

Appeal Decision

Site visit made on 7 March 2017

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th March 2017

Appeal Ref: APP/A5840/D/16/3166106

17 Clements Road, London, SE16 4DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jason Bowsher against the decision the Council of the London Borough of Southwark.
 - The application Ref 16/AP/4097 dated 3 October 2016 was refused by notice dated 30 November 2016.
 - The development proposed is the erection of a mansard roof.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the terrace and the area.

Reasons

3. The appeal property forms part of a terrace which is situated on the northern side of Clements Road. The properties present a consistent elevation to this road frontage, being two storeys in height and having regular architectural features, such as curved brick detailing above the front doors. The height of the parapet is also consistent, although there is a slight stagger in the building line and in the detailing of the terrace further to the east of the appeal site. The overall effect of this general consistency, is of a terrace which has a unifying form.
4. The proposal seeks permission for a mansard roof extension which would contain a number of dormer windows. The appeal property at present has a butterfly roof which forms part of an unbroken run along the terrace. I note the appellant's reference to the front parapet currently concealing the butterfly roof form and a Lawful Development Certificate (LDC) application¹ that was granted for a mansard addition at the property, which would result in the removal of the butterfly roof form. Whilst these matters may in this instance justify the loss of the butterfly roof form, the proposed development, unlike the LDC scheme, would result in an isolated mansard roof form being clearly visible on this

¹ LPA Ref: 16/AP/0025

terrace. Although the proposal would be constructed using traditional materials, I do not consider the proposed mansard would appear as a discrete addition. The mansard roof extension, including the raised party parapet walls and the raised front chimney stack, would be higher than the roofline of the remaining terrace and appear as incongruous features in the streetscene. The mansard roof would be set back from the front and rear elevations, and whilst it would not be visible from the pavement in front of the property, it would nevertheless be seen from street level views elsewhere, where it would appear visually intrusive.

5. My attention has been drawn to the roof forms in wider area including the bulk of the biscuit factory and also to a consent which is said to have been granted at 92 Storks Road, in close proximity to the appeal terrace. Whilst these do exhibit a range of roof forms, of differing heights and from different periods, they do not outweigh the harm that would be caused to the terrace within which the appeal property sits and consequently, the area.
6. An appeal decision has also been referenced for a property at 24 Banyard Road². I cannot however be sure that the circumstances are the same as the appeal proposal before me as the appeal decision references a 2008 Supplementary Planning Document *Residential design standards* whereas the refusal notice for this appeal refers to a 2011 document. The referenced appeal decision also which makes reference to a mansard roof already having been added on another property which is not the case on the appeal terrace. In any event, each case falls to be considered on its own merits and I can confirm that I have considered this proposal accordingly.
7. I therefore conclude that the proposal would have an unacceptable harmful effect on the character and appearance of the terrace and the area. It would conflict with Policies 3.12 and 3.13 of the Southwark Unitary Development Plan, Strategic Policy 12 of the Core Strategy, and Policies 7.4 and 7.6 of The London Plan which seek, amongst other matters, developments that achieve the highest possible standards of design and that consideration is given to the height and scale of buildings. The proposal would also conflict with Section 7 of the National Planning Policy Framework (Framework) and the Supplementary Planning Document *Residential Design Standards* (2011), which seek, amongst other matters, development that are of a high standard of design. Given the harm that I have identified in respect of the main issue, I do not consider the proposed development would be the form of sustainable development that the Framework intends there to be a presumption in favour of.

Other Matters

8. I acknowledge the development would not unacceptably affect the living conditions of neighbouring residents or give rise to adverse transport impacts. These are however neutral considerations and not a benefit of the proposal.
9. I recognise that the Applicant wants to remain in the current house which they have resided in for a number of years and the development seeks to provide for a growing family at an affordable price. I have also noted that there are a small number of larger properties for families' in the Borough and the support in the

² APP/A5840/A/09/2101735

Framework for planning for a mix of housing and making efficient and effective use of land, as well as similar references within parts of The London Plan. Whilst these matters weigh in favour of the development, they do not outweigh the harm that I have identified in respect of the main issue.

10. I have taken into account the efforts made by the appellant at pre-application stage, including consulting with neighbours and the changes that have been made since a previously refused application. Whilst I recognise the appellant's frustration at not receiving further feedback or a response from the LPA, these matters do not however have a bearing on the planning merits of the proposal before me. This appeal follows the Council's formal determination and I can confirm that I have considered the appeal on its own merits.

Conclusion

11. For the reasons given above and having considered all other matters raised, including the appeal site not being within a Conservation Area or a listed building and references in relation to the skyline not being of any particular interest and roof features not having been designed to be seen against the sky, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR