
Appeal Decision

Site Visit made on 14 September 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2021

Appeal Ref: APP/A5840/W/20/3257985

273-301 Rotherhithe Street, London, Southwark, SE16 5EY

- 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 Matliwala Family Charitable Trust against the decision of London Borough of Southwark.
 - The application Ref 20/AP/1273, dated 28 April 2020, was refused by notice dated 26 June 2020.
 - The development proposed is the addition of a third-floor level above the existing terraces at 273-301 Rotherhithe Street, to provide 9 no. apartments, accessible from a new central stair core between the terraces.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form the description has been changed to reduce the number of apartments from 9 to 8. Following amendments made to the scheme during its consideration the Council accepted amended plans which showed the revised internal layout for 8 apartments; however, this change is not reflected in their formal decision.
3. Annex M of the Procedural Guide Appeals – England advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
4. Having regard to the Council's reasons for refusal, I am satisfied my acceptance of the revised plans will not materially alter the nature of the application and would not prejudice interested parties and therefore I have considered the appeal on the basis of the amended plans submitted to the Council in June 2020.
5. The Council has confirmed that following the submission of the Right of Light Consulting Daylight and Sunlight Report 2020, the second reason for refusal is no longer relevant as the report adequately demonstrates that the proposed development would not adversely impact the living conditions of neighbouring occupiers, with regard to daylight and sunlight and I have no reason to disagree given the content of the report. As such, my decision is confined to the remaining reason for refusal, as set out within the decision of the Council.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal site is located off Rotherhithe Street, a predominately residential area positioned on the banks of the River Thames. The site comprises two blocks of three storey town houses and is part of a complex of brick built mews and apartment buildings which are grouped around a communal garden, tennis courts and parking areas.
8. The existing two rows of terraced housing, together with a third row to the north, form a coherent group of buildings with an agreeable and elegant architectural composition which compliments the general form and scale of development along Rotherhithe Street. In this location the long views available across wide roads mean that the roofscape becomes part of the overall urban landscape. It is for this reason that alterations to the roofline need careful consideration, as they can be experienced from the streets and roads around the area.
9. The proposed development would result in an additional storey and the infilling between the existing two blocks to form a central staircase. The central staircase would visually interrupt the rhythm of the existing blocks. The loss of the gap would significantly detract from the character and form of the existing blocks, eroding much of the original plan form that is currently evident and replicated within the blocks to the rear.
10. The neighbouring residential development has been extended to include individual roof terraces and a similar scheme has already been approved on the appeal site (18/AP/1253). This form of extension is modest in terms of overall footprint and the degree of set back from the front elevation, when compared with the development proposed.
11. The proposed third floor would fill almost the entirety of the footprint of the roof and with minimal set back from the front parapet. As a result, it would be a prominent feature interrupting the existing roofline. Moreover, the extension would be widely visible from both within Lawrence Wharf and Rotherhithe Street, which currently allows views of the existing roof form. Thus, the proposed alterations to it would be visible from the public realm, resulting in a development which is an unduly dominant and incongruous element within the overall wharf development, disrupting its rhythm and unity.
12. I have had regard to the differing scale of development which exists within both Lawrence Wharf and those of neighbouring blocks, however whilst I accept that some of the buildings are higher than the appeal site this does not lead me to conclude that the proposed alterations to the roofscape would be acceptable within the wider context for the reasons already given.

13. I therefore conclude that the proposed development would introduce a discordant built form to the locality that would be out of keeping with and harm the character and appearance of the surrounding area. Consequently, it would conflict with Strategic Policy 12 of the Southwark Council Core Strategy 2011 and saved Policies 3.12 and 3.13 of the Southwark Plan 2007 which together seek to achieve the highest possible standards of design for buildings which has regard to townscape, local context and character.

Other Matters

14. I have taken into account that the development would result in additional dwellings, in an accessible location, that would contribute to housing supply in the area. In particular noting the National Planning Policy Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. The development would also give rise to some economic benefits during the construction phase and provide limited support to local services.
15. However, the government's National Design Guide (NDG) and the Framework places emphasis on granting permission for well-designed buildings and refusing it for schemes which do not reflect government guidance on design. It has not been shown that the appeal scheme meets these important criteria which support one of the overarching objectives of the Framework which is to foster well-designed, beautiful and safe places.
16. Therefore, the identified adverse impacts of the development in respect of harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, including its presumption in favour of sustainable development.

Conclusion

17. For the reasons given above, the proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR