
Appeal Decision

Site visit made on 1 August 2017

by L J O'Brien BA (Hons) MA

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 17 August 2017

Appeal Ref: APP/A5840/D/17/3177100
320 Commercial Way, London, SE15 1QN

- 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 Miss Jessie Pemberton against the decision of the Council of the London Borough of Southwark.
 - The application Ref 17/AP/0980, dated 9 March 2017, was refused by notice dated 3 May 2017.
 - The development proposed is construction of a two storey rear extension.
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Preliminary Matter

1. The description of development varies between the application and appeal forms and the Council's Decision Notice. I have used the description given by the Council as this best describes the proposal before me.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host building and the wider area; including the setting of the nearby listed buildings and the Caroline Gardens Conservation Area.

Reasons

4. The appeal property, 320 Commercial Way, is a two-storey end-of-terrace dwelling with a basement and integral garage area. The property adjoins the Caroline Gardens Conservation Area (CA) at the rear and is surrounded by a number of listed buildings.
5. No. 320 has a reasonably long rear garden with a number of trees and some planting. The rear of the property has an attractive roof form, with two sloping (butterfly) sections and a small flat-roofed area. The prominent butterfly roof form is a key feature of the wider terrace of which it is part. I note that there is some debate regarding the correct technical definition of the roof form; however, in the interests of brevity, and as, in my view, it seems to best describe the roof form, I have adopted the Council's term of "butterfly" roof.
6. The proposed development comprises a two-storey rear extension. Permission was previously granted for a single-storey rear extension and the current

proposal is to add a second-storey to facilitate larger bedroom accommodation and a new ensuite bathroom.

7. The proposed two-storey extension would have a flat roof and would sit marginally below the level of the butterfly roof. The proposal would cover approximately two thirds of the width of the dwelling and would project a significant distance from the rear wall. The extension would add significant bulk to the dwelling which would be exacerbated by the incongruous and substantial increase to the area of flat-roof. Consequently, the extension would form a disproportionate addition which would not sit comfortably with the host dwelling. I note that the first-floor would be set-back in order to minimise the overall volume of the extension, however, this would not be sufficient to address the harm to the character and appearance of the building.
8. The flat-roofed addition would appear bulky and alien when viewed in the context of the scale and design of the existing butterfly roof and would fail to respect the proportions of the roofline. The extension would interrupt the continuous and uniform roofscape of the terrace as a whole, thus causing harm to its character and appearance.
9. The set-down from the existing roof would mitigate the effect of the extension on the roof form to a limited extent but would not be to such an extent so as to overcome the harm I have identified.
10. I acknowledge that end-of-terrace properties such as this are sometimes visually different. Indeed, there are differences between No. 320 and the rest of the terrace; including differences in the roof form, such as the flat-roofed element, at No. 320. However, the butterfly roof is a key feature which is consistent across the entire terrace and the position of the dwelling and its marginal differences are not sufficient to justify allowing the appeal.
11. A number of listed buildings are situated in the vicinity of the appeal site. The majority of these, however, are suitably distant so as to maintain visual separation from No. 320. The largest implications of the proposal would be on the setting of No's. 326 and 328 Commercial Way, Doddington Cottages, and No's 330 and 332 Commercial Way, Doddington Place. These buildings are Grade II listed.
12. The effect of the proposal would be limited to the rear of the dwelling and the extension would not be readily apparent in key views of these buildings or their immediate settings. In my view the neighbouring listed buildings are a sufficient distance away so as not to be materially harmed by the proposal. Furthermore, these buildings differ in respect of their form and design and appear as a separate entity from the appeal property. I acknowledge that there would be some effect on the setting of these buildings, however, this would be extremely limited and would not be such so as to cause harm.
13. I note the Council's concerns regarding the setting of the Caroline Gardens CA and the listed buildings within. The character and appearance of the CA stems largely from the landscaping and the consistency of the built form within it. The rear of the appeal site is extensively screened at the boundary with the CA by existing vegetation. Views between the two are limited to glimpses. Whilst I acknowledge that the screening provided by vegetation can be temporary in nature, the area of Commercial Way within which No. 320 sits is not visually

linked in such a way that the proposal would cause harm to the setting of the CA.

14. For the reasons set out above, I conclude that the proposal would represent an unsympathetic addition which would harm the character and appearance of the host building and the terrace of which it is a part. I have therefore found conflict with Policy 3.12 and Policy 3.13 of the Southwark Plan 2007 (SP) and Policy SP12 of the Southwark Council Core Strategy, 2011. These policies, amongst other things, seek to ensure that developments achieve a high quality of design, enhancing the quality of the built environment and using appropriate design solutions, specific to the site's shape, size and location.
15. The proposal would also be at odds with the guidance contained within the 2015 Technical Update to the Residential Design Standards Supplementary Planning Document, 2011 (SPD) which requires extensions to harmonise with the scale and architectural style of the original building and the character of the area.
16. Given my conclusions on the impact on the CA and neighbouring listed buildings I do not find conflict with Policy 3.18 of the SP, which requires such assets to be preserved or enhanced, in this regard.
17. Having regard to my conclusions on the main issue and all other matters raised, I conclude that the appeal should be dismissed.

L J O'Brien

APPOINTED PERSON