



Appeal Decisions

Site visit made on 10 October 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2023

Appeal A: APP/G2245/W/23/3317642

The Old Vicarage, High Street, Sevenoaks, Kent TN13 1JD

- 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 Mrs Lyn Goddard against the decision of Sevenoaks District Council.
 - The application Ref 22/03096/HOUSE, dated 8 November 2022, was refused by notice dated 3 January 2023.
 - The development proposed is rear extension with internal and external alterations.
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Appeal B: APP/G2245/Y/23/3317646

The Old Vicarage, High Street, Sevenoaks, Kent TN13 1JD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant Listed Building Consent.
 - The appeal is made by Mrs Lyn Goddard against the decision of Sevenoaks District Council.
 - The application Ref 22/03097/LBCALT, dated 8 November 2022, was refused by notice dated 3 January 2023.
 - The works proposed are rear extension with internal and external alterations.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The proposal relates to a listed building which is within a conservation area and within the vicinity of other listed buildings. I have therefore had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').
4. The Council's reasons for refusal of both of the applications which are the subject of these appeals refer to harm to the setting of surrounding listed buildings. However, such effects are not relevant to the determination of an application for listed building consent. I have considered Appeal B accordingly.
5. In respect of Appeal A, the Council's evidence records a number of listed buildings in the vicinity of the site. However, while the reason for refusal refers to 'listed buildings' (plural), it is only in relation to the Church of Saint Nicholas that any particular concerns have been clearly articulated in the Council's submissions. From the evidence before me and my observations at my visit, I

consider that the Church of Saint Nicholas is the only nearby listed building that may be affected. I have determined Appeal A on that basis.

6. Since the appeals were submitted, the Council granted planning permission and listed building consent for a proposal described as 'Rear extension with internal and external alterations. Alterations to roof. Rooflights'¹ ('the Approved Scheme'). The main parties have been able to comment on the relevance of the Approved Scheme to the current appeals, and I have taken the comments made into account.

Main Issues

7. The main issues are:
 - (a) the effect of the proposal on the special interest of the Grade II listed building, 'The Old Vicarage' (Ref: 1086022), and any of the features of special architectural or historic interest that it possesses;
 - (b) the effect of the proposal on the setting of the Grade II* listed building, 'Church of Saint Nicholas' (Ref: 1204351); and
 - (c) the effect of the proposal on the character and appearance of the Sevenoaks High Street Conservation Area.

Reasons

The Old Vicarage

8. The appeal property is located on the High Street within the Sevenoaks High Street Conservation Area ('the CA'). Rectory Lane runs along the southern boundary of the site, beyond which is the Church of Saint Nicholas.
9. The Old Vicarage was first listed in 1951. It dates to the early 18th century, and includes a main two-storey element with a ridge tiled roof over a stucco front elevation with a regular arrangement of sash windows. The rear elevation of the building is less ordered, comprising elements which vary in massing and with some differences in the arrangement and proportions of the fenestration, though a full-height projecting stair tower with an octagonal roof is the most striking element. There is a two-storey projection with a shallow monopitch roof set to the north side of the building which the appellant's Heritage Impact Assessment suggests dates to the late 18th Century. Beyond this and stepping forward of it and the main front elevation is a single-storey post-war extension with a flat roof which links to a single-storey structure positioned on the boundary with Well Cottage at an angle to the main part of the building. The main parties indicate that this structure was a former coach house, believed to be of a similar date to the main house. It is now in use as part of the dwelling.
10. Despite the later interventions, the largely symmetrical composition and proportions of the main two-storey part of the building remain legible. With the elegant detailing and features such as the roof with dormers and stair tower, this provides for architectural interest and gives the building a distinctive character and appearance and an impression of status. The former coach house has been subject to past alterations including the insertion of a rooflight in the plain clay tile roof, partial rebuilding, and painting of the exterior rear wall as well as being linked to the main house. However, while it is no longer detached or immediately recognisable as a coach house, its simple form, modest scale

¹ Application refs 23/00605/HOUSE and 23/00606/LBCALT.

and more muted detailing remain legible and point to its historic status as a subordinate structure to the main house. There is also some evidential value and architectural interest in the remaining historic fabric and plan form, albeit that this has been diminished by previous alterations.

11. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with its architectural form and composition, and the evidential value of the standing structures and their historic relationship to one another. Further interest derives from its historic function in association with the neighbouring Church of St Nicholas, with which it retains a strong visual connection.
12. The Council has not raised objections to alterations proposed to the modern single storey flat roof projection at the front of the former coach house. These alterations would not entail the loss of historic fabric, and the detailing including the external materials and the proportions and arrangement of the windows would complement the host building. Given these factors, I am satisfied that these elements of the proposal would at least preserve the special interest of the listed building.
13. The proposal also seeks to increase the width of the rear part of the former coach house. The extension would have a flat roof which would wrap around to the rear of the structure where the existing hipped roof would be cut back. Adjoining the rear of the coach house structure would be a new single-storey extension with a pitched roof.
14. The rear extension would be on part of the site formerly occupied by a lean-to garage, now demolished, and separation would be maintained between the extensions and the side of the two-storey part of the host building. However, the new rear extension would be wider than the increased width of the coach house structure. It would also be notably higher, with a roof which would be taller than its ground-floor level and which would reach nearly the same height as the eaves to the main building. The resulting bulk and mass of the pitched roof would be significant, and would appear markedly larger than the retained roof to the former coach house. The height above this structure would further exacerbate the imposing nature of the rear extension, and it would be decidedly more prominent than the former coach house. This relationship of increased prominence towards the rear would significantly undermine the historic elevational hierarchy and the scale of the rear extension would be jarring given its position. It would also notably reduce the impression of the built form at the side of The Old Vicarage as being subservient to the main building.
15. Moreover, there would be an unusually large feature window to the side of the extension that would project awkwardly up through the eaves to be inset in part of the roof. Although existing glazing already suggests the domestic use of the former coach house, the feature window would dominate the side elevation facing towards The Old Vicarage. It would erode the existing simplicity and subservient ancillary quality of the development to the side of the listed building, and introduce a highly incongruent feature at odds with the existing fenestration that would distract from the architectural quality of the building as a whole.
16. The proposal also includes the removal of sections of brickwork to the rear and side wall and alterations to the roof of the former coach house. The side wall

closest to The Old Vicarage is not historic, and the roof has been previously altered including through the insertion of a rooflight. In addition, the appellant indicates that the rear wall of the structure has been partly rebuilt to the south western corner and I saw at my visit that an opening has been bricked up. Some of the fabric that would be affected is historic, but in its altered state it makes a relatively limited contribution to the special interest of the listed building. The extent of historic fabric affected would also be modest, and the appellant proposes that bricks would where possible be reused in the extensions. The displacement of historic fabric would inevitably result in some harm to the special architectural and historic interest that the building possesses and undermine its authenticity, but I find given these factors that the effect would be very limited.

17. That said, while the fabric within the side wall may be modern, the appellant does not dispute that it follows the line of the earlier building. This line would not be replicated in the proposal and, in combination with the existing front extension, the proposal would effectively lead to the enclosure of the former coach house by extensions to 3 sides, including the new pitched roof extension of significant bulk and mass projecting from its rear. The special interest deriving from the former coach house may be limited in comparison to the features such as the butt purlin roof, staircase and tower of the main part of the listed building. Even so, the ability to appreciate the historic form, layout and use of the former coach house and its past relationship with the main building would be reduced. I find that the contribution, albeit modest, that it makes to the special interest of the listed building would be diminished as a result.
18. Although of lesser height and footprint than the host building, I find for the above reasons that the extensions to the former coach house would appear over-large and discordant. The overall balance and hierarchy of the listed building would be significantly distorted by the proposal and there would be harm to its legibility and architectural form. Irrespective of the fact that the building has been subject to varied previous interventions, I therefore find that the proposal would fail to preserve the special interest of the listed building and would cause it harm.

Church of Saint Nicholas

19. The Church of Saint Nicholas was listed in 1951. It has a prominent tower with cupola, and largely perpendicular form with a ragstone exterior with an imposing stained glass window in the gable end fronting the High Street. The listing description states that the north aisle is part of the original 13th Century church, although the Sevenoaks High Street Conservation Area Appraisal and Management Plan 2008 ('the CAA') indicates that there was a church on the site from the late 11th Century or earlier.
20. The churchyard provides for an open setting to the Church which contrasts with the more enclosed character of much of the nearby development. In addition to providing for views of the building allowing an appreciation of its proportions and architecture, this enhances its impression of importance as a parish church and provides for a degree of tranquillity around it. The Old Vicarage is separated from the churchyard by Rectory Lane but is visible together with the Church in views including from the High Street, and is also appreciable in some views from the churchyard. It has a clear historic functional link with the

Church and is set back from the High Street within spacious grounds which reinforce the open character around the Church and its status. Given the above, I find the setting of the Church, insofar as it relates to the current proposal, to be primarily associated with the spacious surroundings and former purpose of The Old Vicarage as an attendant building intended to serve the function of the Church and that this directly contributes to the special interest of the Church as a listed building.

21. Vegetation and the wall along the boundary of the site with Rectory Lane would provide for some screening of the extensions. However, vegetation cannot be relied on to provide screening of a permanent feature in the long term and it was, in any case, apparent from my visit that there would be some partial views of the extensions from the Church and churchyard as well as from Rectory Lane close to the vehicular access to the site. I acknowledge that opportunities for concurrent public views of the extensions together with the Church would not be readily available, but there would be points from which the Church and the extensions could each be seen. There would also be views from within the site of the proposal together with glimpses of the Church. The extensions would therefore intrude on the setting within which the Church is experienced and which contributes to its significance.
22. I have found that the height and over-large scale of the rear extension and unsympathetic feature window breaking through the eaves to the former coach house roof would result in an incongruous and unduly dominant feature. As well as unbalancing the host building and drawing attention away from it, this would distract from the Church and would disrupt the relationship between the buildings. The physical presence of the height and bulk of the rear extension would also diminish the openness on the site which contributes to the impression of spaciousness around the Church, albeit that I accept the overall effect would be of very limited magnitude. In these ways, I find that the proposal would be detrimental to the setting of the Church of Saint Nicholas thereby causing harm to its special interest.

