

PROOF OF EVIDENCE FOR LONDON BOROUGH OF BROMLEY

PROOF OF EVIDENCE OF SIMON WENT

Appeal by: MR AND MRS ALAN AND PAULINE SELBY

Address: HOME FARM, KEMNAL ROAD, CHISLEHURST, BR7 6LY

PINS Ref: APP/G5180/W/24/3339919

LBB Ref: 22/03243/FULL1

I am Simon Went. My current position is Principal Conservation Officer at the London Borough of Bromley. I have worked as a conservation officer for over 25 years.

I hold a Postgraduate Master of Science in Historic Conservation from Oxford Brookes University. I have been a Full Member of the Institute of Historic Building Conservation since 1998.

The evidence which I have prepared and provide for this appeal (in this proof of evidence) is true to the best of my knowledge and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed in this proof of evidence are my true and professional opinions.

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1. Introduction

- 1.1. This Inquiry concerns appeals relating to the site at Home Farm, Kemnal Road, Chislehurst and the decision of the London Borough of Bromley to: (1) refuse to grant planning permission, under application reference 22/03243/FULL1, for:

“Demolition of part of Greenacres, demolition, alterations and extensions to part of Polo Mews North, demolition of Polo Mews South, demolition, alterations and extensions to part of The Bothy. Erection of linking extension between Polo Mews North and Polo Mews South to create 1 new dwelling. Erection of two storey extension to The Bothy and conversion from 3 into 2 dwellings. Establishment of new vineyard. Provision of new solar panel array. Erection of hydrogen energy plant and equipment. Erection of new single storey dwelling. Rearrangement of the internal access roads.”¹

In this proof I shall address matters relating to the impact of the proposals on the significance and setting of the Chislehurst Conservation Area (which is a designated heritage asset) and the locally listed buildings at Home Farm notably Bothy House and Polo Mews which are non-designated heritage assets. These are the matter addressed in Reasons for Refusal 2 and 3.

- 1.2. With reference to paragraph 205 of the National Planning Policy Framework (NPPF), I shall argue that the harm caused to the designated heritage asset (the Conservation Area) is less than substantial. Informally, the appellants' heritage consultant has subdivided this less than substantial harm into high, medium and low. (See appendix 1 of the HCUK heritage impact statement). I do not hold much store by these informal subdivisions as they are not mentioned formally in the Government's heritage guidance. However, my own informal view in this case is that this harm is medium regarding the proposals at the Bothy and minor or low at Polo Mews using these informal subdivisions. I refer to Appendix 1 of the Heritage Statement where this subdivision has been set out.
- 1.3. Paragraph 209 of the National Planning Policy Framework (NPPF) does not indicate that specific levels of harm be given to non-designated heritage assets when considering the effect of proposals on them, however I shall argue that the harm to Bothy House is moderate. I note that alterations and enlargements to Polo Mews have already been permitted under the 2019 application (reference: 19/05265/FULL1) and therefore consider the impact on Polo Mews in this context.
- 1.4. The extensions which cause harm to the locally listed buildings are firstly the proposals to the North elevation of the Bothy which will be clearly seen from the approach driveway to the north. These proposed extensions would be overly large and dominant in this heritage context in my view and the addition of

¹ This description having been agreed by both parties within the Statement of Common Ground. It differs slightly from that presented to the Council's Planning Sub-Committee.

balconies and large amounts of glazing would be inappropriate in this delicate heritage context.

- 1.5. Secondly, although the other extensions and demolition proposed to Polo Mews may not be widely visible in the heritage context they are different to the 2019 proposal, involving more change and demolition to these heritage assets and do therefore cause a minor level of harm in the heritage context.
- 1.6. The differences between the appeal proposal and the previously permitted scheme show larger and more dominant extensions to the north elevation of the Bothy. The appeal proposal would add unacceptably to the existing smaller-scale form of these buildings. In terms of the Bothy, the appeal proposal is therefore larger than the scheme permitted under 19/05265/FULL1.

2. Legislation and Policy

- 2.1. Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires the planning authority to pay special attention to the “desirability of preserving or enhancing the character” of conservation areas
- 2.2. Bromley Local Plan Policies 39 (Locally Listed Buildings) and 41 (Conservation Areas) are relevant.
- 2.3. Policy 39 of the Local Plan ("Locally Listed Buildings") states that buildings on the Local List are considered to be non-designated heritage assets in the NPPF. It states that a proposal to alter, extend or for the change of use of a locally listed building will be permitted provided that:
it is sympathetic to the character, appearance and special local interest of the building; and it respects its setting.
- 2.4. Policy 41 (Conservation Areas) states:

“Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Proposals for new development, for engineering works, alteration or extension to a building or for change of use of land or buildings within a conservation area will need to preserve and enhance its characteristics and appearance by:

- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;***
- Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and***
- Using high quality materials.***

A proposal for a development scheme that will involve the total or substantial demolition of an unlisted building in a conservation area that makes a positive contribution can be judged as causing substantial harm and will be assessed against the tests laid out in paragraph 133 of the NPPF. Where the building proposed for demolition makes a negative or neutral contribution to the conservation area the merit of the proposed replacement will be weighed against any loss or harm.

Permission for demolition will only be granted once a suitable replacement has been accepted. A condition will be imposed on a planning permission granted, to ensure that demolition shall not take place until a contract for the carrying out of the development works has been made.”

- 2.5. Historic England document “The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition - HEAG180 GPA3)” is also relevant. See **Appendix 1**.

- 2.6. National Planning Policy Framework December 2023. Glossary and paragraphs 195-214.
- 2.7. Policy HC1 of the London Plan (Heritage Conservation and Growth) states:

“A Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.

B Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by:

- 1) setting out a clear vision that recognises and embeds the role of heritage in place-making***
- 2) utilising the heritage significance of a site or area in the planning and design process***
- 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place***
- 4) delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.***

C 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 avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

D Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

E Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and reuse.”

- 2.8. Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66 (1) is not relevant as these buildings are locally and not statutorily listed.
- 2.9. Conservation Principles. Policies and Guidance for the Sustainable Management of the Historic Environment. English Heritage, 2008. See **Appendix 2.**

3. Discussion

3.1. The site is located within the Metropolitan Green Belt and forms part of the Chislehurst Conservation Area. It includes nine residential units which are known as Bothy Cottage, Bothy House, Bothy Flat, Nos. 1 to 4 Polo Mews, Greenacres and Cherry Tree Cottage. Among these existing dwellings, Bothy Cottage, Bothy House, Bothy Flat and Nos. 1 to 4 Polo Mews are locally listed buildings. Both sets of locally listed buildings are deemed to make a positive contribution to the character and appearance of the Chislehurst Conservation Area.

3.2. Home Farm was originally a working farm associated with Foxbury Manor. The site has a historic and established agriculture use. The listed description of Foxbury Manor states:

“Built by David Brandon 1876, in Gothic Revival style. An L-shaped building in stone with mllioned windows, Tudor type chimneys and gables with barge boards. Plinth. (See digital Archives "The Builder" Vol 41 P 74, P 80-1)”.

3.3. The Chislehurst Conservation Area is by far the largest in the borough and incorporates a diversity of forms of development and open space. Chislehurst's present form is derived from a number of physical and historical forces. Its topography is of long valleys and steep banks with a raised plateau at its centre. Upon this plateau are the commons around which scattered village settlement developed, surrounded for most of its history by large country estates and densely wooded valleys. A network of settlements and open areas recognisable today formed around Chislehurst Common and the various routes crossing it. Although quite complex in its composition, the Conservation Area is characterised by some strong, consistent themes.

3.4. Recognising its variety, the Supplementary Planning Guidance for the Chislehurst Conservation Area (SPG) contains detailed statements of character and appearance for its component parts, termed Character Sub-units. This forms the Conservation Area appraisal, and it provides a basis for more detailed or specific policy and guidance to supplement the general policy and guidance applicable across the whole Conservation Area. The SPG advises that these statements must be treated as generalised reflections of character and appearance which, taken in composite, reflect both the general and disparate attributes of the Conservation Area.

3.5. The Appeal Site falls within Sub-unit 15 of the Conservation Area, which the SPG refers to as Kemnal Manor, Foxbury and surround. The SPG refers to this sub-unit in the following terms at paragraphs 3.81–3.82:

“The eastern third of the Conservation Area is predominantly rural land in a diversity of tenures and activities. The part north of Perry Street includes the remnants of the former estate of Kemnal Manor, subsequent rural estates established by nineteenth century

industrialists, and more recently a variety of institutional and other uses. The land remains predominantly open, providing a largely rural atmosphere along the eastern boundary of the Conservation Area.

“This provides an important buffer along the eastern part of the Conservation Area, and makes an important contribution to the context and setting for the remainder of the Conservation Area. The presence of rural activities and agriculture greatly enhances the sense of adjacency to the countryside, which is present throughout the Conservation Area. Whilst rural uses have been displaced in places by institutions and non-rural uses, the retention of large areas of open space around institutions (such as school playing fields) and predominantly open land nature of some other uses (such as the cemetery) provide a subsidiary form of open character, reflecting something of the open character beyond.”

- 3.6. Both Bothy Cottage and Polo Mews are locally listed and described in the list entry as follows:

“Bothy Cottage: A number of buildings in the Home Farm Complex which originally served Foxbury mansion. Bothy Cottage is a row of farm buildings aligned parallel to the Victorian stables. Slate roof, whitewashed walls, timber sash windows – those at first floor breaking the eaves. When considered with Polo Mews this is an attractive group of architectural and historic interest. Makes a positive contribution to the character and appearance of the Chislehurst Conservation Area. Local list..”

“Polo Mews: A number of buildings in the Home Farm Complex which originally served Foxbury mansion. Former stable block which faces into its own yard. Original painted brick walls are now concealed by a skin of modern brickwork (when converted to housing in 2000), steep slated roof, Gothic revival detailing. Yard elevation is symmetrical with three gabled returns. Central one is tallest with a higher ridge than the main roof and a slender clock tower under a steep slated roof with weathervane. The side hung timber windows are set within heavy frames (all new with conversion). Central gable to stable yard has Gothic archway at ground floor and loading door at first floor. Rear gable also has loading door with bracket and pulley surviving above. The dormers are sympathetic modern additions.”

- 3.7. Both locally listed buildings display an overall rural and small-scale character although I note that they have been altered in the past.

Significance

- 3.8. Significance is defined in the National Planning Policy Framework glossary as: *“The value of a heritage asset to this and future generations because of its heritage interest. The interest maybe archaeological, architectural, artistic or historic. Significance derives not only from a heritage assets physical presence, but also from setting.”*
- 3.9. In order to further assess the significance of the heritage assets reference can also be made to the Heritage Values as described in the Historic England document Conservation Principles: Policy and Guidance 2008. These values (Pgs. 27-32) can be seen as; Evidential, Historic, Aesthetic or Communal.
- 3.10. The overall site retains evidential value for its use as a farmyard associated with Foxbury Manor through the style of the buildings, their layout on the site and the hierarchy of spaces. This evidential value adds to the historical value of the site which demonstrates the previous human activity within Chislehurst and Home Farm and serves as a reminder of its rural history before the rapid expansion of London in the latter half of the 19th century and the early 20th century. Aesthetic value exists insofar as some of the buildings exhibit the use of traditional materials in a vernacular style of architecture.
- 3.11. The final value is Communal which has some similarities to historic however this relates more often to specific cultural or social activities of a place and does not necessarily relate to surviving physical fabric.
- 3.12. Considering the above values my conclusion is that the main significance of the site lies in its farmyard character and appearance, which is best demonstrated through the survival of the locally listed buildings. Furthermore, the survival of the historic farmyard reinforces the significance of this previous farm uses.

Impact on Locally Listed Buildings

- 3.13. I would argue that these locally listed buildings possess all four of these values stated above in paragraph 3.5 and therefore any proposed large extension is not appropriate as it would detract from and harm these values.
- 3.14. It is accepted that many of the structures on the site have been altered over the years, but this would not be atypical of farmyard type buildings which were often adapted to meet farm needs at any specific time.
- 3.15. The setting of a heritage asset is defined in the NPPF glossary 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. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”
- 3.16. In the case of this proposal the setting of the locally listed buildings includes the farmyard due to its visual and historic connection, but also the surrounding open land which serves as a visual and historic rural buffer and reinforces the context

within which the site can be understood. This increases the harm proposed by these large extensions to the Bothy.

