



Appeal Decisions

Hearing held on 2 October 2024

Site visit made on 2 October 2024

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2024

Appeal A Ref: APP/M2270/W/24/3344078

5 Calverley Park, Royal Tunbridge Wells, Kent TN1 2SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Kingshott against the decision of Tunbridge Wells Borough Council.
 - The application Ref is 23/01122/FULL.
 - The development proposed is replacement of existing garage/shed/conservatory with a two-storey rear and side extension incorporating a double garage, revisions to internal layout of the main dwelling at ground and first floors and alterations to external facades.
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Appeal B Ref: APP/M2270/Y/24/3343251

5 Calverley Park, Royal Tunbridge Wells, Kent TN1 2SH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Michael Kingshott against the decision of Tunbridge Wells Borough Council.
 - The application Ref is 23/01123/LBC.
 - The works proposed are replacement of existing garage/shed/conservatory with a two-storey rear and side extension incorporating a double garage, revisions to internal layout of the main dwelling at ground and first floors and alterations to external facades.
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Appeal C Ref: APP/M2270/Y/24/3343253

5 Calverley Park, Royal Tunbridge Wells, Kent TN1 2SH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Michael Kingshott against the decision of Tunbridge Wells Borough Council.
 - The application Ref is 23/02391/LBC.
 - The works proposed are a two-storey rear extension and associated alterations.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Appeal C

3. The appeal is dismissed.

Application for Costs

4. An application for costs was made by Mr Michael Kingshott against Tunbridge Wells Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

5. This decision letter deals with three appeals for the same site. Appeals A and B relate to parallel applications seeking planning permission and listed building consent for the same proposal while Appeal C relates to an application seeking listed building consent for a revised proposal. I have considered each appeal on its individual merits, but to avoid duplication, I have dealt with the schemes together except where otherwise indicated.
6. The appeals relate to 5 Calverley Park. No 5 together with the attached neighbour at 6 Calverley Park is a Grade II* listed building '5 and 6 Calverley Park'. In accordance with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'), I have had special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest which it possesses.
7. The appeal site is also located within the Royal Tunbridge Wells Conservation Area ('the CA') and the Grade II Registered Park and Garden 'Calverley Park and Calverley Grounds' ('the RPG'), and there are a number of other listed buildings nearby. The Statement of Common Ground sets out that the main parties agree that the proposals would not result in harm to the significance of the CA, RPG or nearby listed buildings but interested parties have raised these as concerns. Moreover, Section 72(1) of the Act requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. In relation to nearby listed buildings, the requirement at section 66(1) of the Act for special regard to the desirability of preserving the setting of a listed building would also be relevant in considering whether to grant planning permission under Appeal A. I have therefore included main issues in respect of effects on the CA and nearby listed buildings as well as the RPG which is a designated heritage asset in the terms of the National Planning Policy Framework ('the Framework').
8. I have been referred to policies within the Council's emerging Local Plan 2020-2038 which is currently being examined. The Council advised at the Hearing that policies pertaining to heritage matters which are of particular relevance here are not subject to unresolved objections, but the weight that I afford to them is moderated somewhat given that I cannot be sure that the plan will be adopted in its current form. That said, the draft policies referenced would not significantly change the approach or relevant considerations from those that would apply under the adopted development plan such that my decisions in these cases would turn on them. On that basis, I have not found it necessary to refer further to the emerging policies in my decisions.

Main Issues

9. The main issues in each appeal are:
 - i) the effect of the proposal on the special interest of the Grade II* listed building, '5 and 6 Calverley Park' of which the appeal site is part, and any of the features of special architectural or historic interest that it possesses; and

- ii) the effect of the proposal on the character and appearance of the Royal Tunbridge Wells Conservation Area;

10. In respect of Appeal A, there are additional main issues of:

- iii) the effect of the proposal on the setting and significance of nearby listed buildings; and
- iv) the effect of the proposal on the significance of the Calverley Park and Calverley Grounds Registered Park and Garden.

