



Appeal Decision

Site visit made on 4th March 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 12th April 2022

Appeal Ref: APP/C1435/D/21/3285849

Kingsmead, Oak Lane, Blackham, Withyham TN3 9UB

- 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 S Abbiss against the decision of Wealden District Council.
 - The application Ref.WD/2021/1225/F dated 30 April 2021, was refused by notice dated 7 September 2021.
 - The development proposed is the erection of part single storey part two storey contemporary rear extension with glazed link to enable a kitchen/lounge to be provided at ground floor level and an additional bedroom to be served by balcony at first floor level.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character, appearance and significance of the non-designated heritage asset and on the Area of Outstanding Natural Beauty.

Reasons

3. Kingsmead is located within the High Weald Area of Outstanding Natural Beauty. It is a detached residential property converted from a chapel, located on the north-western side of Sussex Lane to the north of the junction with the A264. The site is in a rural location and forms part of a sporadic pattern of residential and agricultural development along the road.
4. The closest settlement is Blackham approximately 1.3 miles to the east, with the villages of Hartfield and Withyham located approximately 3 miles to the south. The property was formerly a Presbyterian chapel, originally called Highfields Presbyterian Church, which served the villages of Blackham and Withyham and joined the Presbytery of London South in 1895. Permission was granted to convert the building into a residential dwelling in 1951, with the later additions of modest pitched roof dormer windows inserted into the roof approved in the 1970s and 1980s. A conservatory has been added at the rear of the property but the Council's planning history has no details of this. The dwelling has been identified as a non-designated heritage asset.

-
5. The building is prominent in the streetscene and is located within a spacious plot, with a number of outbuildings, including sheds, a summerhouse and garage. There is also an outdoor swimming pool and associated patio located to the rear of the building.
 6. The development proposed is a part single storey and part two storey contemporary rear extension with a short glazed link at first floor level to the two storey element and a partially glazed roof to the single storey element with zinc cladding on the recesses. The single storey element and the two storey element would each have a pitched roof, both roofs would be at right angles to the orientation of the chapel roof and the ridges of the two new elements would be at differing heights. The walls would have burnt timber cladding and the roofs would be slate tiles. There would be glazed gables, a balcony on the first floor of the two storey element and a crittall type door screen on the single storey element.
 7. The significance of the building as a heritage asset is derived from its character and pleasing appearance, its architectural quality, its historical quality, and its prominent siting and significance in views from Sussex Lane (which is also within the AONB).
 8. The nature of the extension is highly contemporary and contrasts with the traditional ecclesiastical appearance of the building. The proposed bulk of the new development would be significant with there being two elements, a single storey one and a two storey one. Moreover, the apex of the ridge line of the roof of the two storey element would be almost as high as the apex of the higher roof dormer on the rear elevation. Whilst the ridgeline of the main building is not breached, the result would be a dominant extension which would compete for attention with the heritage asset. I have borne in mind that the conservatory would be demolished but this would not mitigate the bulk or scale of the proposal. I also consider that the orientation of the proposal would be awkward with the roof of the main building and the roofs of each extension being juxtaposed and physically close, in spite of the attempt to visually separate the new elements with the use of glass. I am doubtful that the burnt timber cladding would be in harmony with the red brick of the chapel or that lightweight complementary additions would be achieved overall.
 9. The Wealden Design Guide (which was adopted as a Supplementary Planning Document in 2008) provides in paragraph 2.3 that extensions in excess of 30% of the floorspace of the original dwelling will normally only be permitted where the Council is satisfied that there is no major change to the character of the building itself or its impact on its setting. In this case there would be extension in excess of 30% and there would be a major change to the character and setting of the building. In this case, there is insufficient justification to depart from this guidance.
 10. Whilst there might only be glimpses of the proposal from the public realm, it would nevertheless fail to conserve the landscape of the AONB, built development being very much a part of the landscape as the natural elements. I have given great weight to the objective of conserving and enhancing the landscape and scenic beauty of this AONB.

11. On the main issue, I conclude that the proposal would unduly harm the character, appearance and significance of the non-designated heritage asset and would fail to conserve the beauty of the AONB contrary to saved policies GD2, EN1, EN6, EN27 and DC19 of the adopted Wealden Local Plan 1998, Spatial Planning Objectives SPO2 and SPO13 and policy WCS14 of the adopted Wealden Core Strategy Local Plan 2013 and the Wealden Design Guide 2008 (adopted Supplementary Planning Document).

Conclusion

12. I have borne in mind the benefit to the appellants and future residents in having increased living space. However, that factor is not sufficiently weighty to outweigh the diminution of the architectural integrity and historic quality of the non-designated heritage asset and harm to the AONB. Having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR