

<b>Item No:</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 24 January 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		<b>Addendum</b> Late observations, consultation responses, and further information.	
<b>Ward(s) or groups affected:</b>		Cathedrals and Grange	
<b>From:</b>		Director of Planning	

## PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

## RECOMMENDATION

2. That members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

## FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

### **Item 7.2 – Application 16/AP/3090 for: Full Planning Permission – 256-260 Waterloo Road, London SE1 8RF**

#### Update on Daylight

- 3.1 Since the completion of the officer report there has been further correspondence with the applicant and with the objectors concerning the potential daylight impacts. Objectors instructed Gordon Ingram Associates to review the daylight and sunlight assessments. They submitted a letter on 20 January 2017 questioning some of the assumptions made in the assessment, specifically the transmission of light through the proposed glass bricks, especially at different angles because of mortar that would need to be used.
- 3.2 The applicant has provided technical information from the manufacturer of the glass brick setting out that the light transmission value included in the calculation can be achieved. even when a maintenance factor is included in the calculation and confirmed that the assessment they undertook complied with the guidance produced by the BRE.
- 3.3 Taking these factors into consideration, along with the other daylight assessments presented, particularly the assessment of the daylight distribution, and having regard to the BRE guidance, residents of dwellings below those proposed would continue to have good living conditions as any reduction in light would be modest.

### Additional Condition

- 3.4 Prior to the occupation of the flats hereby approved, details of a maintenance and cleaning strategy for the glass brick piers and new rooflights shall be submitted to the Local Planning Authority for approval in writing.

#### Reason:

To ensure that the build up of dust and dirt does not impede the transfer of light through the glass brick piers and new rooflights, which may detract from the daylight received in existing properties and adversely affect residential amenity contrary to saved policy 3.2 'Protection of amenity' and Strategic Policy 12 'Design and Conservation' of the Core Strategy 2011.

### **Item 7.3 – Application 16/AP/3020 for: Full Planning Permission – Car Park, 5-11 Pope Street, London SE1**

#### Archaeology

- 3.5 As an update to paragraph 74 of the main report, Members are asked to note that the Council's Senior Archaeologist has advised that no archaeological conditions need to be carried over as the archaeological evaluation report showed that no further work was required. It is therefore proposed to omit condition 13 from the officer recommendation.

#### Errata

- 3.6 Members are also asked to note that paragraph 32 on page 56 is the unfortunate result of an administrative error and does not belong in the report. The sub-section on Privacy / Overlooking should therefore begin on paragraph 33.

#### Officer response to the submission of additional information (Photomontages)

- 3.7 The computer generated images showing the proposed development from different views as well as the overlay comparing the height and massing of the 2014 extant planning permission for 5 dwellings with the current proposal for 6 dwellings were submitted to the Council after the committee report for this item was completed.
- 3.8 Officers are of the opinion that these images accurately portray the revised scheme now under consideration and demonstrate that it has overcome the first and last of the three reasons given for the refusal of the earlier application (15/AP/4317). As such, it is considered that the new revised scheme would be of an acceptable height, bulk, mass and design such that it would no longer be a poorly designed and over-dominant mass but rather would now sit comfortably in the streetscene and would actually enhance the character and appearance of the conservation area, bearing in mind that the site was formerly a private car park enclosed by a high metal mesh fence with a flat metal roof. It is therefore also considered that it would no longer create an over-bearing sense of enclosure along the west side of the existing dwellinghouse at 12 Pope Street.
- 3.9 The Committee report already adequately explains why officers consider that the second reason, relating to loss of privacy, has also been satisfactorily addressed by the revised scheme.

### Additional Condition

- 3.10 The area annotated as a flat roof on the first floor of House F as shown in approved layout plan POP2-03 D shall not be used for any other purposes other than access for maintenance and emergency use only.

#### Reasons

To protect the privacy and amenity of the adjoining property in accordance with sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2015), strategic policies 13 (High environmental standards) and 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of Amenity) and 3.12 (Quality in Design) of the Southwark Unitary Development Plan (2007)

#### **REASON FOR URGENCY**

4. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the planning sub-committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting

#### **REASON FOR LATENESS**

5. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and members should be aware of the objections and comments made.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Pre-Application Reply Letter 16/EQ0138
Appendix 2	Dismissed Appeal Decision

**Chief executive's department**

Planning division  
 Development management (5th floor - hub 2)  
 PO Box 64529  
 LONDON SE1P 5LX

Ms C Coleen Moon  
 Acorn Property Group

**Your Ref:****Our Ref:** 16/EQ/0138**Contact:** Alex Cameron**Telephone:** 020 7525 5416**E-Mail:** [planning.applications@southwark.gov.uk](mailto:planning.applications@southwark.gov.uk)**Web Site:** <http://www.southwark.gov.uk>**Date:** 27/06/2016

Dear Ms Moon

**TOWN & COUNTRY PLANNING ACT 1990 (as amended)**  
**PRE-APPLICATION ENQUIRY**

**At:** 5-12 POPE STREET, LONDON SE1 3DR**Proposal:** Redevelopment of the car park at 5-12 Pope Street to provide 6 high quality residential houses.

I write in connection with your pre-application enquiry received on 25/04/2016 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

**Planning Policy**

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

- Urban Zone
- Air Quality Management Area
- Borough, Bermondsey and Rivers Archaeological Priority Zone
- Bermondsey Street Conservation area

There are no heritage assets within the site boundary area.

**Other key material considerations**

The National Planning Policy Framework

**Land Use**

There is an extant permission for 13/AP/0058 for a terrace of 5 houses, which was followed by a refusal for 6 houses on the site 15/AP/4313. The current pre-application enquiry also proposed 6 terraced houses but seeks to address the previous reasons for refusal in terms of design and impact on neighbours. As such, the proposed residential use is acceptable in principle on the site. No other land use issues are raised.

**Access and site layout**

The proposed vehicular access routes into the site from would be via Pope Street which has been established through the previous permission and as such is considered appropriate.

Ground floor elevations would need to interact with the street, with the proposed flexible space/garages at ground floor it is proposed that timber bi-fold doors would be introduced. It may be appropriate to look at partial obscure glazing here due to the fact that the elevations would face directly onto the street.

Sufficient space appears to have been allocated for refuse storage. The proposed ground floor garage/flexible space is proposed for the cycle storage which is likely to be acceptable. However, details should be provided to

show whether these rooms would be likely to be habitable rooms as cycle parking within habitable rooms would not be acceptable.

### **Scale, height and massing**

The proposed height and massing at three stories is considered appropriate and is consistent with the surrounding context and with the previous consented scheme. The overall height of the proposed scheme has been reduced from the approved scheme, albeit with a more contemporary mansard roof as opposed to the approved pitched roofs. No objections are raised in relation to this massing in design terms, subject to the detailing, which is discussed below.

To the south end of the site on the corner of Pope Street, the building has been cut back from first floor level upwards in order to reduce the impact on the boundary. The area of wall on the boundary in front of 12 Pope Street has also been reduced from the consented scheme. The consented scheme had full 4 storeys of building on this boundary but the revised proposal is for 3 storeys plus a lightweight screen, which would reduce the massing. However careful treatment of the screening to the terrace at the top floor is needed to ensure that the bulk and massing is not extenuated at this point.

### **Detailed design**

Some concerns were raised in relation to the front elevation drawings submitted with the pre-app pack as these appeared to provide a large heavy massing to the building. The visual interest in terms of the bay windows are welcomed and the use of obscure glazing to mitigate against potential overlooking is noted.

The CGI images that were provided during the pre-app meeting convey a texture to the brick facades not conveyed in the line drawings initially submitted. As discussed at the meeting further work is required to the Pope Street elevation to articulate the facade in order that the houses read as individual units rather than one block. Subject to refinement of the front facade to introduce more modulation it is considered that the current proposal would be supported coming forward as a full application.

### **Density**

The proposal is estimated to have a density of approximately 750 habitable rooms per hectare in the Urban Zone, which slightly exceeds the expected density range of 200 to 700 set out within Core Strategy Policy 5.

Maximum densities may be exceeded where developments achieve the highest standard of design, exceeding minimum internal space standards as well as providing an acceptable standard of daylight and sunlight, privacy, good outlook and amenity space. It is considered that the scheme is located on the boundary of the CAZ and as such the principle of exceeding this density is considered acceptable, provided the quality of design and accommodation is of a high quality. The proposed scheme does not exhibit the usual aspects of overdevelopment and so in this respect the standard of design achieved is, on balance, considered acceptable.

### **Housing Quality**

Each of the units would be dual aspect, however each of the units has been designed to have a mixture of obscure and non-obscure glazing on each elevation in order to reduce the amount of direct overlooking into the properties surrounding the site. Whilst this will restrict outlook, good levels of daylight would be retained and as such would provide an effective solution to the overlooking issues, whilst still providing an appropriate level of non-obscure glazed withins within the development.

The overall unit and individual room sizes proposed for new dwellings would appear to be in accordance the 2015 Technical Update to the Residential Design Standards SPD (2011).

Dwellings should be designed to have integral bulk storage facilities and should have a mix of open plan living-kitchen-diners and units with separate kitchen diners to offer choice to potential occupiers in accordance with guidance in the 2015 Technical Update to the Residential Design Standards SPD (2011).

Each dwelling would have some private amenity space, however they would not meet the required 50sqm to be in accordance with Southwark's 2015 Technical Update to the Residential Design Standards SPD (2011). As such, officers would seek a financial contribution to off-set the lack of amenity space in accordance with the S106 Planning Obligations & CIL SPD 2015.

### **Amenity impacts**

The proposed site layout and massing is largely similar to that of the approved application, however soem design changes have been south to reduce the massing in certain area and thus reduce the potential impact on neighbouring occupiers in terms of daylight/sunlight, overlooking and outlook. However a daylight, sunlight and overshadowing study should be carried out at the earliest opportunity allowing time for discussions with the local authority to address any issues in advance of a formal application.

All new residential units should be designed to achieve good levels of internal daylight and sunlight in accordance with the BRE guidelines. It is recommended that calculations for the proposed new spaces are provided with any formal submission.

In terms of overlooking, the proposed elevations would have an increased level of obscure glazing than the approved scheme in order to further reduce the impacts on the adjoining and properties opposite. The roof terraces have been designed to have areas of screening in order to reduce the overlooking. Further details of this should be provided in order to ensure that any treatment to the terraces would be appropriate and would not impact on the neighbouring amenities.

### **Trees**

No impacts expected.

### **Transport and servicing issues**

#### **Car parking**

The proposal would provide 5 car parking spaces which equates to almost 1 spaces per dwelling. Whilst this would normally be considered excessive for properties within this area, this is the established fall back position as approved within the extant permission and as such no concerns are raised in this regards.

Future occupants of the site would be excluded from being eligible for no-street parking permits (except for blue badge holders to avoid additional parking pressure on surrounding streets.

#### **Cycle parking**

The submitted proposal would provide 13 residential cycle parking spaces which equates to at least 1 cycle space per 1 bed unit and 2 spaces for all other dwellings which is acceptable as it is in accordance with the London Plan (2015). However one of the cycle spaces within House F would be located within a dining room which would be unacceptable. An alternative location should be provided for this space.

The proposed cycle parking would be secure, convenient and weatherproof in accordance with policy. The preferred option would be for horizontal cycle parking such as 'Sheffield' stands. Cycle storage should be provided at ground floor level.

#### **Servicing**

The information provided indicates that residential refuse servicing would take place from Pope Street and it is considered that these servicing arrangements are acceptable.

### **Sustainable development implications**

#### **Energy**

The development fails to include meaningful areas of green living roofs and sustainability measure into the design to ensure the development contributes positively to the environment and biodiversity. This should be considered and if it cannot be provided justification should be provided.

#### **Air Quality**

The site is located adjacent to a busy main road and therefore the accommodation will need to be attenuated against air pollution. However, it is set away from Tower Bridge Road and no air quality issues have been raised previously and as such no concerns are raised here.

#### **Flood risk**

The site is situated in Flood Risk Zone 3. A Flood Risk Assessment should be provided any formal submission.

#### **Ground contamination**

Based on the site's historic uses there is a risk of exposure to potential contaminants during construction and in the completed development to construction workers, future occupiers, ground water and surface water. For these reasons a full land contamination exploration and assessment will be required.

#### **Archaeology**

The site is in an archaeological priority zone arch and may have important archaeological remains which should be appropriately managed. A desk top study would be required with any future application.

### **Planning obligations (S.106 undertaking or agreement)**

The submission fails to fully account for outdoor amenity space provision and thus policy compliant planning

obligations in accordance with the Planning Obligations SPD. Planning obligations will be required to offset the negative impacts of any development on the site. The Council's SPD on S106 Planning Obligations (2015) sets out the general expectations in relation to the type of obligations that will be sought. It is important to ensure that all future development is sustainable and contributes towards the provision of appropriate infrastructure and services in the area that future residents may use. Draft Heads of Terms should be submitted in accordance with the SPD as part of any formal application and are required for the purposes of validation.

### **Community Infrastructure Levy**

This development [will/will not] be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. The chargeable rate for Southwark is £35 per square metre under MCIL and £200 per square metre for residential floorspace for SCIL (both subject to indexation). It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

### **Other matters**

It is advised that prior to the submission of an application discussions should be had with the Council's Highway Development Control Team regarding any works on or adjacent to the Highway. Regard should be had to the material palette set out in the Council's SSDM (Southwark Street Design Manual). All development will be required to incorporate the principles of inclusive design, with suitable access provided for people with disabilities or those who are mobility impaired.

### **Conclusion**

The proposal is considered to be appropriate in land use terms. The proposed residential accommodation is considered to be of an acceptable standard for the reasons set out above. The proposal will likely have an acceptable impact upon neighbours' amenity, subject to further assessments by way of a daylight/sunlight report. The proposed massing and design detail are considered appropriate, however all elevation drawings would require further detail to be submitted at application stage.

For the above reasons, subject to reducing the scale and provided additional details on facade treatment, the proposal is worth submitting as a planning application in the future

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

*Simon Bevan*  
Director of Planning

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## Appeal Decision

Site visit made on 26 July 2016

**by Andrew Owen MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 August 2016**

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**Appeal Ref: APP/A5840/W/16/3150859**  
**Car Park, 5 Pope Street, London SE1 3DR**

- 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 Pope Street SE1 Ltd against the decision of the Council of the London Borough of Southwark.
  - The application Ref 15/AP/4317, dated 23 October 2015, was refused by notice dated 2 March 2016.
  - The development proposed is the demolition of existing metal fence and mesh roof surrounding car park, erection of 6 No. 3-bed terrace houses.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. At the time of my site visit, the metal fence and mesh roof referred to in the description of the development had been removed and the surface of the car park had been excavated.

### Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the Bermondsey Street Conservation Area (BSCA),
  - the effect of the proposal on the living conditions of the occupiers of neighbouring properties, and whether the proposal would provide satisfactory living conditions for future occupiers of the development, with regard to privacy and outlook

### Reasons

#### *Character and appearance*

4. The site is at the eastern edge of the BSCA which is centred on Bermondsey Street but stretches out along a number of other connecting roads. It is predominantly a commercial area and indeed the ground floor of the buildings opposite the site at Nos 166 and 168 Tower Bridge Road are in commercial use, as is the adjacent building to the north of the site. However there is a sizeable residential presence in the locality including the flats above the
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- commercial properties opposite the site, and the houses and flats to the south and east of the site, albeit these are outside the BCSA.
5. The buildings opposite the site to the west are five storeys and have a modern finish facing the site. There is also a modern six storey block of flats to the south west. However the development to the east of the site is considerably lower and older, comprising 1½ storey dwellings at Nos 60 to 68 Tanner Street, and a two storey house at No 12 Pope Street. Though these are separated from the site by a brick wall of around 4½ metres in height, the site does provide a transition between the high, relatively modern style of building to the west and the lower more historic buildings to the east. Also, the north boundary of the site is largely defined by the gable end of a three storey building and there is four storey block of flats to the south, both of which appear more congruent with the age of the buildings east of the site than those to the west.
  6. The site is located on the inside of a 90 degree bend in Pope Street which is a narrow road, little more than a single car width. The narrowness of Pope Street, and the close proximity of all the neighbouring development, gives the site an extremely enclosed character.
  7. The proposal would be four storeys in height and would provide a terrace of six dwellings. I have been made aware that planning permission exists for the erection of a terrace of five units at the site, also four storeys in height<sup>1</sup>. From the drawings provided of the current and previous schemes, it appears that the main differences between the two proposals are the addition of a further dwelling, alterations to the design of the development particularly the glazing, and the change in the roof form from five pitched roofs above each dwelling to a single, part flat and part sloped roof design.
  8. The highest part of the proposed roof would be marginally lower than the ridges of the roofs in the previous scheme, though the eaves level would be broadly comparable. However in the appeal proposal the massing at roof level would be significant and considerably greater than that in the previous scheme, and this would result in the development having a very bulky appearance. This massing and bulk at roof level would visually contrast strongly with the more modest properties immediately to the east of the site, leading to a jarring effect. This effect would be visible from points east along Pope Street and also from positions on Tanner Street where the development would be seen directly behind the houses at Nos 60 – 68.
  9. Furthermore, the introduction of, effectively, a gable end to the south elevation, and the increase in the width of the south elevation at and above first floor level would, when compared to the previous scheme, add massing to this elevation. The provision of decorative features on this side and the front facing roof slope would help to reduce the massing, but nonetheless the development would appear overdominant and obtrusive in its context when viewed from the south.
  10. The appellant's Townscape and Design Statement demonstrates that large single roof structures, such as that proposed, are not uncommon in the area. Whilst I acknowledge this, in this case, when seen in the context of the lower buildings to the east and its close proximity to them, I consider the building

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<sup>1</sup> 13/AP/0058

would appear overdominant in its setting which would be harmful to the character and appearance of the area.

11. It is not disputed by the parties that the density of the proposal is 833 habitable rooms per hectare (HR/Ha). The Council advise an appropriate density for this site, which is within the Council's identified Urban Density Zone, is 200 – 700 HR/ha. Although the London Plan (LP) suggests a higher density would be appropriate for a site in this location close to the Central Activities Zone as defined in the LP Housing Supplementary Planning Guidance, I consider the site's position in a conservation area, and taking account of the adjacent modestly sized dwellings to the east, means that a density more comparable to that advised by the Council would be more appropriate. As such, the density proposed would be excessive and would also contribute to the overdominating effect. The example provided by the appellant at 60-71 Tanner Street is outside the conservation area and is located between a tall building and an elevated railway line so has a very different setting to the appeal site and hence is not comparable.
12. Accordingly I consider the development would cause harm to the character and appearance of the BRCA and so would conflict with Strategic Policy 12 of the Southwark Core Strategy (SCS), saved policies 3.12 and 3.13 of the Southwark Unitary Development Plan (SUDP) and policies 7.4 and 7.6 of the LP which all aim to ensure development has a high quality of urban design appropriate to its context. The proposal would also be contrary to saved policies 3.15 and 3.16 of the SUDP and Policy 7.8 of the LP which require development to preserve or enhance the character and appearance of conservation areas. Additionally the proposal would not accord with the advice in chapter 7 of the National Planning Policy Framework (the 'Framework') which requires good design, and chapter 12 of the Framework which seeks to conserve and enhance the historic environment.
13. However, the harm to the significance of the BSCA would be less than substantial and therefore it is necessary, in accordance with paragraph 134 of the Framework, to consider any public benefits from the proposal. In this case, although the provision of six additional units would be of benefit in contributing to the Council's housing target, I do not consider this would outweigh the harm that the proposal would cause to the character and appearance of the BSCA.

