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## Appeal Decision

Site visit made on 24 April 2017

**by Tim Wood BA(Hons) BTP MRTPI**

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

**Decision date: 16 May 2017**

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**Appeal Ref: APP/A5840/W/17/3167388**

**23 Corbetts Lane, London SE16 2BQ**

- 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 Mazequest Ltd against the decision of the Council of the London Borough of Southwark.
  - The application Ref 16/AP/4255, dated 14 October 2016, was refused by notice dated 21 December 2016.
  - The development proposed is the demolition of the existing workshop/garage Class B building and erection of a new residential apartment block with 5 floors, a basement level and associated bin and cycle storage space.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are;
  - The effects of the proposal on the living conditions of neighbours
  - The effects of the proposal on the character of the area
  - The standard of living accommodation provided.

### Reasons

#### ***The effects of the proposal on the living conditions of neighbours***

3. The appeal site currently accommodates a single storey building upon which has been placed, what appears to be, a shipping container. The site sits to the rear of buildings fronting the main roads of Rotherhithe New Road and Silwood Street. The site is quite small and the proposed building would occupy all of it.
4. Residential properties on Silwood Street sit to the east in the form of flats. The Council states that they are a distance of 10m from the appeal site whilst the appellant states the distance as 11.5m. The flats within Silwood Street have main room windows facing the appeal site and I judge that the proposal would have an immediate impact when seen from these existing properties. The combination of the size of the proposal with its short distance from the existing flats would mean that the outlook of the existing residents would be

unacceptably affected. The proposal would appear overbearing and dominating from the perspective of those near neighbours.

5. The appellant suggests that the distance is acceptable and that the facing windows within the existing properties are mainly bedrooms. In my judgement, the proposal would still have an unacceptable effect when viewed from bedrooms here. I have also taken account of the relationship between buildings elsewhere in the locality and I have found none which directly replicate the proposed relationship, which in any event, I find unacceptable.
6. Therefore, the proposal would have an unacceptable effect on neighbours, contrary to saved Policy 3.2 of the Southwark Plan and Policy SP13 of the Core Strategy.

### ***The effects of the proposal on the character of the area***

7. The appeal site is located off a cul de sac which is located behind the main frontage buildings. These frontage buildings on Rotherhithe New Road are generally 2/3 storeys in height whilst those on Silwood Street are 6 storeys. The proposed building would appear at odds with the other properties on Corbetts Lane and Rotherhithe New Road due to its height which would be considerably in excess of these others. Whilst it would be comparable with the height of the buildings on Silwood Street, it would not be seen as part of them but as a separate element within this back-land area.
8. Within this specific context, the proposal would appear inappropriately tall and would be at odds with the buildings particularly on Corbetts Lane and Rotherhithe New Road. In this way I consider that the proposal would have an unacceptable effect on the character of the area, contrary to Policy SP 12 of the Core Strategy and saved Policies 3.12 and 3.13 of the Southwark Plan.

### ***The standard of living accommodation proposed***

9. The scheme originally considered by the Council contained a flat at the basement and ground floor which had a living room/kitchen in the basement and 2 bedrooms at the ground floor. In response to the reasons for refusal, the appellant has asked that I consider an amendment which provides a home office in the basement and a bedroom and kitchen/living room at the ground floor.
10. Whilst I understand why the appellant has sought to configure the proposed flat in this way, there can simply be no way of making sure that the room in the basement is used as labelled on the drawings and it is my opinion that it would inevitably be used as some form of main room. With this in mind, I consider that the outlook from it would be severely restricted as it would look out onto a small light-well. I consider that this would not offer the level of outlook that should be expected and would not provide a suitable standard of living accommodation. Therefore, the proposal would be contrary to saved Policy 4.2 of the Southwark Plan.

### **Conclusions**

11. Whilst I acknowledge that the removal of the existing building/structure may be seen as a benefit to the area, I do not consider that this is sufficient to outweigh the harmful effects of the proposal. I have considered the appellant's suggested amendments to the scheme but find that these are insufficient to

overcome my objections. Having taken account of all other matters, there is nothing sufficient to outweigh the harm that I have identified. Therefore, the appeal is dismissed.

*S T Wood*

INSPECTOR