Reasons

Listed Building - 5 and 6 Calverley Park

Special Interest and Significance of the Listed Building

11. The listed building at 5 and 6 Calverley Park is part of a group of 24 villas overlooking parkland designed by the eminent architect Decimus Burton. The group were completed between 1828 and 1839 and form the focus of the Calverley Estate which the Royal Tunbridge Wells and Rusthall Conservation Areas Appraisal 2000 ('the CAA') indicates Burton had been commissioned to design as 'a self-contained village landscape – virtually a new town'.
12. Most of the villas in the group are detached, but the building at Nos 5 and 6 is one of two symmetrical semi-detached pairs. The symmetry is most prominent to the southern elevation where a regular mirrored arrangement of fenestration, including outer canted bays with hooded verandas, beneath a distinctive shallow pitched slate roof presents a striking and elegant façade overlooking front gardens and parkland. Even so, the east and west elevations have reflected arrangements of chimneys and pedimented entrance porches while the rear comprises a central recessed section set between deeper wings and includes walled yards with corresponding angled sections across each outer corner. I note the lack of simultaneous views of the east and west elevations together, and I accept that the rear elevation would be of lesser status in terms of the overall hierarchy of the building. Nevertheless, these elevations and the overall form of the building are still in my view relevant to an appreciation and understanding of its historic configuration and proportions, and in my view contribute to the inherent architectural and historic interest of the listed building.
13. I note interventions including infill extensions around the entrance porches, an early ancillary/service range addition to the rear of No 5, an infill addition to the rear of No 6 and conservatory-style projections to the rear of both dwellings. The additions differ between Nos 5 and 6, but are relatively modest single-storey structures and I find that the inconsistency across the pair does not disrupt the balance of the historic form or design to any significant degree. In my view, the symmetry and elegant proportions of the building remain predominant and distinct and together with the quality of the Regency architecture and neoclassical detailing provide for a highly accomplished and pleasing composition.
14. Other villas on Calverley Park differ in design, but the broad consistency in scale and massing, materials and use of basic forms such as bows, canted bays and terraces provides for a coherent assemblage and the villas together with Keston Lodge and Victoria Lodge are noted in their listing descriptions as forming a group. The placement of the villas within typically spacious and

verdant grounds together with the wider parkland further provide a strong landscaped setting and arcadian character which reflects Burton's vision of 'rus in urbes' (country in the city) and which strengthens the sense of the individual buildings forming part of an ensemble piece.

15. Insofar as it relates to these appeals, I find the special interest of the listed building to be primarily associated with the high quality of its architecture and the attractive proportions and symmetry of the composition which remain clearly legible despite some later interventions. These elements add much to the architectural and historic interest of the building as a fine example of a Regency villa. Interest also derives from the building's association with Burton and from being part of a varied but coherent early planned residential park development which was part of a significant expansion of Tunbridge Wells and which influenced later development in the town and further afield. In addition, the spacious and verdant surroundings to the building reinforce the arcadian character of the area and contribute to an understanding and appreciation of Burton's intention to create a self-contained village landscape within the town. In this way, I consider the setting of the building makes an important contribution to its special interest and significance.

Appeal C Proposal

16. Appeal C proposes a two-storey rear extension. It would in part replace the existing conservatory within the walled yard to the rear of the dwelling, but this is a modern addition and its loss would not diminish the special interest of the building. However, while the antiquity of the wall to the yard was a matter of disagreement between parties at the Hearing, the appellant's evidence indicates that it follows the footprint of a historic ward wall. The extension would infill the remaining area within the wall, and indeed would push out beyond the line of its angled section to square off the footprint to the rear of No 5. As a result, the former yard and its historic functional separation from the garden on the appeal site would no longer be clear, diminishing the legibility of the building and its relationship with its grounds.
17. There would also be a significant increase in the depth of No 5 at first-floor level. The extension would cover nearly the full width of the dwelling's rear elevation with only the recessed section closest to the boundary with No 6 remaining exposed. It would additionally match the height of the host building with a shallow pitched roof form that would appear contiguous with the roof of the existing rear projection. In my assessment, the large overall scale of the addition would lack subservience. Its form would appear disproportionately elongated against the narrow central recessed section to the rear of the building, and the extension would continue the main building line to the side of the dwelling to form a continuous combined west elevation that would appear excessively deep. I find as a result that the proposal would detract notably from the carefully balanced proportions of the host listed building and it would conceal a substantial part of the rear elevation and roofslope of No 5, drastically reducing opportunities to appreciate these parts of the building.
18. Moreover, I recognise that symmetry is not a universal trait of the Calverley Park villas, but Nos 5 and 6 are listed as a separate entity and from the evidence before me, were designed by Burton to be symmetrical as part of the wider Calverley Park piece. The footprint of the extension projecting beyond the existing yard wall would contrast with the alignment of the wall at No 6. In

addition, I consider that the large bulk and mass of the extension above would sit awkwardly against No 6 and would significantly unbalance the listed building to the extent that the intended symmetry would no longer be readable from the rear.

