



Appeal Decision

Site visit made on 19 November 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/A5840/W/24/3346848

Sir Robert Peel Public House, 7 Langdale Close, Southwark, London SE17 3UF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jayesh Patel against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 24/AP/0767.
 - The development proposed is for the retention of the front dormer and extension of the rear facing dormer to create additional habitable space within the loft area, and the retention of the ground floor partition wall to create a protected passage from the above dwelling to the outside.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought by the parties. I have, however, determined the appeal having regard to the revised Framework.
3. The Council has referenced the appeal being against the non-determination of a planning application. A decision was issued prior to the appeal being lodged which was submitted against a refused planning permission for a development. I have determined the appeal accordingly.
4. The front dormer was in place at the time of my visit and reflected the plans that are before me. For clarity, I have dealt with the appeal based on the submitted plans.

Main Issue

5. The main issue is the effect of the front dormer on the character and appearance of the host building and the area.

Reasons

6. The appeal site comprises of a vacant two-storey Public House which dates from the 19th Century and is a locally listed building. It is situated in an area that contains buildings of varying styles and designs. The appeal property has a symmetrical appearance with a prominent central gable feature on its front elevation, which has been described as a Queen Anne Revival style front

facade. The traditional appearance of the property, including its pitched roof form, contributes positively to the character and appearance of this predominantly residential area.

7. The proposed front dormer has resulted in a large box like addition at roof level that extends across most of the width of the roof and is sited close to the ridge with only a small set down. As it covers most of the front roof slope, it is not of a scale that is proportionate to the host building, despite it being set in from the sides and the eaves.
8. The appeal property has an existing prominent front gable feature; however, this only partially obscures the front dormer, with the proposal owing to its size being clearly seen to either side of the central gable. The dormer has an appropriate material finish, but its scale dominates the traditional pitched roof form of the appeal property and fails to be subservient to it.
9. Whilst there are front dormers on properties in the area, such as those referenced by the appellant, these are on three storey terrace properties along Camberwell Road and Walworth Road which contain a variety of ground floor commercial uses and therefore have a distinctly different character. They are therefore not comparable to the front dormer proposed on this appeal.
10. I therefore conclude that the front dormer has an unacceptable adverse effect on the character and appearance of the host building and the area. As such, it conflicts with Policy P14 and P26 of The Southwark Plan 2019-2036 and Policy D4 of The London Plan, which seek, amongst other matters, high standards of design and for development to take into account locally listed buildings that positively contribute to local character. It would also be contrary to Section 12 of the Framework which seeks development that is sympathetic to local character.

Other Matters

11. The Council has raised concerns on the size of the bedrooms resulting in cramped, poor-quality accommodation for future occupants. This did not form part of the reason for refusal on the Council's decision notice and would not in any event alter my conclusion in relation to the main issue.
12. The appeal site is not situated in a Conservation Area and is not a nationally listed building. The Council has also not raised concerns on other aspects of the proposal, including the rear dormer and I have no reason to disagree. These are however neutral matters and not ones which weigh in favour of the proposal.
13. The appeal proposal would provide additional accommodation within the property. Whilst this weighs in favour of the proposal, it would not outweigh the harm that I have identified in relation to the first main issue.

Conclusion

14. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq INSPECTOR