Sevenoaks High Street Conservation Area

23. The CA is focused around the High Street and includes a rich mix of buildings of a range of ages, architectural styles and often locally distinctive materials. Buildings are in many cases positioned closely together which provides for a sense of enclosure to streets. However, open spaces including around the Church of Saint Nicholas which is itself a focal point of the CA provide for some notable areas of visual relief and contrast. The pattern of development, together with the generally high quality architecture and attractive diversity of many of the buildings add much to the character and appearance, and thus significance of the CA.
24. The CAA notes that the stuccoed façade of The Old Vicarage contrasts with the red brick and ragstone of other buildings in the High Street and that it is a visually important building at a transition point between the open character around the Church and the tight enclosure to the south. Given the above, I find the significance of the CA, insofar as it relates to the appeals, to be primarily associated with the architectural interest and quality of The Old Vicarage and its historic function and relationship with the Church as well as the spacious grounds which enhance the openness of this section of the CA.

25. The extensions would not be readily visible from the High Street, but I have already noted that there would be some views from Rectory Lane as well as from the churchyard. In these views, the height and scale of the rear extension would be unduly dominant against the host building, and would cause some limited erosion of the spaciousness on the site which is part of the transition between the open character around the Church and the tighter urban grain to the north. The feature window would further be incongruous against the architecture of the host building and traditional forms in the CA. The effect would be very localised and of limited magnitude, but I consider for these reasons that the proposal would fail to preserve the character and appearance of the CA with harm to its significance.
26. The Council's report on the Appeal A application suggests that the effect on the street scene would be acceptable, but the accompanying assessment refers particularly to the High Street. I agree that the High Street streetscene would not be harmed by the proposal, but the CA encompasses a wider area. Under the issue of 'design, form and proportions' the Council's report also comments that the development would sit comfortably on the plot and that changes to windows and doors would minimally impact the character of the dwelling. I agree with the appellant that the Council's assessment of this issue is not wholly consistent with its assessments of effects on the CA. Nevertheless, this inconsistency does not alter my conclusion, reached having regard to all of the evidence before me and my own observations.

Heritage Balance and Conclusions

27. I have found that the proposal would fail to preserve the special interest of the host listed building. It would also fail to preserve the character and appearance of the CA, and there would be harm to the significance of the Church of Saint Nicholas through adverse changes to its setting.
28. The National Planning Policy Framework 2023 ('the Framework') advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. It goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
29. In this case, the degree of harm to each of the assets would be less than substantial bearing in mind its extent and how it would affect their significance. Nevertheless, while the harm in each case would be less than substantial, I give it considerable importance and weight.
30. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
31. The alterations to the modern single-storey extension at the front of the former Coach House would complement the listed building, but the degree of enhancement to its appearance as seen from the High Street would be very modest. The appellant also refers to the exposure of the internal roof form of the former coach house over the kitchen which would enable a greater appreciation of the structure and narrative of the building. However, at the same time the proposal would see fairly significant alterations to the existing

structure of the roof through cutting it back and the creation of gable ends. I find that the extent of the heritage benefits of the proposal would be limited, and far outweighed by the adverse effects that I have identified.

32. The proposal would offer additional and enhanced living accommodation for occupiers of the site. However, this is a mainly private benefit. The appellant highlights that the angle of the rear wall to the former coach house is a constraint to the scheme which cannot be overcome with retention. Be that as it may, there is no firm evidence before me to demonstrate that the continued viable use of the appeal property as a residential dwelling is dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. I find that the public benefits of the proposal would be insufficient to outweigh the harm that I have identified to the listed buildings and to the CA.
33. The Approved Scheme would result in a similar extent of alterations to historic fabric as the current proposal. However, that is not in itself a public benefit. Moreover, the roof to the new rear extension in the Approved Scheme would be significantly lower than the one proposed, and would have asymmetric hipped sections to the front and rear rather than gable ends. Although of similar footprint, these factors would notably reduce the overall bulk, mass and prominence of the extensions. The Approved Scheme also omits the feature window breaking through the eaves of the roof and while the overall extent of glazing may be slightly greater, the positioning of the Approved Scheme windows below the eaves would be more typical and would lessen their visual impact. The extent of alterations to historic fabric may be comparable, but I consider having regard to these differences that the cumulative effects of the current proposal on the host listed building, the setting of the Church of Saint Nicholas and on the CA would be materially different to the Approved Scheme.
34. Given the above, and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building, The Old Vicarage and the significance of the Sevenoaks High Street CA. Furthermore, there would be harm to the setting and thus significance of the Church of Saint Nicholas, a Grade II* listed building. The proposal would fail to satisfy the requirements of the Act and the Framework. There would also be conflict with Policy EN4 of the Sevenoaks Allocations and Development Management Plan 2015 which sets out that proposals that affect a heritage asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. As a result, the Appeal A proposal would not be in accordance with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.

Conclusion

35. For the reasons given above, I conclude that both appeals should be dismissed.

J Bowyer

INSPECTOR