
Appeal Decision

Site visit made on 9 May 2017

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 May 2017

Appeal Ref: APP/G5180/W/17/3168708

The Chantry, Mottingham Lane, Mottingham SE9 4RW

- 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 and Mrs Derek and Diana Briscoe against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/02663/FULL1, dated 2 June 2016, was refused by notice dated 5 August 2016.
 - The development is described as "replacement dwelling, removing the Coach House in part or whole and providing 1 no residential unit".
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be firstly, whether the principle of development is established with regard to local policy; secondly, the effects of the appeal scheme on the character, appearance and special local interest of the Chantry, a locally listed building; and thirdly, the effects of the proposed development on the character of the streetscene.

Reasons

Site, surroundings and proposed development

3. Of a roughly L-shaped footprint, faced in brick and with a hipped roof with a gable projection, the appeal building, which for ease of reference I will refer to as the 'Coach House', is an ancillary structure within the grounds of the Chantry. The Chantry is a dwelling of substantial scale, predominantly of two-storeys, but with a prominent three-storey gable projection on its front elevation, and set within generous and well-vegetated grounds. The Chantry and the Coach House are set back deeply from the road to accommodate the U-shaped access that has two entries at either end of the property's short brick boundary wall.
 4. The boundary wall, the Chantry and Coach House all feature similar brickwork, including two colours of contrasting brick in a similar bonding pattern. This materials palette, taken together with the bands of dog-tooth brickwork near the eaves and the gable, coupled with the contrasting brick in the quoins, door and window surrounds of both the Coach House and the Chantry impart a great deal of coherence and group value to the appeal property and its grounds. The
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special local interest and significance of the Chantry derives to a great degree from this aesthetic. The retention of the historic means of access and the functional relationship of the Coach House to this adds further to the significance and special local interest of the Chantry in historical terms.

5. In the wider environs of the appeal property, the development pattern is more mixed, with the taller terrace of properties adjacent to the Coach House, and larger dwellings of differing styles and materials imparting a varied character to the streetscene.
6. The proposed development seeks to redevelop the Coach House to form a separate residential unit. Whilst some of the Coach House's original features would be included within it, the proposed development would nevertheless be of a modern design, with a largely monopitch roof sloping away from its boundary with Woodlands to its side. The proposed development would include extensive areas of glazing to the front and rear, with a more solid elevational treatment on the side that would face the Chantry. The Chantry's plot would be subdivided providing a long and narrow strip in association with the proposed development taking the closest one of the existing entries through the boundary wall as its access.

Principle

7. The Chantry is a locally listed building for the purposes of the Bromley Unitary Development Plan (adopted July 2006) (the UDP), and thus a non-designated heritage asset for the purposes of the National Planning Policy Framework (the Framework). Whilst I am mindful that the map extract provided by the appellants only highlights the Chantry itself and not its grounds and Coach House, I note the text on that extract makes it clear that the colour coding does not establish the extent of the local listing, but is included for identification purposes only. In the current case, the similarity of the Coach House's materials and detailing to the Chantry, and its functional, visual and historical relationships to that building and its grounds, lead me to the view that the appeal building clearly forms part of the listing for the purposes of the UDP. In arriving at this view, I am mindful of the 1868 Ordnance Survey map extract supplied to me showing a building on the footprint of the Coach House within the grounds of the Chantry.
8. Policy BE10 of the UDP establishes, amongst other things, that permission for the replacement of locally listed assets will only be considered where all reasonable options for their retention have been considered.
9. I have been supplied with a viability assessment¹ of the appeal scheme and of a residential conversion of the Coach House as existing, and I note the letter from the headmaster of Eltham College² supporting the quoted land value. However, whilst I note references to BCIS figures, I have not been supplied with the relevant rates, and it is thus unclear how the £1600 per SqM build cost for both conversion and redevelopment has been derived in this case.
10. Moreover, I have been supplied with no comparable house prices for the area, or, if these are of limited relevance due to the bespoke nature of the proposed development, a valuation report from which to assess the reasonableness of the sale prices quoted for either scheme. A lack of detail on the

¹ Acuity Architects letter dated 2 February 2017

² Dated 2 February 2017

accommodation that a conversion scheme would provide in terms of the number of bedrooms further limits the weight that I attach to this evidence in the overall planning balance. Consequently, it has not been conclusively established that retention of the Coach House would be unviable.

11. Furthermore, I am mindful of the appellants' Structural Inspection Report³, which concludes that the appeal building is capable of a residential re-use, subject to an alternative roof design and works to the joists at first floor; and that the existing remaining sections of wall are suitable to accommodate any additional loadings. Moreover, the Report finds that the building's existing foundations are adequate.
12. These considerations, taken together, lead me to the view that it has not been demonstrated that all reasonable options for retention of the building have been considered. As a result, the principle of development for the purposes of the UDP is not established in this case, and the proposed development would thus clearly conflict with Policy BE 10 (iii) in this regard, insofar as it seeks to encourage the conservation of buildings on the Local List.

