

HANDFORTH

HERITAGE

57 Warminster Road, Croydon
Heritage Impact Assessment

November 2023

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1. Introduction

This Heritage Impact Assessment ('report') has been produced by Handforth Heritage to accompany a full planning application to Croydon Council for the development of land to the rear of No. 57 Warminster Road. The site is not statutorily or locally listed but is located within the South Norwood Conservation Area and within the setting of three locally listed buildings.

In accordance with Historic England's *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (GPA 3)* this report has been produced to identify the heritage assets and their settings that may be affected by the proposals. Paragraph 194 of the National Planning Policy Framework (NPPF) highlights that the significance of the identified heritage assets including any contribution made by their settings, needs to be established to determine what the potential impact of changes to the site may have on this.

This report has been undertaken in accordance with Historic England's guidance on heritage assessments, namely *Statement of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12*. The legislation and policy framework applicable to this application is set out at Appendix 1.



Figure 1 Indicative location of site highlighted in red.

2. Historic Development

Historically much of the land south of the Thames was dominated by ancient woodland. By the mid 18th century large swathes of the Great North Wood had been deforested and replaced with heathland. Early cartographic evidence for South Norwood can be found in John Roque's Map of 1768 which shows a small hamlet at the road junction of the now Whitehorse Lane (B266) and South Norwood Hill, a road pattern that survives today (South Norwood Conservation Area Appraisal). Prior to 1801, the parish recorded approximately 1,500 acres of common heath and wasteland, 830 acres of which were in Norwood. The Enclosure Act of 1797 put the mechanisms in place to divide up these plots of land into enclosures owned by private individuals. The prominent land owner Lord Thurlow died in 1806, and consequently his mansion was demolished and roads and buildings constructed in its place, facilitating the 19th century settlement of South Norwood.

In tandem with this change was the construction of the Croydon Canal between 1801-1806, which is visible on the 1838 tithe map. This map shows early development within South Norwood which is all located to the south of the site. The site itself forms part of a much larger field by this point and is surrounded by open land.

The most considerable change to the area however, came with the coming of the railway which ran between London Bridge and London Road in Croydon. Part of the line can be seen on the 1867 OS map. The site has been developed by this stage and appears to form one of a collection of four buildings (square in plan), two of which still survive (Nos. 59 & 61 Warminster Road). The 1871 census records there being a building on site called 'The Hawthorns, Brandon Hill'. The size of the house is reflected in the number of people living there at the time. The Whiffin family appear to be the main residents, with five members, and another eight people are recorded, including two visitors and six servants, two of which are nurses.



Figure 2 1838 Tithe map showing indicative location of the site in red.



Figure 3 1867 OS map showing the site (highlighted in red).

2. Historic Development

The 1894 OS map provides clearer detail of the site and its context. Here more of the street has been developed to the north and west of the site, and further development has appeared along Lancaster Road. No. 53 Warminster Road (which survives today and is north of the site) is also visible at this point. The building on the site appears to have the same footprint as its neighbours and within the garden to the rear a detached glass house is also visible.

By the 1952 OS map, several additional structures have appeared in the surrounding area, including a mix of detached and semi-detached properties. The building on the site appears to have been extended and the glass house to the rear demolished.

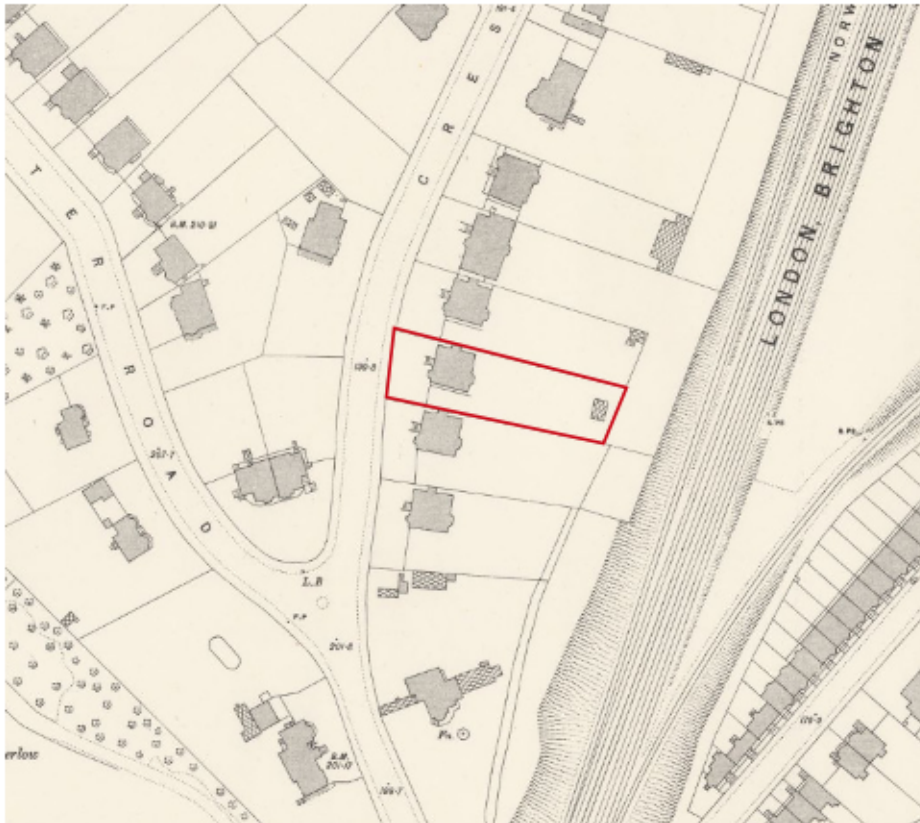


Figure 4 1894 OS map showing the site (highlighted in red).

