



Appeal Decision

Site visit made on 25 September 2024

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2024

Appeal Ref: APP/C5690/W/24/3341729

214 Deptford High Street, Lewisham, London, SE8 3PR

- 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 Martin Harris, on behalf of Egg Free Cake Box, against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/23/132771.
 - The development is the installation of a new shopfront and roller shutters.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a new shopfront and roller shutters at 214 Deptford High Street, Lewisham, London, SE8 3PR, in accordance with the terms of the application, Ref DC/23/132771, and the plans submitted with it.

Preliminary Matters

2. The description of development on the decision notice and appeal form is retrospective planning application for the installation of a new shopfront and roller shutters. I have deleted the reference to retrospective, as that is not an act of development. However, I note that the development has already been undertaken and I have dealt with the appeal on that basis.
3. Having considered the information submitted with the appeal, the Council is not contesting its second reason for refusal, which related to accessibility. As such I have not considered this matter.

Main Issue

4. The main issue is the effect of the development on the historic character of the building and the Deptford High Street and St Paul's Church Conservation Area (CA).

Reasons

5. There is a statutory duty, under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
6. The CA is a mixed-use area. Deptford High Street in particular comprises a variety of shops and commercial uses at ground floor level with residential accommodation above. The street is made up of predominantly Victorian development and the age, architecture, density, layout and materials of these buildings all contribute towards the historic interest and significance of the CA. However, many properties on Deptford High Street have undergone a high degree of alteration as a result of their changing functions and commercial

evolution, particularly at ground floor level, with shop frontages having little uniformity in terms of age, design, materials or colour. This is recognised within the Deptford High Street and St Paul's Church Conservation Area Appraisal and Management Plan 2019 (CAA).

7. No.214 is a three-storey brick building. To the front, the upper floor brickwork is painted white and there are differing styles of white UPVC windows at first and second floor level. The roof is also untraditional in terms of both its form and materials. From the photographs and drawings included in the appeal submissions, it is evident that the shop front which has been removed and replaced was neither an original nor historic feature. The CAA confirms this. As such, its removal has not resulted in the loss of any historic fabric or any features of significance. Furthermore, the former shop front and roller shutters did not contribute positively to the historic significance or to the character and appearance of the area, and there would be nothing to be gained by requiring the new shopfront and roller shutters to be removed and returned to their former state.
8. The new shop front, like the one it replaced, comprises a large glazed area in an aluminium frame. The former door and fixed glazed side panel have been replaced with a wider door opening to improve accessibility. The projecting illuminated box sign, the illuminated fascia and the retractable awning have been removed and replaced with a smaller fascia sign and retractable awning above the shop front only, and not above the entrance to the upper floor accommodation. The new roller shutter housing projects no further forward than the fascia sign above it, is the same colour as its surroundings and is partially concealed from view by the retractable canopy. The shop front is recessed with the security shutter being flush to the back edge of the pavement. The former graffiti covered, galvanised steel, solid roller shutter, has been replaced with a new perforated aluminium shutter. The brochure details provided for the new roller shutter indicate that this would allow 22% vision. This, together with the floor light behind the shutters, would enhance the nighttime appearance of the shop frontage.
9. Whilst I appreciate the Council's desire to try and reinstate traditional shop frontages into the CA, the statutory duty is to preserve. Requirements above and beyond this should be balanced against other matters such as ensuring the vitality and viability of local businesses and shopping areas by creating frontages that appear appealing and inviting to customers.
10. The new shopfront that has been installed reflects the ongoing evolution of shop fronts in this area and preserves the vibrant character of the Deptford High Street without causing harm to the historic significance of the CA. Whilst its design does not assist in reinstating the traditional Victorian appearance of the area, it is nevertheless an enhancement upon the shop front that it replaced.
11. I therefore conclude that the replacement shop front has not resulted in further harm to the host building, which has been significantly altered in the past, or to the character or appearance of the CA, which is therefore preserved. Accordingly, the development accords with Policy HC1 of the London Plan 2021, Policies 15 and 16 of the Lewisham Core Strategy 2011, and Policies 19, 30, 31 and 36 of the Lewisham Development Management Local Plan 2014. These collectively seek to ensure new development affecting

heritage assets conserves their significance and that the design of new development is sensitive to the local context and responds to local character.

12. I also find no conflict with the National Planning Policy Framework, which recognises that not all elements of a CA will necessarily contribute to its significance and states that proposals that preserve those elements that make a positive contribution should be treated favourably.
13. Whilst I have also had regard to the Lewisham Shopfront Design Guide SPD 2006 and the Deptford High Street and St Paul's Church Conservation Area Appraisal and Management Plan 2019, these documents are guidance as opposed to Policy and do not alter my decision.
14. The appeal is retrospective, and I have determined it in accordance with the plans submitted with the application, which I am satisfied the completed works accord with. As such no conditions are considered necessary.

Conclusion

15. For the reasons given above and having had regard to all matters raised, the appeal is allowed.

R Bartlett

INSPECTOR