



Appeal Decision

Site visit made on 29 August 2025

by **Mark Harrison BA(Hons) DipTP LLM MIO L MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 December 2025

Appeal Ref: APP/A5840/W/25/3365654

126 Asylum Road, London SE15 2LW

- 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 Beck House Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 24/AP/2357.
 - The development proposed is conversion of a 7-bedroom single-family dwelling into 3 no. one bedroom apartments and 1 no. 2-bedroom apartment incorporating a lower ground floor and ground floor rear extension and new communal staircase.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has drawn my attention to the fact that, since the submission of the appeal, the Council has resolved to approve another application at the site (Ref. 25/AP/0817) for the conversion of the dwelling to 3 self-contained flats subject to completion of a section 106 agreement. The appellant has submitted a copy of the Council's Draft Recommendation to grant subject to a legal agreement. The appellant highlights that this scheme incorporates a lower ground floor and ground floor rear extension identical to that of the appeal proposal.
3. The appellant therefore contends that as the Council are accepting of an identical lower ground floor and ground floor rear extension, then the only remaining issue of contention is the proposed new communal staircase element of the appeal proposal. Whilst noting this additional information provided by the applicant, I do have to consider the appeal development as a whole.

Main Issues

4. The main issues are the effect of the development on:
 - the character and appearance of the area, including non-designated heritage assets; and
 - affordable housing and amenity space provision.

Reasons

Character and appearance

5. The appeal property is an end of terrace late Georgian/early Victorian house which is arranged over four storeys (three storeys and a lower ground floor). Whilst the

property is in a very poor state of repair, the Council identifies it as part of an undesignated heritage asset of townscape merit due to the retained form, arrangement and retained coherent architectural detailing across the terrace. Adjoining the property is 126A Asylum Road which is a contemporary dwelling of 3 storeys on the street elevation and a deep L-shaped plan to the rear of 1 and 2 storeys extending into part of the original rear garden of the appeal property.

6. The appellant has drawn my attention to several examples in the local area of properties that have been extended. I have had regard to these in the context of the character and appearance of the area so far as I am able to based on the information before me. However, whilst decision notices and officer reports for some of these examples have been appended to the appellant's appeal statement I am not aware of the full circumstances that led to these cases being permitted, and in any event each scheme must be considered and determined on its individual planning merits.
7. The only amendment that the appeal proposal would introduce to the streetscape of Asylum Road would be the introduction of an entrance to access the lower ground floor apartment. However, that entry point is largely hidden from view as it is underneath the entrance steps up to the existing front door of the property and at 90 degrees to the street. I therefore find that the appeal proposal retains the form, arrangement and architectural detailing of the front elevation of the terrace.
8. The proposed rear extensions would introduce a significant change to the appearance of the rear of the property. The proposed lower ground floor and ground floor rear extension are of a height and depth that slightly exceed the recommended sizes set out in the Council's 2015 Technical Update to the Residential Design Standards (2011) Supplementary Planning Document (RDS SPD). The property also has a relatively small rear garden. However, I am mindful of the information that the appellant has provided me in respect of planning application 25/AP/0817 which includes an identical lower ground floor and ground floor rear extension for which the Council is minded to approve. I therefore find that the proposed lower ground floor and ground floor rear extension is appropriate in the particular circumstances of this site and would not harm the character and appearance of the area, in spite of it slightly exceeding the recommended scale set out in the RDS SPD.
9. The appeal proposal also includes a new communal staircase feature at the rear of the property at first and second floor level extending upwards from the lower ground floor and ground floor rear extension. This is a sizeable addition to the upper floors of the property and would be more visible in views of the rear of the property than the ground floor extensions, which would be largely hidden from view by the rear elements of the neighbouring 126A Asylum Road. The communal staircase would be a bulky addition jutting out from the rear elevation and to a height slightly above the top of the second-floor window.
10. Whilst the appellant directed me to a few examples of contemporary design staircase extensions leading to upper floors in the local area, this would still be a relatively alien feature in this area. As such, it is critical that the design is appropriate. The submitted plans appear to indicate that the side elevation of the staircase extension would be of brick construction, which would be appropriate for the host property. The rear elevation drawing appears to indicate that the rear-facing façade would be of a translucent material of some kind, as the internal

staircase can be seen through. There is no further detail regarding the design of the proposed staircase extension to be found in the Design and Access Statement.

11. Whilst the neighbouring property 126A is of a modern design, it does not mean that taking inspiration from it and matching an uncharacteristic addition to the terrace would be appropriate for the staircase extension, as the appellant suggests in their final comments. The design and materials of the staircase is integral to the question of whether it is harmful to the character and appearance of the area, given its less than subservient scale and bulk. Based on the lack of information regarding the materials to be used, I can only find that the staircase extension would cause harm. I do not think that it is appropriate to address this issue through the imposition of a materials condition as the appellant suggests.
12. The appeal site lies near locally listed buildings at 4–16 Kings Grove, meaning proposals must consider the setting of those non-designated heritage assets under Policy P21 of The Southwark Plan 2019-2036 (SP), adopted 2022. The rear of the appeal property can be glimpsed from Kings Grove in the gap between the row of locally listed buildings and 18 Kings Grove. This brief view from the public realm on Kings Grove would be fleeting and only of the upper floors of the appeal property due to existing built structures at ground floor level and vegetation. During daylight hours I do not think that the appeal proposal would affect the setting of the locally listed buildings at 4–16 Kings Grove.
13. However, given my concerns regarding the translucent rear-facing façade of the upper floor communal staircase extension as shown on the scheme plans I do consider that the appeal proposal would be harmful to the setting of the locally listed buildings at 4–16 Kings Grove at nighttime. Whether the communal staircase is permanently lit during periods of darkness or is only illuminated when a resident is using the stairs, an illuminated block at first and second floor levels would go from being a glimpsed feature during the daytime to a prominent and alien feature that would draw the eye of passers-by on Kings Grove at nighttime.
14. The appeal proposal would therefore be harmful to the character and appearance of the area and to the setting of the locally listed buildings at 4–16 Kings Grove, contrary to Policy D3 of the London Plan (2021) and Policies P13 and P14 of the SP which require, amongst other things, high standards of design. It would also be contrary to Policy HC1 of the London Plan and Policies P21 and P26 of the SP which require, amongst other things, development to conserve and enhance the setting of non-designated heritage assets.

Affordable housing and amenity space provision

15. The appeal proposal is required to provide a financial contribution towards off-site affordable housing provision under Policy P1 of the SP, subject to viability. The appellant submitted a signed unilateral undertaking with the appeal providing a financial contribution of £20,000 for affordable housing.
16. During the application process there had been disagreement between the appellant and the Council in respect of viability assessments, with the appellant stating that they would not be able to make a financial contribution to affordable housing. The viability assessment undertaken by the Council's advisor indicated that a payment of £80,000 would be justifiable. The appellant subsequently offered a sum of £20,000. The Council note in their statement commenting on the

appellant's grounds of appeal that adjustments on key parameters of the viability assessment had brought the parties closer but had not fully reconciled the gap.

17. The two parameters contested between the parties relate to the percentage of estate agent fees and extent of profit margin. The appellant submitted with its final comments a copy of a financial viability review prepared by the Council's advisor in respect of the subsequent planning application 25/AP/0817 for the appeal site. That letter of 2 July 2025 confirms agreement on the extent of the profit margin as the structural survey indicates a higher risk of issues during construction.
18. Whilst there remained disagreement on estate agent fees to the extent of a 0.5% variance, the assessment of that scheme concluded that no commuted sum could viably be provided. The appellant argues that, given agreement between the parties on the extent of an appropriate profit margin for redevelopment of the property then for the appeal proposal no commuted sum could viably be provided either. Accordingly, the financial contribution of £20,000 should be acknowledged as a benefit of the scheme. I agree with the appellant's view on this matter. However, the benefit of the financial contribution for affordable housing in the unilateral undertaking does not outweigh the harm that I have found to the character and appearance of the area from the appeal proposal.
19. The appellant is also required to provide a financial contribution to make up for the shortfall in outdoor amenity space resulting from the proposed development. The unilateral undertaking includes the necessary financial contribution to address this requirement.
20. Had this appeal been acceptable in all other respects, then the unilateral undertaking submitted with the appeal is appropriate in respect of matters of viability and meets the requirements of Policies H2 and H4 of the London Plan and Policies P1, P15 and IP13 of the SP.

Planning Balance

21. Set against the harm identified, the proposal would bring a building that is currently unoccupied and in a state of disrepair back into use and provide additional housing through the conversion of a single dwelling into 4 apartments. The proposal also offers a modest financial contribution towards off-site affordable housing and amenity space provision.
22. However, these benefits are outweighed by the harm that the new rear communal staircase element of the proposal would cause to the character and appearance of the area, in particular the setting of non-designated heritage assets.

Conclusion

23. For the reasons given above the appeal should be dismissed.

Mark Harrison

INSPECTOR