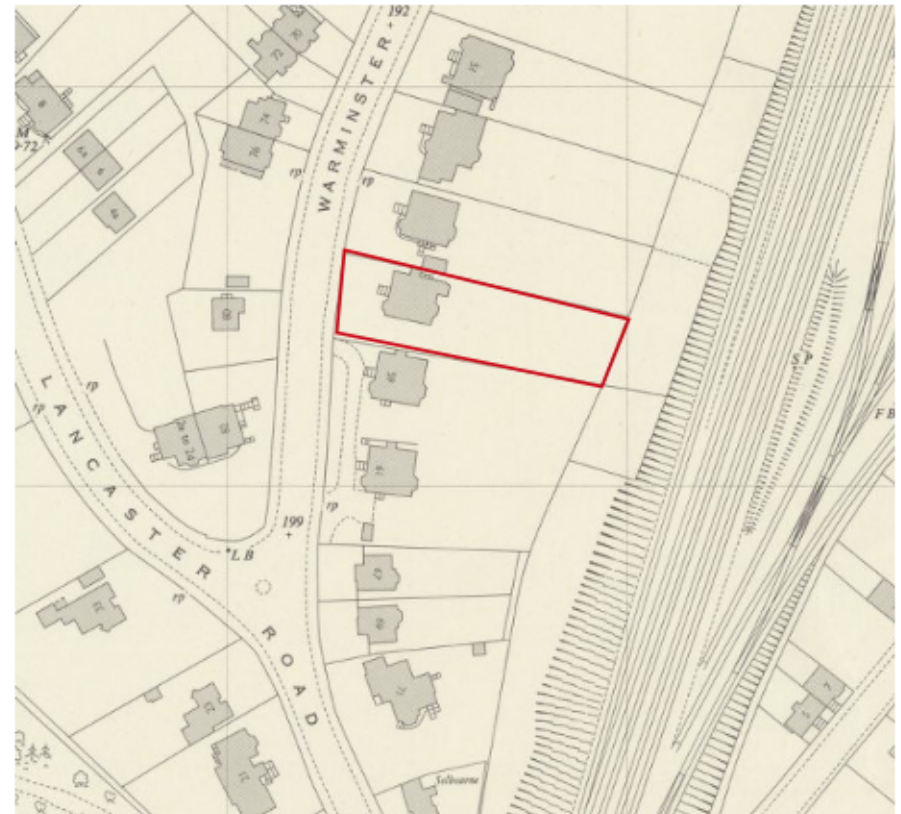


Figure 5 1952 OS map (site in red).

2. Historic Development

There is little historic photographic evidence for the site, although some aerial images from the 1940s are helpful in providing an idea of the character of the area at this time. Figure 6 shows a photograph from 1946 which clearly shows a collection of Victorian detached structures fronting onto Warminster Road. The building on the site at this time appears to match its neighbours. All the gardens are highly manicured, with mown lawns, pathways and what appear to be vegetable plots. Trees can be seen here also flanking the north, southern and eastern side of the rear garden. These trees are formal in appearance, having been deliberately planted which provides a degree of uniformity and regimentation to the garden edge.

Figure 7 provides a view of the area in 2003, here the impact post war development has had on the Victorian townscape is apparent with numerous historic detached houses being replaced with new apartment blocks and a proliferation of development to the rear garden areas. The lack of maintenance to the rear gardens is also apparent with an abundance of self seeded trees dominating many of these areas.



Figure 6 1947 aerial view of the site (shown in red).

