The Planning Inspectorate

Appeal Decision

Site visit made on 17 November 2021

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date:15th December 2021

Appeal Ref: APP/G2245/D/21/3280857
The Old Bakehouse, Six Bells Lane, Sevenoaks TN13 1JE

- 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 Saleem Ali against the decision of Sevenoaks District Council.
- The application Ref 21/00703/HOUSE, dated 8 March 2021, was refused by notice dated 21 May 2021.
- The development proposed is the conversion of disused outbuildings (washroom and outdoor WC), and an enclosed courtyard into a one bedroom annex for the Old Bakehouse.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the Appellant against Sevenoaks District Council. This application is the subject of a separate decision.

Main issue

3. The main issue in this appeal is whether the proposal would preserve or enhance the character or appearance of the Sevenoaks High Street Conservation Area, within which the site is located and also the effect on the settings of nearby Listed Buildings. In reaching my decision I have paid special attention and had special regard to the requirements of Sections 72 and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act.

Reasons

4. The appeal site is reached by a footpath from Six Bells Lane and Sevenoaks High Street and is located within the core of historic buildings. The character of the immediate surroundings is primarily residential. There are traditional cottages, which mostly have two storeys, as well as subordinate outbuildings. The latter tend to be tightly packed in irregular configurations and this further reinforces the historic nature of the locality.

5. The Conservation Area Appraisal and Management Plan identifies the area as including the historic focus of the town. Six Bells Lane is characterised as a picturesque backwater off the High Street, with a footpath leading steeply downhill past a series of cottages, small scale with a distinctively different character from the High Street. Because the appeal site is on a footpath, set back from Six Bells Lane, it possesses many of these characteristics.

6. Next to the appeal site is the dwelling at 8 Six Bells Lane, which is a statutorily listed Grade II Listed Building. As well as other properties nearby, nos. 5 and 6 Six Bells Lane and The Old Bakehouse are Locally Listed Buildings.

7. The Appeal site contains two existing single storey outbuildings, with a courtyard space between them. The proposal would incorporate a central pyramidal roof form broadly over the courtyard area, a mono-pitched roof over the outbuilding attached to that at 8 Six Bells Lane and a shallow dual pitched roof over the outbuilding at the other end.

8. Because of the separate roof forms breaking up the bulk and mass and maintaining the small scale of outbuildings found in the vicinity, the overall expanse would not appear overly large. In consequence, the resultant linked buildings would be subordinate to the host dwelling at the Old Bakehouse. The pyramidal roof form would reflect the variation in roof forms and orientation of outbuildings found in the locality.

9. The scheme would therefore address the concern raised by the previous Inspector in respect of the single large roof form proposed in the previous appeal scheme (Ref: APP/G2245/D/19/3240094). However, this appeal was also rejected because there was only limited evidence that properly identifies nearby potentially historic fabric and assesses its significance. There was also no firm evidence about the extent of demolition and rebuilding that would be necessary in connection with the proposed development.

10. Moreover, I consider that these concerns also apply in this case and also acknowledge that interested parties have raised such issues. These matters are particularly important given that the toilet building is attached to a similar structure at no. 8 Six Bells Lane. There are also other nearby potentially historic structures, such as walls, that may well be affected.

11. I am aware that the requirement of such assessments to support proposals should be proportionate. However, on the evidence before me, I cannot reach the conclusion that the nature and extent of the development would not at least lead to harm that is less than substantial to nearby heritage assets as set out in paragraph 202 of the National Planning Policy Framework (the Framework). Although less than substantial harm would arise, great weight should still be attached to it, as the Framework indicates in relation to the conservation of designated heritage assets.

12. It would not be appropriate to deal with this matter by means of a condition. This is because of the weight attached to the heritage impact and the need to understand the significance of all potentially affected structures and the potential effect of the proposed development on this which I am unable to understand using the submitted evidence. To allow the development in these circumstances would be to unacceptably risk harming the setting of nearby listed buildings, as well as compromising the character and appearance of the Conservation Area which would not therefore be preserved or enhanced.

13. The Framework requires the harm to be weighed against the public benefits of the development. The proposal would re-use the existing structures and use the enclosed courtyard area as part of the annex. However, it is not clear what adverse impact, if any, would arise in the event of the appeal being rejected and there is no significant evidence on this matter. Information is provided in the Design and Access Statement regarding matters such as energy efficiency

and water usage. However, there is nothing to show that any particularly high standard would be achieved.

14. I therefore afford these considerations fairly limited weight and they are significantly outweighed by the resultant harm. The development would therefore be contrary to the policies of the Framework in respect of heritage assets.

15. The aims of Policy SP1 of the Sevenoaks Core Strategy and Policies EN1 and EN4 of the Sevenoaks Allocation and Development Management Plan include seeking to ensure that new development achieves a high standard of design and preserves and enhances the historic character of the area and its assets. In the above circumstances there would be conflict with these policies.

16. The pyramidal roof sloping down to all sides, as well as the fairly modest height of this and the two other relatively shallow sloping roofs, would ensure no undue loss of daylight, sunlight or outlook at the surrounding properties. The position of the windows would ensure no unacceptable loss of privacy.

17. I acknowledge the concerns raised by the Appellant in relation to the Council's handling of this matter over a fairly lengthy period. I also appreciate that the planning application was recommended for approval by the Council's Chief Planning Officer and the Council's Conservation Officer raised no objections. Nevertheless, these matters do not, in themselves, confer acceptability and I have considered this appeal strictly on its planning merits.

18. Concerns raised by local residents over the impact of construction activity could be addressed by means of a condition and would not justify rejection of the appeal. The use of the building as an annex could also be the subject of a condition and its use as a separate dwelling would require planning permission anyway.

19. Nevertheless, taking account of all other matters raised, because of the concerns I have identified in relation to heritage matters, it is determined that the appeal fails.

M Evans

INSPECTOR