- 3.17. The extensions which cause most harm to the locally listed buildings are the proposals to the North elevation of the Bothy and the images on pages 27 and 55 of the Design and Access Statement are of relevance in this regard. The illustration on page 55 is looking west, and the harmful extension is obliquely visible in that view, to the right of the picture.
- 3.18. The illustrative image on page 55 of the Design and Access Statement particularly illustrates the bulk of this extension.
- 3.19. The proposed site section on page 44 of the Design and Access Statement also reflects the overwhelming bulk of the extensions to the north side of the Bothy.
- 3.20. These proposals would be clearly seen from the driveway as the building is approached from the north. These proposed extensions would be overly large and dominant in this heritage context in my view.
- 3.21. The large amount of glazing and addition of balconies and large ground floor extensions would also be inappropriate and very visible in this agricultural and rural context in my view.
- 3.22. The extensions proposed to Polo Mews are not as visible in the heritage context of the locally listed buildings and on balance cause minor harm to the heritage context in my view.
- 3.23. The differences between the appeal proposals and the previously permitted 2019 scheme show larger and more dominant extensions to the north elevation of the Bothy. The appeal proposal extensions would add unacceptably to the existing smaller-scale form of these buildings. The appeal proposals are therefore larger than the scheme permitted under 19/05265/FULL1.
- 3.24. There is a table on page 41 of the DAS setting out differences in floor area of the three schemes (appeal, 19/05265 and existing).
- 3.25. I would also add that in terms of harm to the locally listed buildings as the proposed extensions encroach upon the grounds or curtilage of the locally listed building, it does disrupt the open space and setting associated with the historic structure.
- 3.26. The appeal proposes extensions to the Bothy which would appear much more dominant than that approved by 19/05265 in this delicate heritage context. In terms of quantifying this increase the appeal proposal would see another large and dominant gable being added and generally the size of the other gables would be increased. New large ground floor elements have also now been added.

- 3.27. The appeal proposal shows 4 large gables and a plethora of ground floor extensions. The 2019 proposal only showed one newer gable and all the proposed gables appear to be lower.
- 3.28. When assessing the potential harm to the locally listed buildings caused by this overly large extension, at the Bothy, it is essential to consider both the physical and visual impacts. An oversized extension also alters the spatial relationships between the Bothy and Polo Mews, affecting the overall composition and historic layout of these buildings. Even if the large extension to the Bothy is not directly visible, it may still have a negative visual impact and alters the skyline or silhouette of the locally listed buildings in general views.
- 3.29. The presence of this incongruous or oversized extension detracts from the character and context of the locally listed buildings, diminishing their sense of place through the addition of an inappropriate extension.
- 3.30. The appeal proposal is therefore not in compliance with either Policy 39 of the 2019 Local Plan or paragraph 209 of the NPPF.

Impact on the Conservation Area

- 3.31. The NPPF glossary referred to in paragraph 3.8 is also relevant regarding the setting of the Conservation Area as this is also a heritage asset.
- 3.32. When assessing the potential harm to the setting of the Conservation Area caused by this overly large extension, it is essential to consider both the physical and visual impacts. An oversized extension also alters the spatial relationships in the Conservation Area, affecting the overall composition and historic layout.
- 3.33. The presence of this incongruous or oversized extension at the Bothy detracts from the character and context of the Conservation Area, diminishing its sense of place and scale or character in the Conservation Area and erodes the contextual integrity of the historic environment, undermining the cohesive and harmonious relationship between built heritage and landscape by the introduction of an inappropriate feature.
- 3.34. The appellants' point made in the heritage statement that the Conservation Area will be enhanced by reducing the overall footprint of the built development does not in my view discount the inappropriate scale and proportion of the new extensions proposed under the appeal scheme.
- 3.35. I have considered scale and proportion as in my view these large and bulky extensions to the Bothy disrupt the visual harmony and scale of the existing buildings and the surrounding area. They overwhelm the historic fabric and detract from the overall character of the Conservation Area.
- 3.36. Proposed extensions should respond sensitively to the context of the Conservation Area, considering neighbouring buildings, and the traditional

surrounding landscape. Failure to respect the context results in visual discordance and diminishes the sense of place in my view.

- 3.37. The extensions proposed to Polo Mews are not as visible in the heritage context of the Conservation Area and therefore cause only minor harm in the heritage context in my view. Whereas the 2019 scheme involved retention of much of the existing building fabric this appeal proposal would result in the removal of Polo Mews South in its entirety.

4. Conclusion

- 4.1. Overall, this proposal is not subservient and overly bulky in the heritage setting I consider.
- 4.2. I note that the locally listed buildings at Home Farm have been altered over a number of years, however that does not rule out that they contain original features (internally or externally) and certainly does not rule out their heritage merit which I am arguing. In other words, just because the buildings are not in their original form does not mean they are without merit.
- 4.3. I do consider that the proposed extensions to the north side of the Bothy are far too large and bulky and therefore cause harm to the locally listed buildings and less than substantial harm to the Conservation Area.
- 4.4. Part of Polo Mews is proposed to be demolished whilst other parts will be rebuilt and extended.
- 4.5. The proposals to the locally listed buildings as outlined in this proof and in particular to the north side of the Bothy are clearly harmful as the proposed extensions are overly bulky and out of scale.

APPENDIX 1

APPENDIX 2