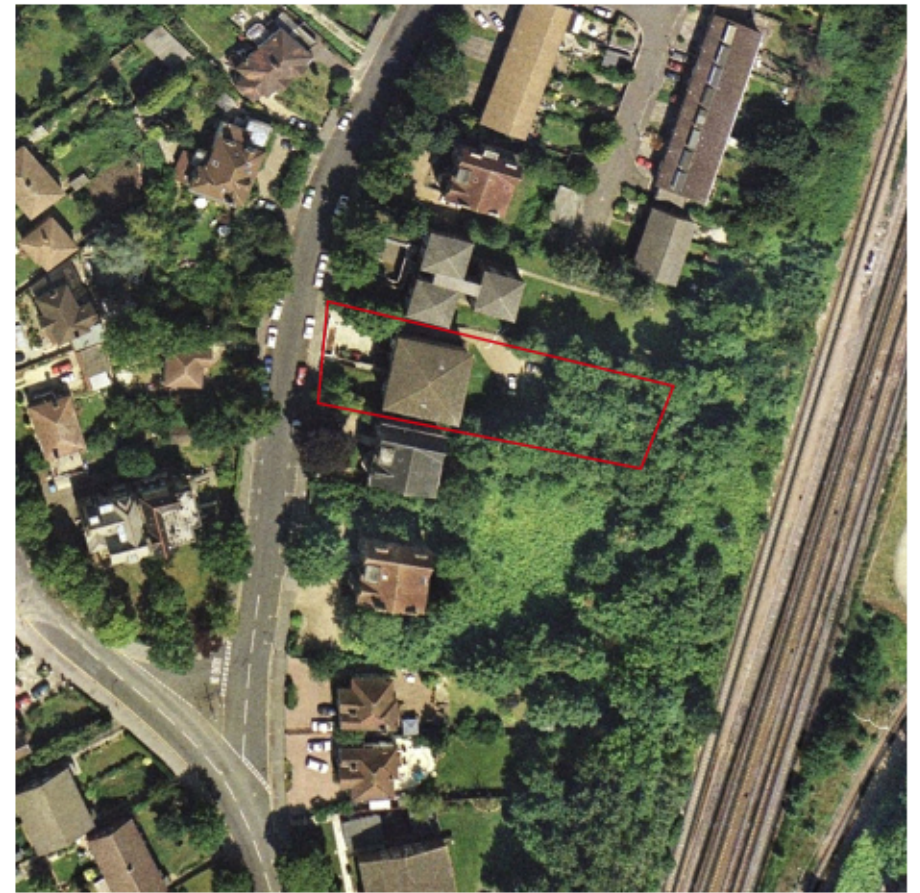


Figure 7 2003 aerial map showing the site in red. Note change in formal garden character due to lack of maintenance with an abundance of self seeded trees apparent

3. The Site

The site is located on the eastern side of Warminster Road and consists of The Hawthorns, a four storey apartment block with shallow hipped roof containing 18 flats. This structure dates to the latter half of the 20th century, and features an irregular fenestration pattern, with modern top hung casement windows incorporating trickle vents and stock bricks laid in a stretcher bond. The structure is of no architectural or historic interest which is reflected in it being identified as a 'neutral' contributor in the council's conservation area appraisal.

The rear of the site consists of hardstanding for car parking, numerous self seeded trees beyond which, to the east, is a railway line running parallel to the main road. There are no clear views of this part of the site from the public realm with only glimpsed, oblique views possible from Warminster Road between the Hawthorns and Ashleigh Lodge to the north.

To the south of the rear part of the site is a modern residential development consented in 2007. To the north is the garden of Ashleigh Lodge, and beyond this is further 20th century housing built in the historic gardens of properties that once lined Warminster Road.



Plate 1 Facade of the Hawthorns fronting onto Warminster Road. Note views to the rear of the site are extremely limited from the public realm.



Plate 2 Showing gap between the site and Ashleigh Lodge to the north. Note the very limited visibility towards the rear garden.

3. The Site



Plate 3 View of the rear garden area showing hardstanding for parking and proliferation of self seeded trees.



Plate 4 View looking north west towards Ashleigh Lodge from rear garden, note, this development projects further east than the historic rear building line.



Plate 5 View of rear elevation of The Hawthorns.



Plate 6 View of development immediately to the south of the site incorporating two storeys plus attic. Granted planning permission in 2007 (ref 07/03230/P).



Plate 7 View of unmanaged self-seeded trees to rear of the site.



Plate 8 View of unmanaged self-seeded trees to rear of the site, the Hawthorns can be seen in the background.

4. Identification of Heritage Assets and Significance Assessment

An inspection of the relevant databases and sources, including the Historic Environment Record (HER), the National Heritage List for England (NHLE), and the Council's website, has several heritage assets lying within the vicinity of the Site.

This assessment has been undertaken in accordance with Historic England's *The Setting of Heritage Assets GPA 3*. In accordance with Paragraph 194 of the NPPF the level of detail is proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The Heritage Assets that have the potential to be affected by the proposals are outlined below:

1. South Norwood Conservation Area
2. 53 Warminster Road, Locally Listed
3. 59 Warminster Road, Locally Listed
4. 61 Warminster Road, Locally Listed

The following section provides an assessment of significance of these heritage assets including an assessment of the contribution that their settings makes to this.



Figure 8 Aerial view of the site (in red), showing the numbered heritage assets. The uncoloured area denotes a section of the conservation area (1).

4. Identification of Heritage Assets and Significance Assessment

1. South Norwood Conservation Area

The South Norwood Conservation Area was designated in November 1992. The boundary was extended in 2007 to take in many of the residential side roads to the north west of the High Street, Lancaster and Warminster Road, and the area to the east of the railway line. Further amendments were made to the area's boundary in 2022 as part of the adoption of a new conservation area appraisal, including an extension along Warminster Road to include No. 53.

The council's appraisal identifies five distinct character areas within the conservation area. These areas are highlighted on the adjacent map and include:

1. Historic Core
2. Stanley Halls
3. Lancaster and Warminster Road
4. The Railway
5. Residential Roads

The significance of the South Norwood Conservation Area is derived from its architectural and historic interest as a Victorian suburb, initiated by the coming of the railway. The retention of the historic layout and built form of the commercial streets including the High Street, Portland Road and Station Road, and the residential side streets, create a distinctive character that contribute to its special character as seen in its architectural styles, materials and general high quality.

