



Appeal Decision

Site visit made on 27 April 2022

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2022

Appeal Ref: APP/A5840/W/21/3286912

Ground and First Floor Flat, 147 Farmers Road, London SE5 0TW

- 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 Jago Perose against the decision of the London Borough of Southwark.
 - The application Ref 21/AP/2313, dated 1 July 2021, was refused by notice dated 27 August 2021.
 - The development proposed is described as additional storey extension above dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal incorporates design amendments following refusal of permission to a similar application for an additional storey at the site (ref. 21/AP/0240).

Main Issues

3. The main issues are (a) the effect of the development on the character and appearance of the dwelling, terrace and street scene in relation to its height and scale and (b) the effect of the floor to ceiling height on living conditions of future occupiers.

Reasons

Character and appearance

4. The appeal relates to a two-storey dwelling within a three-storey building set above a separate basement flat. The building is at the end of a terrace of four similar buildings that form a well-defined group in a mixed street scene, but which are not uniform in appearance. There is a gradual fall in land levels to the south along Farmers Road which is reflected in the terrace roof line with no.147 being set at a lower level than the middle pair and no.139 at the opposite end being higher still. The appeal property is also set behind the adjacent dwellings and has fenestration that differs from that on others in the terrace. It has a flat roof whereas the adjacent pair have butterfly roofs behind the front parapet. At the opposite end to the terrace, no.139 does not have a basement, is wider and has a central recessed area.
5. Notwithstanding these variations in size and appearance, the terrace has unifying features in its overall massing and stepped parapets. There is not another terrace in this part of the street. There are open spaces on the opposite side of Farmers Road and to the north and east of the terrace.

6. The proposal would incorporate a sloping mansard-style roof at the front rising about 1.8m above the front parapet wall. Its visibility would vary with the angle of view. The parapet would conceal the structure from the nearside footway to Farmers Road in front of the terrace and the recessed front wall would also provide some screening in street views from the north-west. But the full depth of the roof addition would be prominent in views from the south-east and from the junction with Wyndham Road. Notwithstanding the three-storey return frontage to the corner building at Wyndham Road, the proposal would be seen as a conspicuous, bulky and incongruous addition in its front and side elevations from this part of the street. It would disrupt the present stepped arrangement to the terrace as a whole and would detract from the terrace's appearance in the street scene.
7. The rear of the building can only be glimpsed in public views further along Wyndham Road but is visible in private views from nearby buildings and from school grounds that wrap around the terrace to the north and east. An external terrace at the back of the proposed roof addition would rise above an existing sloping mansard-style roof at first floor level. Adjacent buildings in the terrace at 143-145 also have rear facing dormer windows set in a sloping roof at first floor level. These are unifying features to the appearance of the terrace as a whole. The proposed additional storey above the existing rear facing sloping roof would be counter to guidance within the Southwark Council 2015 Technical Update to the Residential Design Standards SPD (2011). This states that roof extensions will not be permitted in certain circumstances, including *"On buildings and in terraces which are completed compositions, or which have existing mansards or roof storeys"*.
8. The proposal follows a design approach often accepted in other circumstances, but in the context of the appeal site, as an end of terrace building with the unifying features I have identified, it would detract from the character and appearance of the dwelling, terrace and street scene. There would be conflict with Saved Policies 3.12 and 3.13 of the Southwark Plan (2007) which promote quality in design that respects the local context and character of a street and area. Similarly, there would be conflict with Policies P12 and P13 of the emerging Southwark Plan which require the height, scale, massing and arrangement to respond positively to the existing townscape and character and to be specific to the site's historic context, topography and constraints.
9. There would be only limited conflict with Policies D4 of the London Plan (2021) and Policy 12 of the Southwark Core Strategy (2011) which are strategic in nature relating to design issues. Moreover, the appellant has responded to design scrutiny following refusal of permission to the initial application.
10. Paragraph 120(e) to the National Planning Policy Framework supports the use of the airspace above existing buildings for new homes. The proposal would be an enlargement of an existing dwelling but would not *"be consistent with the prevailing height and form of neighbouring properties and the overall street scene"*. Paragraph 130(c) requires developments to be *"sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)"*. I have outlined how in my judgement the proposal would not be sympathetic to its context and thereby to local character.

11. The appellant has referred to examples of permitted roof additions in the local area. I noted several along Camberwell New Road. They are becoming part of the character of the road. However, they tend to be in central terrace locations with just the front wall visible. The proposal would have a different effect in the street scene of Farmers Road due to its greater visibility above an exposed flank wall. The addition at 122 Vassall Road is at the end of a terrace and faces an open road junction, but its overall visibility is limited due to the presence of a higher public house building alongside with a bold contrasting design.
12. The proposed rise in height at the appeal site would bring the building closer to that of the return frontage to 164 Wyndham Road along Farmers Road. But the proposal would be more readily perceived as part of the composition of the terrace of four buildings. In this context, its present subservience through being lower and recessed would be lost through the proposal's prominence.

Living conditions

13. The submitted section indicates that the internal floor to ceiling height within the proposed roof extension would be below the minimum 2.3m requirement for at least 75% of the dwelling set out in the Residential Design Standards SPD. This also requires that 'Habitable rooms in attics should have a minimum room height of 2.3 metres over at least half of the habitable floor area'.
14. The appellant accepts that the proposal would not meet the floor to ceiling height standard but contends that as the proposed extension would be just 0.05m (or 5cm) short at 2.25m that the marginal gap could readily be met with minor design alterations. Moreover, as this shortfall relates to nearly all habitable floor space in the extension that the minor alteration would remedy the situation for all habitable rooms.
15. In my judgement, the discrepancy with adopted standards is so small and capable of being remedied through more detailed drawings that there would be no material conflict with the SPD. As such, the proposal would be compatible with Saved Policy 4.2 on the quality of residential accommodation. There would not be substantive conflict with Policy P14 of the Emerging Southwark Plan which requires a floor to ceiling height of at least 2.5m metres for at least 75% of the Gross Internal Area of each dwelling; the appellant's calculations indicate that 72% of the dwelling would achieve this. The reason for the requirement is to maximise natural ventilation and natural daylight; the plans indicate that the proposal would be satisfactory in these respects.

Other Matters

16. I have noted representations on the proposal. The use of the external terrace as an amenity area would be unlikely to result in significant noise or disturbance for adjoining occupiers.

Conclusion

17. The proposal's adverse effects on the appearance of the building and terrace would conflict with relevant development plan policies. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod

INSPECTOR