



Appeal Decision

Site visit made on 1 April 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2022

Appeal Ref: APP/A5840/W/21/3283145

120 Tooley Street, London SE1 2TH

- 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 Pinehill Capital SA against the decision of London Borough of Southwark.
 - The application Ref 21/AP/2120, dated 9 June 2021, was refused by notice dated 12 August 2021.
 - The development proposed is described as a rooftop extension consisting of an additional 2 bedroom, 72 sqm apartment, and communal rooftop garden area, and newly installed circulation block and lift extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the original decision the Council have adopted The Southwark Plan (2022). This replaces the Southwark Plan (2007) and the Southwark Core Strategy (2011) such that the policies of those plans cited on the decision notice are no longer part of the development plan and have no weight. The Council have not, however, provided me with the relevant policies of The Southwark Plan (2022). I have therefore considered the proposed development against the relevant sections of the National Planning Policy Framework (2021) (the Framework).

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Tooley Street Conservation Area (TSCA).

Reasons

4. The appeal property is a six-storey building with commercial use on the ground floor and residential use on the upper floors. It is located on the southern side of Tooley Street where the buildings are of various styles and scales. On the opposite side there is a significantly greater increase in the scale of the built environment, with many modern standalone buildings.
5. The appeal property is located within the Tooley Street Conservation Area (TSCA) which is characterised as being predominantly formed by the commercialised setting of Tooley Street running between London Bridge and Tower Bridge, parallel with the river.

6. The building is of modern appearance with a relatively subtle commercial ground floor, four brick faced floors that are notable for their recessed balconies and full-length glazing, and an additional storey that is mainly set-back from the front elevation and clad in grey profiled metal cladding with full length windows set behind a glazed balustrade.
7. The building, in terms of its scale and appearance sits relatively comfortably between its unashamedly modern and historic neighbours that are 7 and 3 stories respectively, with the latter having a pronounced mansard roof. The sixth floor of the building, with its set back and different design, appears to have been designed with the intention of appearing less dominant and relieving the overall scale and mass of the building. It is onto this section of the building that the development is proposed.
8. When viewed from the east, the proposed development would largely be screened by the adjacent 7 storey building, being of greater height with a similar depth. This would not be the case when viewed from the frontage and from the west.
9. When viewed from the west, there is a notable difference in height between the appeal building and the adjacent building, 114 Tooley Street. This height difference exposes a large and significant expanse of the profiled metal cladding that makes up the side elevation of the existing rooftop level of the appeal building.
10. The proposed development to create an additional storey, including lift entrance/exit on the building would further amplify this exposed section, creating an abrupt and stark drop. The continuation of the profiled metal cladding would create a visually dominant and discordant feature in a prominent position within the TSCA, particularly when viewed from the area of public realm in front of 6 More London Place. Due to the increase in scale and massing, it would appear top-heavy and result in an incongruous addition to the building.
11. Although the bulk of the resulting development would be no taller than the adjacent building at 122-126 Tooley Street, the adjacent building sits next to the 6-storey appeal property. By matching, and part increasing, the height of the adjacent building, the proposed development would draw the overall bulk of the building into a more prominent and exposed position, particularly when viewed in conjunction with the lower 114 Tooley Street. The use of matching materials would not alleviate the harm that would be caused.
12. I therefore find that, for the reasons outlined above, the proposed development would cause harm and thereby fail to preserve or enhance the character and appearance of the TSCA. The development would be contrary to the Framework, which requires, amongst other things, that development is of high-quality design, sympathetic to local character whilst sustaining and enhancing the significance of heritage assets.

Other Matters

13. The Government's objective as set out in the Framework is to support housing growth. The proposed development would result in the creation of an additional dwelling in a highly accessible location. This is a factor of significant weight in favour of the appeal.

Planning Balance and Conclusion

14. Having regard to paragraph 202 of the Framework, I find that as the proposed development would affect a limited part of the conservation area, the harm to the TSCA is relatively localised, and therefore the proposed development would cause less than substantial harm to the significance of the designated heritage asset. I do not, however, find that this harm is outweighed by the provision of an additional residential property in a highly accessible location or any other public benefits of the proposed development.
15. The proposed development would therefore conflict with the Framework and there are no other considerations that outweigh this conflict.
16. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR