

Reference: APP/C5690/c/19/3230266

Dear The Planning Inspectorate,

The Hatcham Conservation Society backs Lewisham Council's enforcement notice against Sainsbury's, New Cross Road, for their fence on land adjacent to 261 New Cross Road which was erected without planning permission.

We object to the fence for several reasons:

- Planning permission must be sought for a fence exceeding 1metre in height adjoining a public highway for reasons of highway safety which is something Sainsbury's have failed to take into account. The current fence restricts the view for both pedestrians and car drivers endangering lives. The well-used road going into Sainsbury's does not feature traffic lights which means pedestrians must look to see if any cars are indicating to turn before crossing the road. The turning into Sainsburys is well-used by cars while the footpath is always busy due to it being in close proximity to New Cross Gate station. The fence, due to its positioning on a curve, prevents pedestrians from getting a clear view to see if any cars are looking to turn. Similarly, cars looking to turn into Sainsbury's from a westerly direction can not get a clear view of the crossing to see if any pedestrians are currently crossing. Clearly, planning permission is required for fences near a road to prevent such dangerous visual obstructions from taking place. By not going through the process of a planning application, Sainsbury's have failed to take into account the safety of locals using these main roads. The bushes behind the fence have also become unkempt following the erection of the fence which has further restricted the view of the road for pedestrians and drivers.



(view for pedestrians crossing the road: the fence restricts the view for pedestrians of cars turning in from the western part of New Cross Road)



(The fence restricts the view for drivers to see if anyone is crossing the road)

- The fence poses a fire hazard as witnessed through an emergency incident which saw the fire brigade called on May 30, 2020 at 6.50pm. A small fire was started, presumably by accident through a discarded cigarette, just beyond the fence on a patch of very dry grass. Because of the fence, locals weren't able to access the area and stamp it out themselves. Instead, the fire brigade had to be called to attend to the fire which rapidly spread. As previously mentioned, the fence is right next to a busy thoroughfare which sees a large number of cigarettes and other flammable material discarded into the area from passersby. In addition, the area is right next to a petrol station and a row of houses - Brighton Grove. We are lucky that the fire brigade were able to come quickly this time, but there is a worry that if this type of incident were to happen again we may not be so lucky. For public safety reasons, this fence should be removed so residents and workers from Sainsburys have better access to quickly stop similar emergencies from happening that could cause a catastrophic loss of life and property damage.



(Firefighters putting out the fire in the bush area on May 30, 2020)

- The fence sits within the boundaries of the Hatcham Conservation Area, “an area of special architectural and historic interest which it is desirable to preserve or enhance”. (Section 69 Planning (Listed Buildings and Conservation Areas) Act 1990.) The residential streets are characterised by beautiful two-storey Victorian homes and Hatcham was first mentioned in the Domesday book of 1086. This area has a rich historical heritage and this fence has resulted in substantial harm to the appearance of the surrounding environment and is bulky and incongruous. We do not believe the advertising board within the fence brings any benefit to the conservation area but that was sadly erected long before the beginning of the society so we were not here to fight it. The fence is metallic and spiked and unlike anything else observed in the conservation area.

It goes against London Plan policy 7.4 which says:

*A development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area’s visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.*

A modern spiked metallic fence does nothing to improve an area’s visual or physical connection with natural features. Similarly, it does nothing to build on the positive elements already there to contribute to establishing an enhanced character for the future. The fence lies next to some characterful Victorian architecture and fails to enhance or conserve the appearance of these properties by being so incongruent. The area, which the fence now encloses, previously housed a public garden made up of sunflowers. It would be wonderful if Sainsbury’s would open up the space once again to guerilla gardeners who could enhance the character of this desolate ground which is now going to waste because it is cut off and no longer accessible by the public.

The fence also goes against London Plan policy 7.8 which says:

*Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*

*Development affecting heritage assets and their settings should conserve their*

*significance, by being sympathetic to their form, scale, materials and architectural detail.*

The fence fails to follow this policy because its material and architectural details are something not seen in the rest of Hatcham and the fence does not restore, re-use and incorporate heritage assets because it is made up of material and design that is incongruent to the history of the area.

It also goes against Lewisham's Development Management Plan policy 36 which says:

*The Council, having paid special attention to the special interest of its Conservation Areas, and the desirability of preserving or enhancing their character or appearance, will not grant planning permission where:*

*a. new development or alterations and extensions to existing buildings is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale, form and materials*

The fence has not received planning permission because Sainsbury's failed to apply for one before erecting it. But if they had applied for permission, there is a high chance it would have been rejected because the fence is incompatible with the Victorian housing and architecture it sits adjacent to due to its modern and imposing style.

It also goes against Lewisham's Core Strategy Policy 15 which says:

*For all development, the council will:*

*ensure any development conserves and enhances the borough's heritage assets, and the significance of their settings, such as conservation areas, listed buildings, registered parks and gardens, scheduled monuments and the Maritime Greenwich World Heritage Site.*

As outlined previously, the modern and daunting design of the fence fails to conserve and enhance the heritage assets of the Hatcham Conservation Society.

- Sainsbury's fence goes against the Hatcham Conservation Area Character Appraisal which does not recommend the use of high metal walls within the

conservation area. As residents, we must abide by all of the council's planning rules when altering anything to do with our homes. By erecting such a fence, Sainsbury's are acting as if they are above planning laws. If we have to abide by such laws, then so should Sainsbury's. It is unacceptable for them to appeal the enforcement notice by saying "those matters have not occurred", when the fence, with no planning application filed, is all the proof you need to see these matters have actually occurred.