During the early development of South Norwood as a Victorian suburb, development radiated out from the road junction at the core of the settlement into the surrounding agricultural fields. The centre of South Norwood is dominated by structures constructed between the 1840s to 1910. Several of these buildings' original appearances have been eroded through alterations and extensions over time, yet many retain original features.

The site sits within the Lancaster and Warminster Road character area. The council's conservation area appraisal says the following about this area (author's emphasis):

*The Lancaster and Warminster Character Area contains larger plots and houses, which **have retained a number of historic mature trees and well planted front gardens**, which combine to create a grand residential character on this high point within the Conservation Area.*

It is clear when looking at the trees on the site and comparing them to the historic aerial

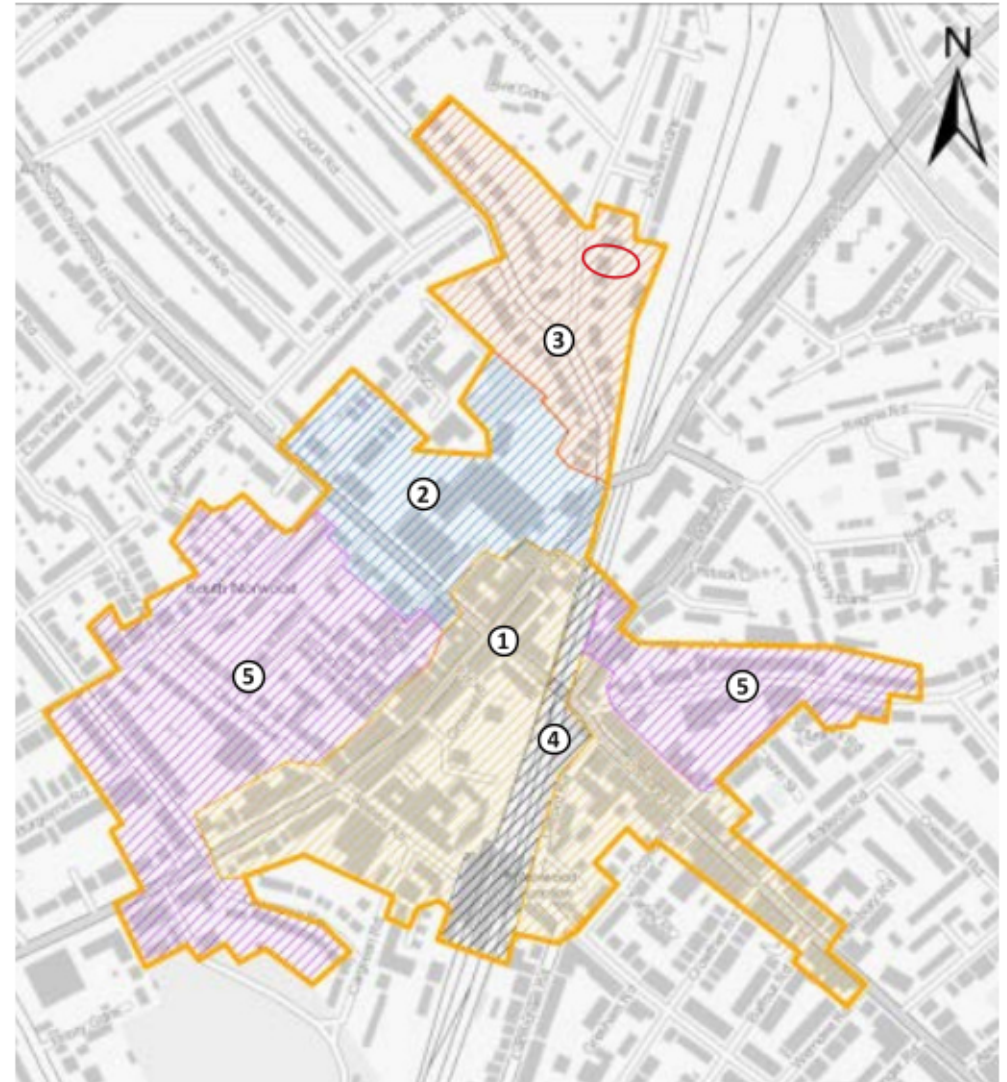


Figure 9 Conservation area boundary showing the site (red circle) and character areas (1-5). The site is located within the Lancaster and Warminster Road area.

4. Identification of Heritage Assets and Significance Assessment

photographs, that very few, if any, of these trees are 'mature.' They appear to be self-seeded and bear no relation to the formal landscaped gardens that characterised the original historic appearance of the area.

*There are a number of Locally Listed Buildings in this area which indicates the architectural interest of the area. **There are also a number of post-war flatted developments, which contribute to the variety of architectural detailing and styles on these two roads.***

Whilst these post-war developments are identified as 'neutral' buildings within the conservation area appraisal, the council clearly believe that the variety of architectural styles and details in the area are not only a characteristic feature, but also positive element of the area. This can clearly be seen when visiting this part of the conservation area, which has its own unique appearance when compared to the rest of the area. The photographs overleaf provide an overview of the types of buildings and spaces that characterise this part of the area. Of note is that whilst pitched roof forms are characteristic of the majority of historic buildings in the area, there is a vast number of later, post war structures that feature flat roofs, including ones that have been recently consented.

