



Appeal Decision

Site Visit made on 8 November 2021

by Mark Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/G5180/W/21/3271332

31 High Street, Chislehurst, BR7 5AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mr Myers against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/04610/OUT, dated 12 November 2020, was refused by notice dated 5 February 2021.
 - The development proposed is described as 'Replacement of roof antenna housing with a mansard second floor extension to provide Class B1(a) Office accommodation'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all matters reserved for future consideration. Existing and proposed floor plans and elevations were submitted with the application for indicative purposes only. I have determined the appeal on that basis.
3. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). However, the revised Framework does not materially alter the national policy approach in respect of the issues raised in this appeal.

Main Issue

4. The main issue is the effect of the development proposed on the character and appearance of the host property and the surrounding area, including whether or not it would preserve or enhance the character or appearance of the Chislehurst Conservation Area.

Reasons

5. The appeal site is located within the Chislehurst Conservation Area (CA) which covers a large area including a variety of built forms. The significance of this part of the CA derives from its many historic buildings set within an attractive urban environment with a variety of shops and a vibrant character. There are also large open spaces, the common and pond on the eastern side of High Street being notable features. The diversity of property styles and ages makes a positive contribution to the character and appearance of the area and the CA.
6. 31 High Street is a two storey building which is currently used as a café at ground floor level with residential accommodation at first floor level. The

appeal building is of limited architectural merit featuring a flat roof incorporating a parapet and a large chimney and mobile radio antenna on the roof. Notwithstanding this, the position and linear form of the building, together with its brickwork exterior, reflect the general character of properties along High Street. Consequently, it has a neutral effect on the character and appearance of the CA.

7. I have considered the effect of the scheme in the context of the obligations under the Act, which requires special regard to be given to the desirability of preserving the character or appearance of the Conservation Area. This is reflected in paragraph 199 of the Framework which requires that great weight should be given to the asset's conservation when considering the impact of a proposal on its significance.
8. It is proposed to remove the chimney and existing roof antenna and construct a mansard roof to provide office accommodation at second floor level. The indicative plans show that the proposal would be of significant depth and it would feature a series of dormers to the front, rear and northern side elevations.
9. I accept that the roof scape along High Street is varied, and includes pitched roofs and other mansard roofs. However, due to the way in which the roof of the appeal building projects forward of the buildings on either side of it, the depth of the intended mansard extension would be more apparent and unduly dominant in relation to its immediate surroundings. Although the proposed mansard roof would be set behind the parapet walls, it would nevertheless be highly visible from various points along High Street as well as from the common on the other side of the road. I consider that the appeal proposal would be a prominent and incongruous addition to the roof of the building which would be visually intrusive in the street scene.
10. While scale, layout and design are reserved matters, the likely massing, shape and height of the proposed mansard roof would inevitably introduce a form of development that I consider would be harmful to the character and appearance of the area, including the CA.
11. Although the existing large chimney and associated mobile phone equipment would be removed from the roof, I am not persuaded that the replacement of these with a substantial mansard roof extension would enhance the character or appearance of the building or the surrounding area.
12. The appellant has referred to examples of other mansard roofs within the surrounding area, which I observed during my site visit. These include a mansard roof at the Queens Head Public House on the opposite side of High Street and another above the neighbouring Jewellers to the north. However, both of these mansard roofs are screened from side views to some extent by high gable walls and chimneys and they are not as prominently positioned as the appeal proposal would be. Moreover, these mansard roofs appear to be historic features which blend in with their surroundings. The mansard roof at Sainsburys Supermarket is some distance away from the site and there is limited inter-visibility between it and the appeal property. Furthermore, I have little information relating to the particular circumstances of this development and permissions and, as such, a comparison is not possible.

13. As a result, whilst having due regard to the other examples as a material consideration in determining this appeal, I have assessed the appeal scheme on its own merits in accordance with the requirements of the current development plan. In any case the presence of other mansard roofs does not justify the harm that I have identified.
14. I therefore consider that the proposal would cause unacceptable harm to the character and appearance of the host property, the surrounding area and it would fail to preserve the character or appearance of the CA. Accordingly, the proposal would conflict with Policies 37 and 41 of the London Borough of Bromley Local Plan 2019 (Local Plan), which seek high quality design appropriate to local character and to preserve or enhance the character or appearance of conservation areas. The Council's reason for refusal also refers to Policy 6 of the Local Plan. However, that policy deals with residential extensions and is therefore of little relevance to the main issue.
15. In relation to designated heritage assets, paragraph 202 of the Framework indicates that where there would be harm that is less than substantial, as in this case, it must be weighed against the public benefits of the proposals. The proposed office accommodation would result in some limited economic and social benefits. However, there is no robust evidence before me to demonstrate that the development proposed is the only approach to providing the new office floor space. As public benefits, these would not outweigh the harm to the significance of the CA.

Conclusion

16. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

Mark Ollerenshaw

INSPECTOR