
Appeal Decision

Site visit made on 19 February 2020

by Paul Jackson B.Arch (Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 24th February 2020

Appeal Ref: APP/A5840/D/18/3211078

31 King Edward Walk, London SE1 7PR

- 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 Masood Nasir against the decision of the Council of the London Borough of Southwark.
 - The application Ref 18/AP/1895, dated 10 June 2018, was refused by notice dated 17 August 2018.
 - The development proposed is alteration of the existing non-original roof in order to create a roof terrace.
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Preliminary matters

1. The application was made in conjunction with an application for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990. The appeal is made against the refusal of planning permission. No appeal has been made against any refusal of listed building consent.
2. The address of the property given on the application form is 21 King Edward Walk. The actual address provided on the appeal form, and that considered by the Council, is 31 King Edward Walk. I have considered the appeal accordingly.

Decision

3. The appeal is dismissed.

Reasons

4. The appeal property is a 19th century brick and stucco end-of-terrace house. The main issues are firstly, the effect on the architectural character and historic interest of the building, which is listed at Grade II as part of the terrace at Nos. 15-31; and secondly whether the proposed roof terrace would preserve or enhance the character or appearance of the West Square Conservation Area.
5. The listed terrace is a significant remnant of late Georgian development in the area, now somewhat isolated by unremarkable post-war buildings on the opposite west side of the road and to the north and south. Once in a symmetrical elevational form, WWII bomb damage led to the demolition of the northern 'book-end'. The appeal property also suffered damage and has a replacement hipped roof. However, it retains significant architectural and historic interest and is conspicuous in the street due to specific design features incorporated at the southern end of the terrace including a projecting front façade and a side door. The fabric remains well preserved and the whole listed terrace, albeit now truncated, contributes significantly to the character and appearance of this part of the West Square Conservation Area.

6. In contrast to the advice at paragraph 189 of the National Planning Policy Framework (NPPF), no details or dimensions of the glass balustrade, the alterations to the internal stair, the proposed roof window or the decking have been provided. However, there is sufficient information on the application drawings to conclude that the proposed glazed balustrade would appear as an anachronistic modern element above the end wall of the terrace. It would not in any way reflect the heritage value of the building or the terrace. Moreover, it is very likely that various items of domestic clutter such as furniture, parasols, play equipment and BBQs would be placed on the roof from time to time which would be impossible to control and would add to the incongruity of the proposal. The effect would be to diminish, and fail to preserve, the architectural and historic interest of the appeal property and the terrace of which it is part.
7. The access is proposed to be an extension of the existing internal stair with a 'roof window' or hatch of indeterminate appearance against the end wall and balustrade. Without details of the alterations to the stairs and the proposed means of opening, it is impossible to gauge the effect on heritage significance of this feature. It is likely to add noticeably to the detrimental effect of the balustrade.
8. Drawing from the West Square Conservation Area Appraisal (CAA) of 2013, the heritage significance of the Conservation Area derives largely from the architectural and historic interest of built development across the locality in the 18th, 19th and early 20th centuries. The listed terrace forms an important remaining asset of high quality in the area around King Edward Walk. The proposed alterations and use as a roof terrace at No. 31 would noticeably diminish the heritage significance of the whole terrace and compromise the ability to understand and appreciate its contribution to the character of the Conservation Area as a whole.
9. I have taken account of all the matters raised by the appellant and supporters of the scheme, and the existence of other terrace areas at No. 25 and 27. These could not be verified at the site visit and the Council advises that such use is unauthorised. The limited existing outdoor space available to the appellant is understood but the advantages of providing such space on the roof of the listed building do not outweigh the harm that would occur to heritage significance.

Conclusion

10. It is concluded that the proposed roof terrace and associated access would cause less than substantial harm¹ to the listed building and the character and appearance of the West Square Conservation Area. There are no public benefits. Accordingly the proposed development would conflict with the heritage protection objectives of policies of the 2016 London Plan, policy 12 of the Southwark Core Strategy of 2011, saved policies 3.12, 3.13, 3.15, 3.16, 3.17, 3.18 of the Southwark Unitary Development Plan of 2007, advice in the CAA, and guidance in the 2019 NPPF. For these reasons the appeal must fail.

Paul Jackson

INSPECTOR

¹ In the terms used in paragraph 196 of the NPPF