



Appeal Decision

Site visit made on 29 August 2023

by L Clark BA(HONS) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2023

Appeal Ref: APP/A5840/W/23/3316797

Flat 4, 36-38 Decima Street, London SE1 4QQ

- 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 Matthew Beckett against the decision of the London Borough of Southwark.
 - The application Ref 21/AP/4509, dated 8 December 2021, was refused by notice dated 25 November 2022.
 - The development proposed is the construction of a single storey extension for the existing top floor residential unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the host property and the surrounding area, with reference to the setting of Sherborne House; and
 - The effect of the proposed development on the living conditions of the occupiers within Icon Apartments (15 Cluny Place), with particular reference to outlook.

Reasons

Character and appearance

3. Flat 4 is the upper flat within the four storey block building 36-38 Decima Street. It adjoins the five storey residential block of flats of Barrow Store Court. Both buildings front Decima Street and have facing materials of predominantly render. Opposite is a group of four storey blocks of flats associated with the Meakin Estate; adjacent is Sherborne House, a detached two storey brick built building with a hipped roof.
4. Sherborne House is not listed nor in a Conservation Area. Whilst I note it is on a draft list of local non-designated heritage assets, I am conscious that this local list has yet to be formalised. Nonetheless, Sherborne House is a traditional two storey building with a simple but elegant façade. It is a diminutive building with projecting decorative gable, which provides a central vertical emphasis to the façade balancing the modest two storey wings either side of the front elevation. Its setting is characterised by views from Bermondsey Street towards Wild Rents. The view incorporates a graduation in

building height stepping upwards creating a layered effect when viewed in context alongside the appeal premises and Barrow Store Court beyond. For these reasons, I consider the building to make an important contribution to the street scene, and to have heritage value sufficient to justify its consideration as a non-designated heritage asset for the benefit of local and national planning policy.

5. 36-38 Decima Street already displays a flank wall which is partially visible towards the front above the hipped roof of Sherborne House. However, the extended blank, rendered flank wall would project well above the ridgeline of Sherborne House. The lower scale of Sherborne House and its contrasting building materials would result in the larger flank wall being overtly visible when approaching the site from Bermondsey Street. Such an accentuated difference in scale and materials together with the close relationship between the appeal premises and Sherborne House would lead 36-38 Decima Street to tower above Sherborne House detracting from the modest, balanced composition of its façade. The proposed development would therefore have an unduly dominating effect on the setting of the non-designated heritage asset, the significance of which would be harmed as a result.
6. Furthermore, whilst I acknowledge that the proposal would be set back from the front elevation, there would be no set back to the side. The continuation of the flank wall on the existing building line would result in the additional storey failing to be subordinate, which would significantly detract from the host property and appear as a discordant feature within the street scene.
7. In light of the above, I conclude that the proposal would be harmful to the character and appearance of the host building and the significance of Sherborne House as a non-designated heritage asset. As such the proposal fails to comply with the design aims of Policy P14 of the Southwark Plan 2019-2036 (2022). There would also be conflict with the Council's 2015 Technical Update to the Residential Design Standards Supplementary Planning Document (2011) (SPD). There would also be conflict with the National Planning Policy Framework (the Framework) which seeks, amongst other matters for development to be sympathetic to the local character.

Living Conditions

8. I understand that the majority of flats within the rear of Icon Apartments have tall ceiling heights but are also single aspect with habitable rooms overlooking the rear of 36-38 Decima Street. Flat 1A Icon Apartments is situated on the first floor and benefits from an external terrace located approximately midway between the first and second floor of 36-38 Decima Street.
9. I acknowledge that the rear elevation of the appeal premises is stepped in nature, both in footprint and height, and that the proposal would be set on the furthest elevation from Icon Apartments. However, the creation of an additional floor would result in the rear of 36-38 Decima Street towering above the lower floors of Icon Apartments specifically Flat 1A with its external terrace, and Flat 4A. This would create a "well" effect to the rear of both buildings. This would result in an oppressive and undue sense of enclosure to existing occupants in Flats 1A and Flat 4A Icon Apartments, exacerbating the existing issue of poor outlook. Whilst I accept that the amount of sky visible within the flats would be sufficient to supply enough light into the rooms, this does not alter my findings that an unacceptable sense of confinement would be created.

10. I acknowledge that the Framework supports the creation of upward extensions, however this is where development is consistent with the prevailing height and form of neighbouring properties and the overall street scene and is well designed. However, the requirements of the Framework would not be achieved in this case.
11. I conclude that the proposal would fail to ensure adequate outlook for existing occupiers of Icon Apartments and thus result in harm to their existing living conditions. The proposal therefore conflicts with Policy P56 of Southwark Plan 2019-2036 (2022). There would also be conflict with the Framework which seeks, amongst other matters, for development to create places with high standards of amenity for existing users.

Other Matters

12. With regard to the time taken for the Council to determine the original application, and the content of pre-application advice, these are not within the scope of my assessment which must focus on the planning merits of the appeal proposal.
13. I recognise that the proposal would improve the living conditions within Flat 4, pushing the internal area of the dwelling beyond the National Described Spacing Standards (NDSS) to form a two bedroom unit, which I understand are particularly needed in this area. However, this would be achieved at the expense of the character and appearance of the area and the living conditions of neighbouring residents. These benefits of the scheme therefore attract limited weight.

Conclusion

14. For the reasons set out above and having had regard to all other matters raised, the proposal conflicts with the development plan taken as a whole. There are no other considerations which indicate that the decision should be made other than in accordance with the development plan. I conclude that the appeal should be dismissed.

L Clark

INSPECTOR