*Living conditions - privacy*

14. The design of the front elevation includes alterations to the size, position and number of windows from that shown in the scheme subject of the extant permission.
15. The previous scheme proposed clear glazed windows at first, second and third floors and windows at first and second floors obscured by vertical timber slats. The current proposal would provide clear glazed windows at first and second floor, albeit very narrow at second floor, and obscurely glazed windows at second floor. The windows at third floor would be roof lights. The distance between the proposal and the flats opposite is only around six or seven metres. The facing windows on the flats opposite appear to serve habitable rooms, as would the clear glazed windows in the development. As such, due to their proximity to each other, there would be some mutual loss of privacy.

16. I note the development has been designed so that the floor levels and the positions of the windows would not be directly aligned with those on the flats opposite. Nonetheless, the amount of glazing, particularly the large windows at first floor level, would mean that views would be possible from the proposed first and second floor windows into the flats opposite the site, and vice versa.
17. Whilst I acknowledge the number of habitable rooms that would have clear glazed windows has reduced from the previous scheme, the number of houses, and the size of the windows, has increased. Moreover all 12 rooms with clear glazed windows would be bedrooms, which was not the case in the previous scheme, and I consider these are the most private of rooms and should be protected from overlooking. I accept that, in a dense built up area such as this mutual overlooking between properties is not uncommon. Nonetheless, I consider the loss of privacy to both existing and future occupiers resulting from the development would be particularly severe.
18. I do not consider the relationship between the proposal and the flats to the south west at Nos 160 to 164 Tower Bridge Road would result in any notable loss of privacy due to the greater distance between them and the oblique angle they are to each other.
19. On the rear elevation there would be five Juliette balconies at second floor level from which it would be possible to look over Nos 64-68 Tanner Street and No 12 Pope Street. The previous scheme proposed four balconies in different positions. From my site visit, given the height of the wall on the rear boundary of the site, it was not possible to assess fully the impact of the development on the privacy of the occupiers of Nos 60 to 68 Tanner Street. However in light of my conclusions on the other main issues, this matter is not determinative.
20. I consider that the development would lead to a loss of privacy for occupiers of the flats opposite the site which would adversely affect their living conditions, and would not provide sufficient privacy for future occupiers of the development which would represent a failure to provide satisfactory living conditions. Accordingly the development would fail to accord with Strategic Policy 13 of the SCS, saved Policy 3.2 of the SUDP and Policy 7.6 of the LP which require development to avoid a loss of amenity.

*Living conditions - outlook*

21. The southern end of the rear elevation of the proposal would project forward of the front elevation of the dwelling at No 12 Pope Street. This projecting part would comprise a wall mainly four stories in height but reducing to two stories in height at the south-eastern corner of the building.
22. There are three ground floor windows in the southern elevation of No 12 plus a first floor window. Although these south facing windows would not directly face the development, and so would not be likely to suffer a significant loss of sunlight, the outlook from these windows would be overwhelmingly dominated by the height and forward projection of the proposal which would lead to a severe sense of enclosure.
23. I note the occupiers of this property have not objected to the proposal and indeed at the time of my site visit the front garden of No 12 was being used as a storage area in connection with the work that has already taken place at the appeal site, which suggests the occupiers are willing to co-operate with the

developers. Nonetheless, I must consider the living conditions of all future occupiers of this property.

24. Also, whilst the extant scheme does present a similar elevation to No 12, the four storey and two storey sections of the facing wall would both be higher in the appeal scheme than that in the previous scheme.
25. Accordingly I consider the development would adversely affect the outlook from No 12 which would be to the detriment of the living conditions of the existing and future occupiers of this property. Therefore, in this regard, the proposal would fail to accord with Strategic Policy 13 of the SCS, saved Policy 3.2 of the SUDP and policy 7.6 of the LP.

### **Other matters**

26. I note the concerns from some residents that the site is currently an eyesore and that the locality is susceptible to crime. Also I acknowledge the benefits of the economic stimulus provided by the development, and the sustainability advantages provided by developing on previously developed land in a location with good proximity to public transport. However I do not consider that these factors outweigh the harm that would result from the proposal as set out above.

### **Conclusions**

27. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

*Andrew Owen*

INSPECTOR