Also of note, is that the site is not highlighted as an important green space in the council's conservation area appraisal and trees in this document are primarily discussed in terms of their contribution to the streetscene/location within their front gardens rather than those located in back-land locations. Figure 10 provides a clear map of the conservation area from the council's appraisal showing important green spaces, the site itself is clearly not included in this. The reason for this is probably because it is virtually invisible from the public realm and because it has a dishevelled appearance, being now dominated by hardstanding, self-seeded trees and rubbish.

The site itself is therefore considered to provide a neutral contribution to the overall significance of the conservation area.



Figure 10 Conservation area map taken from the council's conservation area appraisal showing important green spaces. Note the site (in red) is not included in this assessment.

4. Identification of Heritage Assets and Significance Assessment



Plate 9 View of the site (right) and Ashleigh Lodge, left/centre.



Plate 10 View showing Ashleigh Lodge (centre/left) and the site (right). Note, no views towards the rear of the site are visible here.



Plate 11 View showing the locally listed No. 59 and modern development to rear. Note the site is not visible from this view.



Plate 12 View showing flat roof of historic property south west of the site.



Plate 13 View of gap between buildings on Lancaster Road, note, views of development through gaps are common in many parts of the conservation area.



Plate 14 View looking south east along Lancaster Road showing flat roofed extension to side of No. 56 Southern Avenue.

4. Identification of Heritage Assets and Significance Assessment

Outlined below are numerous flat roofed structures located in close proximity to the site and within the South Norwood Conservation Area:

1. Single storey garages to the rear of No. 68 Warminster Road.
2. Single storey garages to the rear of No. 6a Lancaster Road.
3. Single storey outbuilding to the rear of No. 4a Lancaster Road.
4. Single storey garages to the rear of No. 2 Lancaster Road.
5. Four storey structure at 82 Warminster Road.
6. Single storey garage to the rear of 37 Lancaster Road.
7. Single storey garage to the rear of 71 Warminster Road.

Most of these structures have no, or limited visual interaction in views from the public realm due to their location. The following page provides a more detailed view of these structures.



Figure 11 Showing buildings with flat roofs within the Lancaster and Warminster Road character area.

4. Identification of Heritage Assets and Significance Assessment



4. Identification of Heritage Assets and Significance Assessment

Within the wider conservation area there are also are numerous flat roofed structures including:

- 18-20 St Dunstons Road
- 36 South Norwood Hill
- Becton Court, 284 Holmesdale Road
- 282 Holmesdale Road - granted planning permission in 2017 (ref: 17/03055/FUL) replacing a two storey hipped roof structure.
- Flats 1 To 12 Inclusive Hurst Court 229 Selhurst Road
- 196 Selhurst Road South Norwood SE25 6XU

Most of these buildings have been identified as neutral features within the council's conservation area appraisal, and contribute to the architectural variety of the area.



Plate 16 View of previous hipped roof property at 282 Holmesdale Road pre 2017.



Plate 15 36 South Norwood Hill.



Plate 17 View of contemporary flat roof structure at 282 Holmesdale Road granted planning permission in 2017 (compare to plate 15).

4. Identification of Heritage Assets and Significance Assessment



Plate 18 18-20 St Dunstons Road.



Plate 19 Becton Court, 284 Holmesdale Road.



Plate 20 Hurst Court 229 Selhurst Road.



Plate 21 196 Selhurst Road.

4. Identification of Heritage Assets and Significance Assessment

2,3 & 4. Nos. 53, 59 and 61 Warminster Road

Whilst these buildings are all individually Locally Listed, for the purposes of this report they will be covered over one entry due to their similarity of form and architectural detail along with setting. The buildings all date to the mid 19th century, and would have been constructed as a result of the coming of the railway and the increased demand for spacious villas away from the centre of London.

All three buildings retain their historic character and architectural detailing, and incorporate decorative brackets to windowsills and eaves, brick quoins, brick dog-tooth banding, and stucco window surrounds with keystones. Historically all these buildings sat within their ample plots with relatively shallow gardens to the front and longer gardens to the rear. The buildings are of historic and architectural interest as a good example of high quality, finely detailed suburban Victorian development, facilitated by the coming of the railway and reflecting the wider economic fortunes of London at the time.

The historic 1940s aerial photographs provide an insight into these buildings' historic settings with well attended gardens and ample linear tree cover visible, especially between plots and to the east to shield views and the sound of the railway.

Today however, these buildings' settings have been completely eroded, with all three buildings featuring structures at what would have been the end of their original rear gardens. In the case of No. 53, this also includes an access road along Pittville Gardens. The loss of their original neighbours including Nos. 55 and 57 has also resulted in a disjointed, inharmonious appearance when seen from the main road. Their relationship with one another and other historic buildings in the immediate area does provide a positive aspect of their settings, enabling an insight into what the original character of the area would have been.

The site itself sits in the wider setting of these structures, but this area would have historically been visually separated by dense tree planting lining the edges of the plots. The lack of any formality in the area also further results in the site not having any positive relationship with the these buildings, and as such it is considered to provide a neutral contribution to these buildings' significances.



Plate 22 View showing No. 61 Warminster Road, locally listed and its relationship with the development consented in 2007.



Plate 23 View between the locally listed Nos. 59 and 61 Warminster Road, and their relationship with the development consented in 2007.

5. Proposals and Assessment of Impact

Background

A full planning application was submitted to Croydon Council for:

The proposed erection of a part two and part three storey building to the rear of 57 Warminster Road, to contain 8 flats. Associated site alterations including to the front of the existing building (ref: 23/03053/FUL)

The council refused this application on the 4th October 2023, the reason refusal relevant to heritage reads as follows:

The development, due to its incongruous roof form and bland design would harm the character and appearance of the South Norwood Conservation Area. The development therefore conflicts with The Croydon Local Plan (2018), in particular policies DM10 and DM18 as well as The London Plan (2021), in particular policies D3 and HC1.

The council also provided further comments on the proposals within their delegated report. Relevant extracts from this document are outlined in italics below.

Proposal

Minor changes are proposed to the front of the existing Hawthorns building, mainly the removal of a concrete stair with solid brick balustrading that leads to the first floor level, the upgrading and replacement of all existing windows and replacement of a fence.

Within the council's previous delegated report they stated:

There is no objection to the removal of the existing external staircase on the front elevation of The Hawthorns as this has no positive influence upon the street scene.

Like the previous scheme, this application also seeks to develop a part two, part three storey building on land toward the rear of the site. The appearance of this building has undergone a number of design changes to address the council's previous concerns.

In terms of the building's height, the council have already previously agreed this within their pre-application comments where they stated:

The Height appears to match the ridge at the adjacent at numbers 63-65 and would accord with the Suburban Design Guide's (2019) height requirement for buildings on back-land sites, which states they should generally be no taller than the predominant



Figure 12 Proposed elevations of refused scheme.



Figure 13 Proposed elevations of revised scheme.

5. Proposals and Assessment of Impact

surrounding buildings.

Within the delegated report of the refused application, the council stated:

The Hawthorns is a four storey building and the proposed would be a storey lower at the tallest section. Whilst this scale would be subordinate to The Hawthorns, the flat roof design would appear incongruous to the surrounding neighbours, which all have pitched roof forms and include 59 Warminster Road which is locally listed. There would be a step down to the front section of the building which would feature a darker brick than the larger rear element, but this would have plant equipment on the roof and is uninviting as the primacy façade. The entrance to the building would be to the side and would lack legibility and raises concerns in terms of safety and security as it is obscured from the pedestrian access route and large communal areas to the front. This conflicts with London Plan Policies D3, D5 and D11.

The proposed building will be a similar height to the previous proposal. The flat roof form has been retained to help with bio-diversity net gain through the provision of a green roof. More variety has been provided however through a series of eight different stepped roof forms. This helps to ensure there will not be one large expanse of flat roof, softening its overall impact. Notwithstanding this, this report has demonstrated that the conservation area consists of numerous flat roof structures, including ones that have replaced pitched roof structures such as No. 282 Holmesdale Road, which was granted planning permission in 2017 (ref: 17/03055/FUL).

Figures 12 and 13 provide comparative images of the refused and proposed schemes. The entrance to the building has now been updated to provide a more coherent and architecturally interesting elevation. Additional fenestration details have been added and a mixture of different brick work, some horizontally laid and some vertically. These brick tones reflect the brick detailing to the historic houses to the west of the site which feature stock bricks and lighter brick quoins details providing more visual interest.

The scheme also requires the removal of a number of trees, the previous delegated report stated:

The Council's Tree Officer has reviewed this and raised no objection to the felling proposed as these trees are not of individual merit.

5. Proposals and Assessment of Impact

Impact

The changes to the facade of the Hawthorns building are considered to remove negative elements that result in a more uniform and decluttered appearance. These would result in an overall **enhancement** to the appearance of the conservation area.

The council have not raised any issues with the height of the proposals. Discussions have been had with the council over the use of a pitched roof to the structure but this was not considered an appropriate response to the appearance of the building. Following the assessment of the character and appearance of the wider area, it was considered that a flat roof could be accommodated on the site without causing harm to its significance. The omission of a pitched roof here helps to minimise the height of the structure, ensure it is subservient to The Hawthorns and other nearby locally listed buildings and allows for biodiversity benefits through the provision of green space.

The new scheme has an updated form and appearance, through a stepped approach to the roof and via the employment of various brick and timber detailing. These changes provide additional relief and interest to the external elevations to ensure they avoid being 'bland' whilst remaining contextual.

The site is considered to contribute a neutral amount to the conservation area, and the provision of a three storey building to the rear would equally have a negligible impact on the significance of the area. The loss of the trees in the area has been previous agreed by the council's tree officer as part of the previous scheme.

Summary

It has been demonstrated that the site consists of a number of self-seeded trees and hardstanding. There is virtually no relationship with the site from the public realm. One oblique view of part of the site will be visible from between the Hawthorns and Ashleigh Lodge to the north. This would provide a glimpsed view of the northern part of the proposed building that would be a similar scale to the consented building immediately to the south. Visible buildings to the rear of properties is a common feature in the conservation area, and it is considered that this change would not harm the character of appearance of the area.

It has also been demonstrated that the locally listed buildings settings have significantly changed, and the provision of a new structure in their wider setting would not negatively affect their key significances.

As such, we believe the proposals would comply with section 72 of the Planning (Listed



Figure 13 CGI showing visibility of scheme from the public realm. Note this is the only view where the scheme will be visible from the public realm.

