
Appeal Decision

Site visit made on 4 July, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 1st August, 2017

Appeal Ref: APP/A5840/W/17/3171642

1c Bethwin Road, London, SE5 0YJ

- 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 Vida Homes Ltd. against the decision of the Council of the London Borough of Southwark.
 - The application Ref: 16/AP/2812 dated 8 July, 2016 was refused by notice dated 16 September, 2016.
 - The development proposed is seventh floor single story extension to duplex apartments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area, and whether the development would provide adequate living conditions for future occupiers of the building.

Reasons

Character and appearance

3. The appeal building is a modern building originally of four storeys, and largely residential in use. It sits between the raised railway line and Camberwell Road, and faces a petrol filling station and car park across Bethwin Road. It benefits from planning permission for a roof extension to the building to bring it to seven storeys, with the creation of six two-bed and two studio flats. At the time of my site visit works to implement these extensions were underway. The appeal proposal is for a single storey extension to the two approved duplex apartments at seventh floor level.
 4. The host building, due to the alignment and width of its windows has a generally horizontal emphasis. The approved roof extensions have a high proportion of glazing and a strong vertical emphasis in their glazing pattern, which helps to break up the mass of the extended building. The seventh floor element is only small, which helps to avoid too blocky an appearance.
 5. The proposed extension would lower than the approved seventh floor element, and would be set outside the strong vertical framework of the approved extensions. Although it would have full height windows and doors, these would not correspond to the glazing pattern of the glazing below it, while it
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would have a heavy fascia. The effect overall would be to create an additional element on top of the approved extensions with a horizontal emphasis and extending the depth of the seventh floor. It would as a result look odd and unintegrated and create an overly bulky appearance to the top floor as a whole which would be harmful to the character and appearance of the building and that of the wider area.

6. It appears to me therefore that the incongruous effect of the proposed extension would not arise from its volume, which would not be large, but from its massing and design in relation to the appeal building itself, and also that this would not, therefore, be offset by the mixed character of the area around the appeal building.
7. Although the building was scaffolded and sheathed at the time of my site visit, it was clear from inspection of the roof area that it would rise significantly over the rooftops along Camberwell Road and over the raised railway line, and that the proposed extension would as a result be visible in views west towards the site from Addington Square, and from further east along Bethwin Road. Consequently, the harmful effect of the proposed extension would be prominently visible within the area.
8. The proposal would therefore conflict with policies 3.12 and 3.13 of the Southwark Plan 2007 (the DP) and with policy SP12 of the Core Strategy 2011 in respect of their provisions in relation to design quality and respecting local context. It would also conflict with policy 7.4 of the London Plan 2015 which seeks development which has regard to the existing context and makes a positive contribution to the character of a place, and policy 7.6 of the London Plan which seeks architecture which makes a positive contribution to the wider cityscape.

Living conditions

9. Policy 4.2 of the DP, seeks residential development which achieves good quality living conditions, including the provision of suitable outdoor/green space. The Technical Update to the Residential Design Standards SPD 2011 sets out the Council's requirement for an adequate amount of useable outdoor amenity space. While it acknowledges in part 2.6 that this space could comprise a mixture of both private and communal areas, it is clear that this should include private amenity space where possible, which, as set out in part 3.2, for units containing two or fewer bedrooms should ideally be 10 m². Where this cannot be achieved, it goes on to say, as much as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity requirement.
10. The proposed extension would be placed in part of an area previously allocated for a communal roof garden, and would give access from the living areas of the two seventh floor flats to the remainder of this space as private, outdoor amenity space. This space would therefore no longer be available for the use of other residents of the block, in particular those living in the upper floors. Of the recently approved flats, two would be without any private amenity space, while others would have access only to small balconies. No increase of communal outdoor space is proposed elsewhere in the development.
11. The development would therefore provide limited or no private outdoor amenity space for future occupiers of these flats, and would not provide

communal outdoor amenity space sufficient to make up for that lost to private use. This lack would therefore amount to unsatisfactory living conditions which would be in conflict with policy 4.2 of the DP, and would fail to comply with advice in the Technical Update to the Residential Design Standards SPD 2011.

12. The appellant suggests that the occupiers of the six flats on the fifth floor would benefit from the communal space currently provided at ground floor level, effectively enjoying 30m² per flat. However, as this space is available for all occupiers of the building, I consider this figure to be a significant over-estimate. It is also likely that, given the distance between the upper floors and the ground floor space, a rooftop terrace would be more attractive and convenient to these residents.
13. Large public open spaces at a distance from the building, however short, would not necessarily satisfy the likely needs of occupiers of the building for casual and convenient use of shared space close at hand to their dwellings.

Conclusion

14. Although the creation of additional housing units can be considered a benefit, the appeal proposal would not increase the number of flats in the building and would not therefore significantly boost the housing stock of the borough. The private benefits for future occupiers of the two seventh floor flats do not, in my opinion, outweigh the harm which I have identified to other occupiers of the block, nor that to the character and appearance of the area.
15. I conclude therefore, that for the reasons given above, and taking into account all other matters raised, the appeal should be dismissed.

S J Buckingham

INSPECTOR