



Appeal Decision

Site visit made on 7 December 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 DECEMBER 2022

Appeal Ref: APP/A5840/D/22/3306842

21 Timber Pond Road, Southwark, London SE16 6AG

- 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 Mrs Kim Burgess against the decision of London Borough of Southwark.
 - The application Ref 22/AP/1368, dated 14 April 2022, was refused by notice dated 20 July 2022.
 - The development proposed is a proposed room in the roof inc. front and rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on 1) the character and appearance of the area, and 2) the living conditions of occupants of 22 Timber Pond Road with specific regard to outlook.

Reasons

Character and appearance

3. The appeal property is a two-storey terraced dwelling. It is located in a planned residential development where there are properties of a similar design. The terrace on which the appeal property is located is staggered with the appeal property and its adjoining neighbour forming the most forward projecting properties on the terrace.
4. I observed on my site visit that there are several properties that have dormer windows. For the most part, where dormer windows have been installed, they have been installed to only one of the roof slopes of the property.
5. The proposed development would involve the installation of dormer windows to the front and rear of the property. Although both have been referred to in the Council's reason for refusal, the officer report does not raise concerns with the rear dormer in terms of its effect on the character and appearance of the area. I have no reason to form a different view.
6. In terms of the front dormer, due to its design, scale and siting on the front elevation of the property, which is prominently forward sited on the terrace, the front dormer would appear as a bulky and incongruous addition. I observed that there were dormers facing towards the street at nos. 9 and 12 Keel Close, however these are to the rear elevations of these properties, which are

pertinently set back much further from the footpath than the appeal property. They are also not part of the terrace on which the appeal property is located, which has an unbroken roofline on its primary front elevation which overlooks the street.

7. The appellant has referred to a similar development being undertaken at 9 Hull Close in which the front dormer was allowed on appeal. This property appears to be one of the very few in the estate to have front and rear dormers. Although there are similarities with the appeal proposal, it is clear to me that they are quite different in terms of their siting, with 9 Hull Close sitting in a less prominent position and being adjacent to a three-storey block. Therefore, whilst I have had regard to the development, due to the differences outlined above, I give it limited weight in the appeal.
8. The proposed front dormer would therefore cause significant harm to the character and appearance of the area. It would be contrary to Policies 14 and 15 of the Southwark Plan (2022) and Policy D4 of The London Plan (2021). These policies require, amongst other things, that development is of a high-quality design.

Living conditions

9. As also in the matter of character and appearance, both front and rear dormers have been referred to in the Council's reason for refusal in relation to living conditions. The officer report does not however raise concerns with regard to the rear dormer in terms of its effect on living conditions, and I have no reason to form a different view
10. As detailed above, together with no. 20, the appeal property protrudes from the terrace. The effect of this siting is that much of the gable elevation of the property is visible from no. 22.
11. The proposed front dormer would result in a further addition to the gable elevation. It would, however, be set back from the side and eaves of the roof. The closest windows to no. 22 are also set in from the common boundary. These factors, when combined with the somewhat dominant presence of the existing gable elevation, mean that the impact in terms of outlook, would not be unacceptable.
12. The proposed front dormer would therefore not have an unacceptable impact on the living conditions of occupants of 22 Timber Pond Road with regard to outlook. It would comply with Policy 56 of the Southwark Plan (2022) which requires, amongst other things, that development should not result in an unacceptable loss of amenity having regard to outlook.

Other Matters

13. I acknowledge that the proposed development would provide additional accommodation that is required. This is however a matter of personal circumstance that seldom carries significant weight in the decision-making process that is primarily concerned with land use planning matters. I am also not convinced that the proposed front and rear dormers are the sole means of utilising the roof space, and I observed several surrounding properties that had a dormer on one roof slope and rooflights on the other. This matter is therefore of limited weight in the appeal.

Conclusion

14. Although I have found no harm would be caused in respect of living conditions, this does not overcome the harm I have found would be caused to the character and appearance of the area.
15. The proposed development would therefore conflict with the development plan and there are no identified other considerations, including the National Planning Policy Framework, 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