



Appeal Decision

Site Visit made on 8 September 2021

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal Ref: APP/A5840/W/20/3258457

15 Oakley Place, London SE1 5AD

- 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 Aaron Harris against the decision of London Borough of Southwark.
 - The application Ref 20/AP/0895, dated 20 March 2020, was refused by notice dated 20 May 2020.
 - The development proposed are: 1. 'L' shaped dormer to the rear roof. 2. Installation of rooflights to existing and proposed areas.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Cobourg Road Conservation Area and the setting of listed buildings at 29 and 31 Cobourg Road.

Reasons

3. The appeal property is a mid-Victorian two storey terrace in the Conservation Area. The front of the terrace has a strong degree of harmony in its style and largely unaltered appearance that makes a positive contribution to the character and appearance of the area. The rear of the terrace comprises of two storey outriggers which generally have pitched roofs. They are of a uniform scale and appearance and back onto the rear elevations of a terrace on Cobourg Road. Directly to the rear of the appeal site is the three storey properties of Nos 29 and 31. The architectural interest of these Grade II listed buildings includes the two bay windows at the rear which are experienced from Cobourg Road Nature Area along with the terrace on Oakley Place.
4. There are a handful of dormer extensions to the rear roof plane of properties within the terrace including at 18 Oakley Place. I agree with the Council that a rear dormer on its own may be acceptable. However, the proposal also includes an extension to the roof of the outrigger. This would be lower in height than the other part of the dormer extension, but it would add considerable bulk to the rear outrigger and fail to visually harmonise with the character of the terrace and the rear outriggers. Whilst the parapet wall would be built up to accommodate the extension and respond to the terrace's character, the proposal would still be a dominant and unsympathetic addition to the property.
5. The rear of the house is generally screened from nearby roads, but it can be viewed from the Nature Area which is publicly accessible and within the

Conservation Area. There would be views of the proposal throughout the year from the Nature Area which would include the rear elevations of Nos 29 and 31. Given my statutory duty, my assessment is based on the whole of Nos 29 and 31 being listed as the listing does not indicate that it is only the front elevations of Nos 29 and 31 that are listed. Thus, even if high quality, durable and recyclable materials were used, the extension's overall scale and bulk would harm the character and appearance of the host property, the terrace it forms part of, the Conservation Area and the setting of Nos 29 and 31.

6. The dormer at 100 Cobourg Road draws some similarities with the appeal proposal, but there are also some distinctions given that the former roof plane and other features were not readily appreciated from the public domain. Moreover, other buildings frame what views are available and matching materials were used. In this case, high quality but contrasting materials are proposed and the extension would be evident from the Nature Park and not solely views up against the backdrop of the terrace. As such, No 100 does not justify the proposal's harmful effect.
7. The roof lights in the front roof plane would preserve the character and appearance of the Conservation Area and they would have a neutral effect on the listed buildings due to their siting and design. However, in terms of paragraph 202 of the National Planning Policy Framework (the Framework) less than substantial harm would be caused by the extension proposed to the rear. Even so, I give it great weight and importance.
8. The proposal would increase the quantity of internal living space serving its occupants of the first-floor flat meaning that the current occupants could remain in the property to raise a family. This is a private benefit, but the overall improvement to family accommodation in a suitable and accessible location would be a public benefit. Moreover, the proposal would make effective and efficient use of the site and the building and current and future occupants would be able to use the space for different purposes such as living and working from home. Whilst these are all modest public benefits they do not outweigh the less than substantial harm that I have identified.
9. I conclude that the proposal development on the whole would not preserve or enhance the character and appearance of the Conservation Area and the setting of Nos 29 and 31. As such, the proposal would not comply with Policy D3 of the London Plan (2021), Strategic Policy 12 of the Core Strategy, saved Policies 3.12 and 3.13 of the Southwark Plan 2007, the 2015 Technical Update to the Residential Design Standards Supplementary Planning Document (2011), and Section 12 and paragraph 202 of the Framework. Jointly these seek alterations, among other things, to be a high-quality appropriate design solution of a suitable scale specific to their site's shape, size, location and development opportunity, to positively respond to local distinctiveness and where applicable preserve or enhance the historic environment.

Other Matters

10. I note the appellant's efforts with a pre-application submission which the Council responded to, but I have considered the appeal based on its planning merits alone. Taking this approach, whilst I consider that the proposal would not cause harm to the living conditions of neighbouring occupants subject to the use of obscure glazing, this matter does not alter or outweigh my conclusion on the main issue.

Conclusion

11. The proposal would not accord with the Development Plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this.
12. For the reasons given above I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR