



Appeal Decision

Site visit made on 16 October 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th October 2024

Appeal Ref: APP/C5690/W/24/3346203

Garage to the rear of 24 Tranquil Vale, London SE3 0AX

- 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 Richard Bould against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/23/134255.
 - The development proposed is described as: "The proposal is to convert the existing disused garage space to rear of 24 tranquil Vale into a one bedroom (two person) serviced holiday studio accommodation. As part of the application the existing asphalt roof is to be replaced and raised forming a flat roof with first floor. At ground level the original garage door is to be reopened and infilled with new timber cladding and windows and doors. The proposed windows are to be of a slim line pressed metal to replicate that of pressed Crittle style steel equivalents. By virtue of its use waste is to be collected by the cleaning contractor and removed from site responsibly. No parking is proposed you to be close location of the site from Blackheath train station and other suitable means of public transport. There will be bike locking points for individuals to secure lock away 2nr bikes (potentially more) to the secure by design fixings."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. The proposed revisions to the Framework are draft and therefore may be subject to change before the final Framework is published. Moreover, the draft revisions to the Framework and other proposed reforms are not directly relevant to this appeal. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to comment on them.

Main Issues

4. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Blackheath Conservation Area, and its

effect on the significance of 18-22 Tranquil Vale as locally listed buildings; and

- highway safety, with particular regard to cycle parking.

Reasons

Blackheath Conservation Area and 18-22 Tranquil Vale

5. The Blackheath Conservation Area (CA) encompasses a bustling commercial core, known as the Village, residential suburbs either side of the railway, and the open Heath. The Village comprises two main thoroughfares and a network of mews, tight streets and alleyways that interconnect the funnel shape formed by Tranquil and Montpelier Vales. Having regard to the CA Character Appraisal, this network has an intimate human scale that is pleasing and sensitive to change; and the tight urban grain and topography give this part of the CA a strong sense of place. The survival of numerous 18th and 19th century buildings and shopfronts contributes to the sense of an historic village, with variation in the scale of buildings adding significant visual interest.
6. 18-22 Tranquil Vale are good quality frontage buildings dating from the early 1900s. As such, these locally listed buildings make a positive contribution to the character and appearance of the CA. Their significance is further derived from their varied rear roofscape visible from the mews and car park behind them, notwithstanding that this includes some later additions. This roofscape includes the subordinate, if unremarkable, single-storey run of garages, in contrast with relatively large, varied rear projections.
7. The carriage entrance under the oversailing first floor of 24 Tranquil Vale is another positive contributor to the CA. Glimpses through this arch include the sky above the garages, thereby indicating the presence of the mews, which is part of the Village's distinctive urban grain.
8. Through the addition of a first floor, the proposed development would interrupt the run of single-storey garages at one end of the alleyway. This piecemeal change in height would look out of place and diminish the garages' subservient relationship with the frontage buildings. This is notwithstanding the existing two-storey structure, which is at the other end of the alley and a long-standing part of the townscape. The alleyway's mews-like simplicity would therefore be undermined. The addition would also partly obstruct glimpses of sky through the carriage entrance, which would reduce appreciation of the mews from the main thoroughfare. Further, the extra floor would appear as a jarring addition from the car park behind the garages, which would negatively affect Nos 18-22s' distinctive rear roofscape. Overall, the change would erode the urban grain that is intrinsic to the character of the Village.
9. I note the appellant's willingness to accept a condition to secure more appropriate external details and finishes. However, this would not fully mitigate the detrimental effect I have identified from the proposed additional floor, however restrained and functional its design.
10. For the above reasons, I find the proposal would not preserve or enhance the character or appearance of the CA and would therefore harm its significance. I consider the harm to the CA would be less than substantial. I also find there would be harm to the significance of 18-22 Tranquil Vale as non-designated heritage assets.

11. Paragraph 205 of the Framework requires great weight to be given to the conservation of a designated heritage asset when considering the impact of a proposed development on its significance. Paragraph 208 of the Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
12. Paragraph 209 states that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.
13. The proposal would make a modest contribution to local economic growth during construction and through occupants' use of local services and facilities during their stay. However, I am not persuaded on the evidence before me that the appeal scheme would be the only or best way to make effective use of the site or prevent the decline of the garage, bearing in mind its proximity to public transport and other businesses. I therefore give the economic benefits of the proposal limited weight.
14. Use of the garage as holiday accommodation would provide some additional natural surveillance within the mews. Nevertheless, there are already rear windows and doors overlooking the alley, which is gated, and there is little to substantiate the suggested occurrence of anti-social behaviour. I therefore give this benefit little weight.
15. Consequently, the public benefits of the proposal would not be sufficient to outweigh the harm to the significance of the CA. Nor would they outweigh the harm to the significance of the locally listed buildings.
16. I therefore conclude the proposed development would conflict with Policy HC1 of the London Plan 2021 (LP), Policies 15 and 16 of the Lewisham Core Strategy 2011 (LCS), and Policies 30, 31, 36 and 37 of the Lewisham Development Management Local Plan 2014, which are consistent with the requirements of the Framework in relation to designated and non-designated heritage assets. These Policies also require high quality design and resist, among other things, development that would adversely affect the important features of a character area.

Cycle parking

17. The occupants of the proposed holiday-let would be visitors rather than permanent residents. Some might use cycles to reach the accommodation, but it is likely others would use public transport given the proximity of the station and bus routes. Ground and wall anchors close to the building entrance would be convenient, visible, and sufficiently secure bearing in mind the mews is gated and overlooked. Having regard to the requirements for visitors' cycle parking in the London Cycling Design Standards, I find this level of provision would be adequate for the type of use proposed. Accordingly, I find no conflict with the cycle parking standards in LP Policy T5 and Table 10.2.
18. However, although not a through route, the mews is used from time to time by vehicles servicing the commercial frontage uses. It is narrow and I observed several commercial waste bins and doorways adding a further constraint for vehicles. There is insufficient evidence before me to demonstrate how the

proposed cycle parking would affect servicing activity in this alleyway, or to assess the risk of conflict between users of the space. Therefore, even if use of the proposed the cycle parking would be irregular, I cannot be sure its impact on highway safety would be acceptable.

19. For the above reasons, I conclude the proposed development could have a harmful effect on highway safety, with particular regard to cycle parking. This is contrary to LP Policy T4 and T7, and LCS Policy 14, which require development proposals to facilitate safe servicing, not increase road danger, and prioritise the safety of pedestrians and cyclists. It is also contrary to the Framework, which states development should be refused if there would be an unacceptable impact on highway safety.

Other Matters

20. The site is proximate to the frontage buildings at 3 to 35 Tranquil Vale and the adjacent Blackheath Station, all of which are Grade II listed. Mindful of the statutory duty in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving their setting. The special characteristics of the Village, identified above, provide the setting for, and contribute to the significance of, these heritage assets. This setting includes the appeal site. Nevertheless, given the proposed development would occur behind the frontage on the opposite side of Tranquil Vale, the listed buildings' setting, and the contribution this makes to their significance, would be preserved. I note the Council has raised no concerns in this regard either.
21. The tops of three church spires can be glimpsed in the distance from within the mews of which the appeal site is a part. These belong to the Church of All Saints and the Church of St Mary, which are Grade II listed; and – in very fleeting glimpses – the Church of St Michael and All Angels, which is Grade II* listed. The setting of each of these churches primarily comprises the suburban neighbourhoods that developed around them, contributing to their significance as notable places of worship. I do not consider the appeal site to form part of this setting, because it was developed principally to serve the commercial Village. In any event, the proposed development would not materially inhibit appreciation of the spires from the mews, given their location relative to it.
22. The Council has raised no concerns with car parking or the effect of the proposal on the living conditions of neighbouring occupiers. On the evidence before me, I see no reason to disagree. However, an absence of harm in these respects is a neutral factor.

Conclusion

23. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR