



Appeal Decision

Site visit made on 10 June 2022

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2022

Appeal Ref: APP/A5840/D/22/3296486

10A Love Walk, Camberwell, London SE5 8AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Rory and Rosie Pennant-Rea (Vine Architecture Studio) against the decision of the Council of the London Borough of Southwark.
 - The application Ref 21/AP/4494, dated 8 December 2021, was refused by notice dated 26 January 2022.
 - The application sought planning permission for the construction of a mansard roof extension and terrace without complying with conditions attached to planning permission Ref 21/AP/1606 dated 11th August 2021.
 - The conditions in dispute are Nos 1 and 3 which state that:
 1. *The development shall be carried out in accordance with the approved plans.*
 3. *Notwithstanding details shown on the plans hereby approved, the materials to be used to the front, east and west elevations of the mansard extension shall be Natural Welsh Slate. All other materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved. Prior written consent of the local planning authority must be obtained for any proposed change or variation. Otherwise the materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.*
 - The reasons given for the conditions are:
 1. *For the avoidance of doubt and in the interests of proper planning.*
 3. *To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with: the National Planning Policy Framework 2019; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Plan 2007.*
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Planning condition 1 lists the approved drawings. In the interest of clarity and brevity I have not included this list in the banner heading above.
3. The Southwark Plan 2019-2036 (SP) was adopted after the application was determined. As the policies in the SP are referred to on the decision notice, the

appellant has been able to comment on them. Accordingly, this appeal has been determined in relation to the policies in the recently adopted SP.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Camberwell Grove Conservation Area (CA).

Reasons

5. The appeal property is a 2-storey yellow brick Victorian building that was originally a coach house and has been converted to provide residential accommodation on both floors. It makes a clear positive contribution to the character and appearance of Love Walk and the CA.
6. To one side of the appeal property is the United Reform Church, a light buff brick building of notable architectural merit. On the other side is a mid-20th century building used as a care home. This has a prominent light-grey mansard roof and is set back from the road. On the opposite side of the road there is a group of handsome yellow brick detached houses with slate clad hipped roofs. The front elevation of the appeal property is directly next to the road and proud of the buildings to either side. It is therefore a relatively prominent and exposed element in the street scene.
7. Planning permission was granted in August 2021 for the erection of a mansard roof extension to provide an additional bedroom and bathroom together with a roof terrace to the rear. The planning permission is subject to a planning condition (No. 3) requiring the front, east and west elevations of the mansard extension to be clad in Natural Welsh Slate. This roofing material is also annotated on the approved drawings listed under planning condition 1.
8. The appellant seeks the variation of conditions 1 and 3 to allow the roof to be clad in heritage red clay roofing tiles. The appeal property is a stand-alone building that does not form part of a group. Its immediate context includes buildings with a mix of flat and pitched roof forms. However, in the wider area there are many mansards, the vast majority of which are clad in slate and are on top of buildings constructed of yellow brick. Yellow brick and slate are very much the prevailing wall and roof materials in the CA and feature in the houses opposite the appeal property. Cladding the approved mansard addition in red clay tiles would be at odds with the prevailing palette of materials in the CA resulting in clear material harm.
9. For the reasons set out above, the use of red clay roofing tiles to clad the approved mansard extension at the appeal property would fail to preserve the character and appearance of the CA. The proposal is therefore contrary to London Plan (2021) Policy HC1 and Policy P20 of the Southwark Plan 2019-2036 (2022), the latter of which states that development relating to conservation areas will only be granted where it preserves or enhances the character or appearance of conservation areas.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole INSPECTOR