



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: 20 September 2021

Appeal Ref: APP/A5840/W/21/3269474

143 Fort Road, London SE1 5PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Chris Klimczyk against the decision of London Borough of Southwark.
 - The application Ref 20/AP/3802, dated 22 December 2020.
 - The development proposed is the demolition of the existing lean-to side extension, erection of a side and rear single storey extension, 1st floor side extension, and installation of new rooflights and timber windows with minor alterations to elevations.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing lean-to side extension, erection of a side and rear single storey extension, 1st floor side extension, and installation of new rooflights and timber windows with minor alterations to elevations at 143 Fort Road, London SE1 5PZ in accordance with the terms of the application, Ref 20/AP/3802, dated 22 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 160/01; 160/11; 160/04-C; 160/22-C; 160/23-C; 160/24-C and floor plan.
 - 3) The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.
 - 4) Notwithstanding condition 2 the first-floor extension hereby permitted shall not be occupied until details of the windows have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period.
3. Works have taken place on site since planning permission was granted by the Council in October 2020 with the lean-to side extension now demolished and a side and rear single storey extension erected in its place. The two rooflights shown on the proposed plans have been inserted whilst a third has been added in the side extension. There are also only two roof lights in the first-floor roof

to the rear. Nevertheless, my assessment is based on the submitted plans and given the planning permission granted the Council's concern relates to the first-floor side extension proposed. I raise no issue with the other aspects of the proposal and shall therefore focus on the matter in dispute.

Main Issue

4. The main issue is whether the proposed first floor side extension would preserve or enhance the character or appearance of the Thorburn Square Conservation Area.

Reasons

5. The two storey end terraced appeal property lies within the Thorburn Square Conservation Area which is a notable surviving example of mid to late 19th Century terraced housing. Its character stems from the near continuous brick terraces of small-scale two storey domestic development dating from a similar period and from the consistency of the overall treatment throughout the area. The terraces have largely survived as they were originally intended, save for some alterations and additions.
6. A key characteristic of the Conservation Area is the open spaces left due to the pattern of development. Typically, the spaces occur where secondary streets meet primary streets. The position of the appeal property at the junction of Fort Road and Reverdy Road positively contributes to this characteristic and is in a quieter part of the Conservation Area less well used by vehicular traffic.
7. The Thorburn Square Conservation Area Appraisal explains that side extensions which obscure the gaps are unlikely to be acceptable. However, 'unlikely' is not the same as they are not acceptable. The 2020 planning permission demonstrates this point. This extension occupies the gap to the side and ties in with the building line of the terrace on Reverdy Road to the rear. The alignment of gable and front elevations of terraces near to road junctions is a strong feature of the Conservation Area. The terraces at the remaining corners at the junction of Fort Road and Reverdy Road all follow the building line of the terrace on the other road and there is some variation in the design of end terraced properties in the Conservation Area.
8. The first-floor extension would occupy some of the air space to the side of the terrace, but it would be set back from the ground floor extension, from the host property's front elevation and down from its roof line. A stepped appearance would be formed but this, and the design of the proposal, would respond to the character and appearance of the host property. The extension would not result in the loss of any greening of the area and it would not comprise the sense of place or openness around this part of the junction due to its scale, design and siting. Therefore, the remaining gap could still positively contribute to the junction and the Conservation Area.
9. The size of the first-floor extension's frontage would differ from its host, but this would not be harmful as the proposal's design would reinforce the design principles of its host subject to conditions around finishes. The two-storey side extension to 42 Reverdy Road, which can be viewed from the junction of Fort Road and Reverdy Road, only reinforces my view.
10. The submitted plans indicate some variation in the window style and in the use of headers, but the windows in the ground floor extension respond to the style,

finish and alignment of the host property. A planning condition could be imposed to ensure the same happens at first floor.

11. I conclude that the proposed first floor side extension would preserve the character and appearance of the Conservation Area. Hence, the proposal should be treated favourably and it would accord with saved Policies 3.15, 3.16, 3.18 of The Southwark Plan 2007 (SP), Strategic Policy 12 of the Core Strategy (CS), Policies HC1 and D4 of The London Plan 2021, Policy P17 of the New Southwark Plan Proposed Submission Version (emerging plan), albeit it does not carry full weight, and paragraphs 130, 134 and 206 of the National Planning Policy Framework. Together these seek development to deliver high standards of design and to preserve or enhance the special interest, setting of, or historic character or appearance of the Conservation Area.
12. Although copies of saved SP Policy 3.2, CS Strategic Policy 13 and emerging plan Policies P13 and P18 have been provided by the Council they are either not relevant to the main issue or the matter in dispute.

Conditions

13. I have imposed the standard time limit condition given that the appeal scheme involves development that does not benefit from planning permission. An approved plans condition is necessary in the interests of certainty. Matching materials would help harmonise the extension with the host property and the ground floor extension. Also, a condition is necessary so that the windows in the first-floor side extension relate to the property's existing windows. I have imposed conditions to this effect so that the development preserves the significance of the Conservation Area.

Conclusion

14. I conclude that the proposed development would 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.
15. For the reasons given above I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR