



Appeal Decision

Site visit made on 9 March 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 MARCH 2022

Appeal Ref: APP/C5690/W/21/3281475

140 New Cross Road, London SE14 5BA

- 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 Pard Thandi against the decision of London Borough of Lewisham.
 - The application Ref DC/21/121934, dated 6 June 2021, was refused by notice dated 3 August 2021.
 - The development proposed is the construction of additional storey as extension to flat 1 at 140 New Cross Road.
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Decision

1. This appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area with particular reference to whether the proposed development would preserve or enhance the character or appearance of the Hatcham Conservation Area and the effect on the non-designated heritage asset 140 New Cross Road.

Reasons

3. Hatcham Conservation Area (CA) appears to derive its significance, as a whole, from the regular layout and appearance of its rows of historic terraced properties. This part of New Cross Road is characterised by unified terraces with ground floor commercial properties fronting the busy street. The consistent appearance of these terraces makes a positive contribution to the character and appearance of the CA.
4. 140 New Cross Road is in the middle of such a terrace and is adjoined on both sides by corresponding properties of two storeys with a parapet to the front and butterfly roof to the rear. This results in a uniform roofline and appearance with the adjoining properties. It makes a positive contribution to the significance of the CA, in these respects.
5. The appeal property is identified by the LPA as a non-designated heritage asset. Its features of significance appear to include its historic architecture, including its first floor butterfly valley roof and parapet, replicated at the adjoining traditional properties. The host property therefore has a degree of heritage significance meriting consideration in planning decisions.
6. Numbers 146 and 148 were originally part of the two-storey terrace of which no 140 is a part but have been extended upwards in the past and now form a pair of three storey dwellings, adjoining other three storey buildings. I also

understand planning permission has been granted for a similar extension to that proposed at no. 144¹. However, this property directly adjoins a three storey building and therefore is different in context to the appeal site. The extension has not been completed and as such it does not form part of the existing character and appearance in this area. There are a limited number of other properties in the surroundings which have been extended above the original roof. Those that have are generally set back, subservient additions. In any case, such extensions are not so prevalent as to form an overriding part of the character and appearance of the area.

7. The proposed development would create an additional storey directly above the existing first floor. The extension would be sited in the middle of the two storey terrace. It would therefore unacceptably disrupt the unified appearance and roofline of this group of properties both to the front and rear, harmfully undermining the cohesive character of this group of properties. It would also result in a direct loss of the historic architecture and form of the host property including its height and roof. Although the style of roof would be replaced, the proposed new roof's increased height and altered relationship with the features to the frontage would erode its historic appearance. Consequently, this would result in notable harm to the important characteristics of the CA as well as the features of significance of the host property.
8. The proposed development would not preserve or enhance the character or appearance of the Hatcham Conservation Area. I give this harm considerable importance and weight in the planning balance of these appeals.
9. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale of the development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
10. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The proposed development would create an additional bedroom for an existing flat which would make efficient use of the appeal site. However, taking into account the scale of the development the benefit in this regard would be limited. Accordingly, these limited benefits are not sufficient to outweigh the notable harm that I have identified to the CA.
11. Given the above and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the character and appearance of the CA as well as having a harmful effect on the non-designated heritage asset. This would conflict with Policy HC1 of The London Plan (2021), Policies 15 and 16 of the Core Strategy (June 2011), policies 30, 31, 36 and 37 of the Development Management Local Plan (November 2014) (LP). Together, these seek to achieve high quality design and set criteria as to how this can be achieved, with particular regard to alterations and extensions to existing buildings. As well as seeking to enhance and preserve conservation areas and sustain and enhance non designated heritage assets, amongst other things. It would also be contrary to the advice in the Alterations and Extensions Supplementary Planning Document (2019) which provides advice as to how to achieve high

¹ DC/18/107894

quality design for alterations and extensions including specific advice on adding an additional storey.

12. Policy HC1 of The London Plan 2019 was referred to in the decision notice. However, both parties refer to The London Plan 2021 in their evidence. Policy HC1 is equivalent in both versions. Therefore, I have referred to the more up to date policy above.

Conclusion

13. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed

H Miles

INSPECTOR