Character, Appearance and Special Local Interest of the Chantry

13. Whilst I note that the Coach House was formerly attached to a similar structure in the grounds of an adjacent building⁴, I consider that this former alteration has not diminished the appeal building's contribution to the significance of the Chantry and its setting to any material degree. Neither has the Coach House's current repair degraded its appearance or fabric to a degree which substantially erodes its contribution to the group value of the site.
14. However, the proposed development would remove a substantial amount of the historic fabric of the Coach House, and would result in a building with much more extensive areas of glazing, and predominantly faced in materials at variance with the harmonious pattern that currently exists at the site. Taken together, these aspects of the proposed development would erode the appeal property's contribution to the group value of the site to a degree that would be of considerable harm to the Chantry's significance and special local interest.
15. This harmful effect would be intensified by the sub-division of the plot which would divorce the access from the Chantry and its U-shaped coach drive, eroding and obscuring the significance of this element of the building's setting, and diminishing the functional relationship of the Coach House, the Chantry and the accesses, to a degree that would cause considerable harm to the significance and special local interest of the locally listed asset.
16. Whilst the proposed development would be of a larger scale than the existing structure, and it would have a greater footprint, I consider that it would nevertheless be a subservient structure to the Chantry, and that no significant harm would occur in character and appearance terms as a result of these factors.
17. However, the lack of harm caused in these latter regards is clearly outweighed by the harm caused to the character, appearance, and special local interest of the Chantry in other respects. The proposed development would thus conflict

³ Prepared by BDR Civil & Structural Engineering Consultants dated 2 November 2016

⁴ The demolition of which, and redevelopment of the adjacent site for the terraced block which received planning permission in 1972

with Policies BE1 and BE10 of the UDP, and the National Planning Policy Framework (the Framework) in these regards, insofar as they seek to ensure that, amongst other matters, new developments sustain and enhance the significance of non-designated heritage assets, respond to local character and history, and reflect the identity of their local surroundings and materials.

Character

18. The flank wall of the proposed development would immediately adjoin the boundary of the site. Whilst this would be below the 1m separation distance to the common boundary normally required by Policy H9 of the UDP it would nevertheless follow the line of the existing flank wall of the Coach House. I note the proposed development would be of a more substantial scale; however, given the current development pattern of the Coach House and the adjacent dwelling this would not exacerbate the density of their relationship to any material degree and as a result would not lead to an unduly cramped appearance.
19. As a consequence, I consider that the proposed development would avoid material harm to the character of the streetscene in this regard. Therefore the proposed development would not conflict with Policy H9 insofar as it seeks to prevent the occurrence of unrelated terracing and avoid development that would result in a cramped appearance to the streetscene.

Other Matters

20. I am aware of the appellants' comments that the appeal building's owners, and the occupants of the Chantry, have no use for the Coach House at present, and that the priority for any spending is on education at Eltham College to which these buildings are related. This may be the case; however, it is not a matter that weighs in favour of the appeal scheme given the harmful effects I have found to the Chantry's significance, character and appearance. Neither has it been conclusively established that there is no viable use of the appeal building that would be more sensitive in these regards.
21. The proposed development could avoid harmful effects to the residential amenity of the occupiers of adjacent dwellings; however, this would be merely indicative of an absence of harm in these regards rather than a positive benefit of the scheme and thus has only a neutral effect on the overall planning balance.
22. I am mindful that an alternative scheme at the site may not be of a similar design to the proposed development, and could result in a building that pastiches elements of its surroundings. However, I have been supplied with no substantive details of possible alternative schemes on which to base an assessment, and as a consequence this is not a matter that would outweigh the proposed development's harmful effects or conflicts with the development plan.

Conclusion

23. The proposed development would remain subservient to the Chantry, and its side-space and siting would not be harmful to the character and appearance of the streetscene more generally. However, for the reasons given above, it would nevertheless be of considerable harm to the Chantry's character, appearance and special local interest in other respects and would thus fail to put the building in a viable use consistent with its conservation. Moreover, in

failing to adequately explore all reasonable options for the appeal building's retention, the principle of development would not be established for the purposes of the development plan. In the overall planning balance the harmful effects caused by the proposed development, combined with its conflicts with the development plan, demonstrably outweigh the lack of harmfulness in other respects, or the modest benefits that could flow from a residential development of this scale.

24. As a result, I conclude that the proposed development would conflict with the Framework and the development plan in these respects. No material considerations have been advanced that justify a departure from the development plan in this case. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Fort

INSPECTOR