



Appeal Decision

Site visit made on 26 April 2022

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th June 2022

Appeal Ref: APP/C5690/W/22/3290725

186A Deptford High Street, London, SE8 3PR

- 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 S Singh against the decision of London Borough of Lewisham.
 - The application Ref DC/21/123732, dated 4 October 2021, was refused by notice dated 14 December 2021.
 - The development proposed is construction of a two-storey extension, at first and second floor level, to the rear of the existing flats at 186A Deptford High Street to provide 2 x three bedroom self-contained flats.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Although the Council's reason for refusal does not refer to the effect on the setting of listed buildings in Albury Street, the associated officer's report considers harm to result to their setting. Furthermore, the appellant's statement of case and supporting material also considers this matter. I have a statutory duty to consider any such effects and I am satisfied that no procedural unfairness would result given the consideration of this matter in the evidence before me. This is the basis of which this appeal has been determined and I have considered the effect upon the setting of the nearest listed building (13 and 15 Albury Street).

Main Issues

3. The main issues are
 - (i) the effect on the significance of the existing building as a non-designated heritage asset (including whether the existing building should be considered as a non-designated heritage asset),
 - (ii) whether the proposal would preserve or enhance the character and appearance of the Deptford High Street and St Pauls Conservation Area ('the Conservation Area'); and
 - (iii) whether the proposal would preserve the setting of the nearest Grade II* listed building (13 and 15 Albury Street);

Reasons

4. Sections 66(1) and 72(1) respectively of the Planning (Listed Building and Conservation Areas) Act 1990 require that I have special regard to the

desirability of preserving the setting of a listed building and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

5. The Conservation Area incorporates the historic settlement of Upper Deptford. Deptford High Street ('the High Street') connects the former Broadway (now the A2) with the riverside settlement and former Royal Naval dockyard. The scale, grain and texture of its historic buildings evidence the evolution of the community and development within the area. The Victorian period saw the High Street (or 'Butt Lane' as it then was) transform from a residential street to the commercial centre. The buildings fronting the High Street are generally of three storeys. Albury Street, one of several narrow side streets, branching off the High Street, is primarily residential in character containing both historic terraces and modern development, including the listed Georgian terraced properties and the more recent three storey development on the south side.
6. The appeal property, of simple Victorian architecture, is located on the corner of Deptford High Street and Albury Street, meaning that the side and rear of the building is prominent within the Albury Street streetscene. It has an existing single storey rear extension. Other adjacent buildings on Deptford High Street have evolved with an assortment of rear extensions, several of which are of a greater than single storey height, though these sit one storey below the common eaves level. The backs of the existing High Street properties are generally understated and mark a transition between the main commercial frontage development and the more domestic scale and character of the area behind. A small area of open green space is located to the rear of the site.
7. Taking account of the above, the significance of the Conservation Area, insofar as it relates to this appeal, is primarily associated with the evidence of the historic commercial and residential development of the area, the primacy of buildings on High Street with more ad-hoc and generally subservient development immediately to their rear of these buildings and development of a more domestic scale along Albury Street, including the architectural and historic significance of the listed Georgian buildings on Albury Street.
8. The appeal building is classified as a 'non-designated positive contributor' in the Conservation Area Character Appraisal and Management Plan ('CACAMP'). The CACAMP groups both 'non-designated positive contributors' and locally listed buildings as non-designated heritage assets. Taking account of its design and significance as part of the historical development of the High Street, along with its positive architectural contribution to the character and appearance of the Conservation Area, I am satisfied that it is a non-designated heritage asset taking account of the criteria set out in the Planning Practice Guidance¹.
9. The early 18th century Georgian terraced residential buildings on Albury Street are of special interest including with reference to their age, handsome design, survival and uniformity. The majority of Nos.13-45 Albury Street are Grade II* listed which includes Nos.13 and 15 Albury Street (Ref:1358938) that is the nearest listed building to the rear of the appeal site. Despite some modern additions, the north side and part of the south side of Albury Street is still characterised by largely intact, early 18th century residential dwellings that typify the proportions, building materials and design of Georgian dwellings that were constructed in this part of London at that time. I find that the setting of

¹ Reference ID: 18a-039-20190723

Nos. 13 and 15 Albury Street, insofar as it relates to this appeal, to be primarily associated with the views along Albury Street, which encompasses the cohesive built historic form of the north side of this street as well as the open aspect at the rear of the appeal site, and that this directly contributes to its special interest.

10. The proposal would comprise an upward extension of part of the existing single storey rear projection by an additional two storeys. Whilst its eaves level would match that of the existing building, the bulk and massing of the extension would not be subordinate to and would unacceptably dominate the rear of the building. It would unsympathetically relate to the proportions of the existing building and the rear of other buildings on this part of the High Street. In views from the rear, including along Albury Street, the flat roof of the extension would sit uncomfortably against the shallow pitched roof of the building and adjoining terrace. Although other nearby properties in this terraced run have also been extended, the height, massing and prominence of the appeal proposal would be significantly greater. Whilst the proposal would not be prominent in views from along the High Street, it would be visible in views along Albury Street and would lead to an
11. In spite of some existing three storey elements projecting to the rear of the ends of other terraces in the locality, the proposal would not be appropriate in its particular context. This being derived from the prevailing transition from the more dominant buildings fronting the High Street, the generally lower scale development to the rear, the proximity to the nearest listed terraced properties on Albury Street and the incongruous relationship of the proposed extension with the existing and adjoining buildings.
12. Given its corner location, the proposed extension would be experienced in views looking along Albury Street and its listed buildings, particularly from the western section of the street closest to the appeal site. Despite the separation distance from the nearest listed building, the prominence of the extension, its dominance in Albury Street and the inharmonious relationship with the host building would draw the eye and erode the historic setting of this modest Georgian street thus harming the Conservation Area, the setting of the nearest listed building and the building itself as a non-designated heritage asset. I give the harm to the designated heritage assets considerable importance and weight in the planning balance of this appeal.

Planning balance and conclusion

13. 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 the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset of development within its setting and that any such harm should have a clear and convincing justification. Given the scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. The appellant considers that the proposal would be beneficial because it would provide an enhanced provision of good quality residential accommodation and

make more efficient use of the site. Further limited public benefit would result from the increased natural surveillance of the area of public space to the rear helping to improve safety and wellbeing. Although the appellant suggests that the additional architectural interest is also a public benefit, given my concerns outline above, this does not weigh in favour in the scheme. The limited public benefits would be clearly outweighed by the harm to the designated heritage assets that would result from the development. Insofar as the harm to the non-designated heritage asset is concerned, its significance would be adversely affected to an unacceptable extent given the scale of the proposal.

15. Given the above and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the setting of the Grade II* listed building, 13 and 15 Albury Street, as well as the character and appearance of the Deptford High Street and St Paul's Conservation Area. It would also cause unacceptable harm to a non-designated heritage asset. This would fail to satisfy the requirements of the Act, paragraphs 199 and 203 of the Framework and conflict with the relevant heritage and design aims of Policies D3, D4 and HC1 of the London Plan 2021, Policies 15 and 16 of the Lewisham Core Strategy 2011 and DM Policies 30, 31, 36 and 37 of the Lewisham Development Management Local 2014. As a result the proposal would not be in accordance with the development plan.
16. I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR