



Appeal Decision

Site visit made on 24 May 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2023

Appeal Ref: APP/A5840/D/23/3318198

12 Hayles Street, Southwark, London SE11 4SS

- 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 Andrew Mackersie against the decision of the London Borough of Southwark Council.
 - The application Ref 22/AP/3518, dated 10 October 2022, was refused by notice dated 6 December 2022.
 - The development proposed is mansard roof extension to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposal would conserve or enhance the significance of the West Square Conservation Area.

Reasons

3. The appeal property is located within the West Square Conservation Area (WSCA). I have therefore approached this appeal in the context of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act), which requires special attention be paid to the desirability of preserving or enhancing the character and appearance of the WSCA.
4. Hayles Street is a relatively narrow street made up of terrace houses between two and four storeys in height on modest plots set close to or on the edge of the pavement. The houses share similar forms and materials, which creates uniformity and rhythm along the street. While there are some variations in the height of the houses, as well as their features and architectural details, generally all the houses within a terrace row are consistent in their height, form, features, and materials, which adds positively to the character and appearance of the street.
5. The significance of the WSCA, in so far as it relates to this appeal, is the architectural value of the houses within it. Of particular importance is the group value of the buildings, in this case the terrace block comprising Nos 12 to 24 Hayles Street, which includes the appeal property, and is identified as a key unlisted building within the WSCA Appraisal (2013).
6. The terrace block is largely unaltered with the exception of an artificial roof-top hedge that encloses the roof terrace of the appeal property. The hedge is very evident from the street and, given none of the other properties that form part

of the terrace block have a roof-top hedge, it reduces the uniformity of the terrace block to a degree. Notwithstanding this, the terrace block in its current form, including the appeal property, makes a positive contribution to the significance of the WSCA.

7. The proposed mansard extension would replace the existing roof terrace and hedge. I saw on site that many of the houses on Hayles Street have mansard roofs, including the adjacent end of terrace house, No. 10 Hayles Street. It would therefore not be an incongruous feature in the street scene. Nevertheless, it would not be consistent with the height and form of the terrace block, and I note that the WSCA Appraisal (2013) specifically identifies the cumulative effect of small-scale changes as damaging the overall character and appearance of the conservation area.
8. Many of the existing mansard roofs along Hayles Street, given they are set back from the parapet, are inconspicuous. However, the mansard roof on No. 10 Hayles Street is more evident given the gap between Nos. 10 and 12, which allows views of the flank elevation. This would be similar for the proposal. Given the gap between the properties, the increase in height and altered shape of the parapet would be noticeable when approaching the appeal property along Hayles Street from the north. The roof extension would also be visible from the properties to the front and the rear of the appeal property.
9. The appellant contends that the proposal would enhance the character and appearance of the WSCA because it would be less visible than the existing roof-top hedge. However, even if this was the case, the hedge is modest with a simple form and soft appearance and adds an element of greenery to the street scene similar to the frontage planting that is scattered along Hayles Street. Moreover, while I understand that the hedge is in place with the consent of the Council and is intended to be a permanent feature, it appears temporary in nature and would likely be easy to remove. In comparison the proposed extension would be a larger and far more permanent addition.
10. Overall, the proposal would erode the uniformity of the terrace block, reducing its group value, which is an important feature of the WSCA. It would therefore harm the significance of the WSCA, albeit this harm would be limited.
11. For the reasons above, I find the harm to the significance of the WSCA would be less than substantial. As such Paragraph 202 of the National Planning Policy Framework (the Framework) requires this harm to be weighed against the public benefits of the proposal.
12. In terms of benefits the proposal would result in modest economic, social, and environmental benefits arising from its construction, the improved space within the house and the renewable energy provided by the proposed solar panels.
13. Paragraph 199 of the Framework gives great weight to the conservation of designated heritage assets including conservation areas. This is irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm. I must pay special attention to the desirability of preserving or enhancing the character and appearance of the WSCA. Given this, the modest benefits resulting from the proposal do not outweigh the harm I have identified to the significance of the WSCA.

14. Accordingly, the proposal would conflict with Policy HC1 of the London Plan (2021), Policies P14, P20 and P21 of the Southwark Plan (2022), the Southwark Council 2015 Technical Update to the residential Design Standards Supplementary Planning Document (2011), the Southwark Council Southwark's Historic Environment Heritage Supplementary Planning Document (2021) and the associated provisions of the Framework. These seek to ensure high standards of design that preserve or enhance the character and appearance of heritage assets including conservation areas, by being sympathetic to the assets' significance and appreciation within their surroundings.

Other Matters

15. To the rear of the appeal property are 29 to 45 West Square, which are Grade II listed buildings. Section 66(1) of the 1990 Act requires me to give special regard to preserving the buildings or their setting or any features of special architectural or historic interest which they possess.
16. The listing includes 17 houses built in 1794 with later alterations. They each individually have architectural value, as well as some group value deriving from the unified composition of the terrace.
17. There is a large degree of intervisibility between the existing roof terrace, where the extension would be located, and the listed buildings. Thus, the appeal property forms part of the listed buildings' setting.
18. Nonetheless, while the group value of Nos 12 to 24 Hayles Street adds to the significance of the WSCA, the setting of the listed buildings would include the rear of other terrace houses on Hayles Street, which vary in their height and roof form and include mansard roofs. Furthermore, although the proposed extension would be visible from some of the listed buildings, there are mature trees within the rear gardens of the properties on Hayles Street and West Square which would likely restrict views of the terrace block as a whole. In my view, these trees are highly likely to remain in a similar form for aesthetics and privacy. For these reasons, the proposal would have a neutral effect on the setting of the listed buildings and would not harm their significance.
19. The appeal property is also on the edge of the Elliot's Row Conservation Area (ERCA), which abuts the boundary of the WSCA, with the houses opposite the appeal property being located within the ERCA.
20. While Section 72(1) of the 1990 Act requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of a conservation area, this is with respect to any buildings or land within it and therefore is not applicable in this case given the appeal property lies outside the ERCA. Nevertheless, Policies P20 and P21 of the Southwark Plan (2021) seek to conserve or enhance conservation areas including their settings. This approach is supported by the Framework which explains that the significance of a heritage asset derives not only from its physical presence but also from its setting.
21. The significance of the ERCA derives from its historic street layout, as well as the architectural value of the frontage development. The ERCA Appraisal (2013) notes that Hayles Street is one of the more varied streets in terms of building types, however, a consistent feature is the small front gardens behind brick walls.

22. The group value of Nos 12 to 24 Hayles Street is not of specific value to the significance of the ERCA. Like the listed buildings, the setting of the ERCA includes a variety of the houses on Hayles Street, which vary in their height and roof form and include mansard roofs. It would therefore have a neutral effect on the setting of the ERCA and would not harm its significance.

Conclusion

23. Overall, I have found that the proposal would result in harm to the significance of the WSCA, which is not outweighed by public benefits. Thus, the proposal would conflict with the development plan as a whole. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

Hannah Guest

INSPECTOR