Buildings and Conservation Areas) Act 1990, chapter 16 of the NPPF and the council's planning policies relating to heritage. The proposals would not harm the character or appearance of the area or any other heritage assets and as such we see no heritage reason why the proposals should not be supported by the council.

Appendix 1: Legislation, Planning Policy and Guidance

Legislation

Legislation regarding Listed Buildings and Conservation Areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the 1990 Act).

Section 16(2) states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66(1) states that, in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority (LPA) or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest that it possesses.

The term “preserve”, within the context of Section 66, has been defined within *South Lakeland District Council v Secretary of State [1992]*, where it was held that the “desirability of preserving” creates a presumption against harmful changes, but not a presumption against any change. Case law has established that the preservation of the setting of a listed building requires considerable importance and weight (i.e. the Barnwell Manor judgment) and that a decision-maker who has worked through the paragraphs of the NPPF in accordance with their terms will have complied with the statutory duty set out in the 1990 Act (i.e. the judgment in *Jones v Mordue & Others [2015]*).

In the judgment for *Palmer v Herefordshire Council [(2016) EWCA Civ 106]*, a discussion on the balance between harm and benefit to a listed building was undertaken. It was accepted that “where proposed development would affect a listed building or its settings in different ways, some positive and some negative, the decision-maker may legitimately conclude that although each of the effects as an impact, taken together there is no overall adverse effect on the listed building or its setting”. In essence, where there is some harm and some benefit, these should be given the same weight, and where they are equal in measure, the effect on the listed building would be neutral, and thus its significance would be preserved.

This approach was confirmed in *City & Country Bramshill Ltd v Secretary of State for Housing, Communities And Local Government & Ors [2021]*. In this case Lord Justice Lindblom concluded that ‘the considerable importance and weight to the desirability of preservation [of the special architectural or historic interest of a listed building or its setting], should tip the scales to produce an unequal balance in its favour. However, the SoS should still take account of the actual severity of any change, or scale of change as the Mayoral SPG puts it, and so the extent of impact, as well as the relevance to its significance, and the importance of the asset. The overall weight to be given to any harm, and the conflict with policy, should be a product of these factors.’

National Planning Policy Framework (2023)

The policies relevant to heritage are outlined within chapter 16, ‘Conserving and Enhancing the Historic Environment’. The NPPF places much emphasis on ‘significance’ which it defines as:

The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence but also from its setting

The NPPF directs local planning authorities to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and the level of detailed assessment should be ‘proportionate’ to the assets’ importance. (Paragraph 194).

Paragraph 195 states that the significance any heritage asset that may be affected by a proposal should be identified and assessed. This includes any assets affected by development within their settings. This Significance Assessment should be taken into account when considering the impact of a proposal, ‘to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’.

Paragraph 199 requires that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

It is then clarified that any harm to the significance of a designated heritage asset, either through alteration, destruction or development within its setting, should require, “clear and convincing justification” (Paragraph 200). This paragraph outlines that substantial harm to grade II listed heritage assets should be exceptional, rising to ‘wholly exceptional’ for those assets of the highest significance such as scheduled monuments, Grade I and grade II* listed buildings or registered parks and gardens as well as World Heritage Sites.

Paragraphs 201 and 202 discuss different levels of harm caused to heritage assets, and requires a balance to be applied in the context of heritage assets, including the recognition of potential benefits accruing from a development. In the case of non-designated heritage assets, Paragraph 203 requires a Local Planning Authority to make a “balanced judgement” having regard to the scale of any harm or loss and the significance of the heritage asset.

With regards to conservation areas and the settings of heritage assets, paragraph 206 requires Local Planning Authorities to look for opportunities for new development to enhance or better reveal their significance.

Planning Practice Guidance

This guidance supports the NPPF and reiterates the importance of conserving heritage assets in a manner appropriate to their significance. Key elements of the guidance relate to assessing harm. An important consideration should be whether development proposals adversely affect a key element of the heritage asset’s significance:

‘it is the degree of harm, rather than the scale of development that is to be assessed’. The level of ‘substantial harm’ is stated to be a high bar, which may not arise in many cases. Whether development proposals cause substantial harm will be a judgment in the decision-taking process, having regard to the circumstances of the case and by applying the relevant NPPF policies. Such harm may arise from works to the heritage asset or from development within its setting. Setting is defined as:

the surroundings in which an asset is experienced, and may be more extensive than the curtilage.

A thorough assessment of the harm development proposals will have on this setting needs to consider, and be proportionate to, the heritage asset’s significance and the degree to which any changes enhance or detract from that significance, and the ability to appreciate and experience it.

Regional Planning Policy

The London Plan (2021)

Key extracts from the London Plan relating to this application are outlined below:

Policy D1 London’s form and characteristics

A. Development Plans, area-based strategies and development proposals should ensure the design of places addresses the following requirements:

Form and layout

1) use land efficiently by optimising density, connectivity and land use patterns
2) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions

Quality and character

12) respond to the existing character of a place by identifying the special and valued features that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute to the local character.

13) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building

Appendix 1: Legislation, Planning Policy and Guidance

lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

Policy HC1 Heritage conservation and growth

Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings, should also be actively managed. Development proposals should seek to avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

Local Planning Policy

Croydon Local Plan 2018

Policy DM18: Heritage assets and conservation outlines the council approach to heritage matters:

DM18.1 To preserve and enhance the character, appearance and setting of heritage assets within the borough, the Council will determine all development proposals that affect heritage assets in accordance with the following:

- Development affecting heritage assets will only be permitted if their significance is preserved or enhanced;
- Proposals for development will only be permitted if they enhance the setting of the heritage asset affected or have no adverse impact on the existing setting;
- Proposals for changes of use should retain the significance of a building and will be supported only if they are necessary to keep the building in active use; and
- Where there is evidence of intentional damage or deliberate neglect to a heritage asset, its current condition will not be taken into account in the decision-making process.

DM18.2 Applications for development proposals that affect heritage assets or their setting must demonstrate:

- How particular attention has been paid to scale, height, massing, historic building lines, the pattern of historic development, use, design, detailing and materials;
- That it is of a high quality design that integrates with and makes a positive contribution to the historic environment; and
- How the integrity and significance of any retained fabric is preserved.

DM18.3 To preserve and enhance Listed Buildings, Scheduled Monuments and Registered Parks and Gardens within the borough, the Council will determine all development proposals that affect these heritage assets in accordance with the following:

- Substantial harm to or loss of a Grade II Listed Building or Registered Park and Garden should be exceptional;
- Substantial harm to or loss of a Grade I or II* Listed Building or a Scheduled

Monument should be wholly exceptional; and
c. All alterations and extensions should enhance the character, features and setting of the building or monument and must not adversely affect the asset's significance.

Policy SP4: Urban Design and Local Character includes relevant heritage related policies:

SP4.13 The Council and its partners will strengthen the protection of and promote improvements to the following heritage assets and their settings:

- Statutory Listed Buildings

Supplementary Planning Documents

Suburban Design Guide SPD (2019)

This document contains detailed design guidelines for residential schemes.

Guidance Notes

Conservation Principles, Policies, and Guidance (English Heritage, April 2008)

This document outlines Historic England's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in their own advice and guidance through the planning process, the document is commended to LPAs to ensure that all decisions about change affecting the historic environment are informed and sustainable. This document was published in line with the philosophy of PPS5, yet remains relevant with the NPPF and PPG, the emphasis placed upon the importance of understanding significance to properly assess the effects of change to heritage assets. Guidance within the document describes a range of 'heritage values' that constitute a heritage asset's significance to be established systematically; the four main heritage values include: aesthetic, evidential, communal or historical. The document emphasises that:

considered change offers the potential to enhance and add value to places...it is the means by which each generation aspires to enrich the historic environment.

Historic Environment Good Practice Advice in Planning Notes

[GPA 2: Managing Significance in Decision-Taking in the Historic Environment \(March 2015\)](#)

This document provides advice on the numerous ways in which decision-making in the historic environment can be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. In line with

the NPPF and PPG, this document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged, stating that:

...application proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with the knowledge and understanding of the significance of the heritage assets they may affect.

The advice suggests a structured staged approach to the assembly and analysis of relevant information, this is as follows:

- Understand the significance of the affected assets;
- understand the impact of the proposal on that significance;
- avoid, minimise, and mitigate impact in a way that meets the objectives of the NPPF
- look for opportunities to better reveal or enhance significance;
- justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change;
- offset negative impacts on aspects of significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

The advice reiterates that direct physical change may affect heritage assets, or by change in their setting. Assessment of the nature, extent, and importance of the significance of a heritage asset and the contribution of its setting at an early stage can assist the planning process resulting in informed decision-taking.

This document sets out the recommended steps for assessing significance and the impact of application proposals upon a heritage asset, including examining the asset and its setting and analysing local policies and information sources. In assessing the impact of a development proposal on the significance of a heritage asset the document emphasises that the cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change.

[GPA 3: The Setting of Heritage Assets \(December 2017\) \(2nd Edition\)](#)

This advice note focuses on the management of change within the setting of heritage assets. This guidance updates that previously published by English Heritage (The Setting of Heritage Assets 2011) in order to ensure that it is fully compliant with the NPPF and is largely a continuation of the philosophy and approach of the 2011 document. It does not present a divergence in either the definition of setting or the way in which it should be assessed.

Setting is defined as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve'. The guidance emphasises that setting is not a heritage asset or a heritage designation and that its importance lies in what it contributes to the significance of the heritage asset itself. Elements of setting may make a positive, negative or neutral contribution to the significance of a heritage asset.

Appendix 1: Legislation, Planning Policy and Guidance

While setting is largely a visual concept, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, setting, and thus the way in which an asset is experienced, can also be affected by other environmental factors, including historic associations.

This document states that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset. It is further stated that the contribution made to an asset's significance by their setting will vary depending on the nature of the asset and its setting. Different heritage assets have the capacity to accommodate changes and, therefore, setting should be assessed on a case-by-case basis. Although not prescriptive in setting out how this assessment should be carried out, Historic England recommend using a '5-step process' to assess any effects of a development proposals on the setting and significance of a heritage asset:

- Identifying the heritage assets affected and their settings;
- Assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
- Assessing the effect of the development proposals on the significance of the heritage asset(s);
- Maximising enhancement and minimising harm;
- Making and documenting the decision and monitoring outcomes.