**Reason:** To preserve the character and setting of the listed building and to ensure no significant loss of historic fabric of the building, in accordance with Policy 71 of the adopted Waltham Forest Local Plan LP1 (2024).

6. Prior to first occupation of the development hereby permitted, a detailed window specification for windows WP-01 and WP-14 as illustrated by drawing 300\_D\_113\_03 Rev 3 and means of installation shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To preserve the character and setting of the listed building and to ensure no significant loss of historic fabric of the building, in accordance with Policy 71 of the adopted Waltham Forest Local Plan LP1 (2024).

7. Prior to first occupation of the development hereby permitted, a method statement for the means of repair for reopening any window shutters shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To preserve the character and setting of the listed building and to ensure no significant loss of historic fabric of the building, in accordance with Policy 71 of the adopted Waltham Forest Local Plan LP1 (2024).

8. No development shall take place on site whatsoever until a record of all historic features to be retained within the listed building on a room-by-room basis has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To preserve the character and setting of the listed building and to ensure no significant loss of historic fabric of the building, in accordance with Policy 71 of the adopted Waltham Forest Local Plan LP1 (2024).

### 12.3 **Informatives**

1. The applicant is reminded that this permission relates to listed building consent only. This notice is without prejudice to your responsibilities under any other legislation.

2. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which have been followed in this instance, and offers a pre-

(Item 4.6)

planning application advice service. In this instance the applicant was provided with pre-application advice.