19. As well as the matching roof form, the submitted plans indicate that the extension would include windows and moulding replicating features of the host building. I note suggestions that modern regulations may mean some slight variation in appearance, but the close borrowing of the architectural language of the listed building would significantly blur the ability to understand the extension as a later addition. Following existing character can be a valid approach to integrating new features to buildings. In this case however, I consider that the lack of clear distinction between the extension and historic building in conjunction with the pronounced difference in form between Nos 5 and 6 would serve to confuse and harmfully dilute Burton's original concept for the villa as a symmetrical pair.
20. I appreciate that opportunities for public views of the extension would be limited, but listed buildings are safeguarded for their inherent architectural and historic interest which is not dependent upon the availability of public views. I also acknowledge that the rear of the building may be of lower status than the other elevations. Even so, I have found that the rear does make some contribution to the special interest and significance of the building, and this contribution has not been significantly diminished by past interventions including the modest conservatory.
21. Although the proposed extension would not feature in views of the principal southern elevation, I find for the reasons above that there would be notable and unwelcome distortion of the symmetry and classical proportions and plan form of the building. In my judgement, the additional bulk and mass to the rear of No 5 would appear ungainly and there would be clear harm to the architectural character and quality of the listed building with detriment to its integrity and the ability to appreciate it.
22. Associated with the extension, there would be some modest loss of existing fabric to create new openings, and an existing window would be infilled. The proposal also includes other alterations to fabric within the building, most of which have been granted listed building consent under previous approvals. I note representations raising concern about some of these alterations, but I find that the relocation of a window to the proposed ground floor bathroom which is part of a later addition would not harm the special interest of the building. A window to the ancillary/service range would be infilled, but the outline would be retained and restoration of historic ceiling heights and cornices would offer some mitigation for the change to the historic planform of the hallway affecting a doorcase. However, while the minor nature of the losses of historic fabric and layout would limit effects on the special interest of the building, this does not offset the harm that I have found would be caused by the extension.
23. Many of the individual elements contributing to the special interest and significance of 5 and 6 Calverley Park would not be adversely affected by the proposal. Nevertheless, I find for the above reasons that the Appeal C proposal would fail to preserve the architectural and historic interest of the listed building as a whole and would cause harm to its special interest.

Appeals A and B Proposal

24. In addition to the rear extension and alterations proposed under Appeal C which I have considered above, the Appeals A and B proposal also includes a two-storey side extension element. This would adjoin the rear extension with a small overlap to the existing side elevation of the building, and would step out towards the west of the appeal dwelling.
25. A garage and shed would be removed to accommodate the side extension. The loss of these modern features would not be harmful. However, while they are of different character to the listed building, the garage is of broadly similar scale, design and position to a garage to the side of No 6, resonating with the general symmetry of the building. Moreover, their modest single-storey scale means that they are relatively unobtrusive and wholly subservient features and there remains a palpable sense of space between the building and the boundary with 1 Calverley Park.
26. In contrast, the roof of the extension now proposed to the side of the appeal dwelling would be lower than the eaves to the host building and the rear extension, but it would still be a two-storey structure of significant width and depth relative to the host dwelling and listed building as a whole. It would be set back considerably from the principal elevation of the building. Nevertheless and irrespective of its detailing, it would adjoin the rear extension and I find that the considerable bulk and mass of the cumulative additions would appear distinctly ungainly and would dominate and overwhelm the appeal dwelling.
27. The side extension would serve to break up the long west elevation that I have identified would be created by the rear extension in Appeal C. However, the presence of built form of the scale proposed projecting out to one side of the building would exacerbate the overall unbalancing of the symmetrical presentation and the distortion of the classical proportions of the listed building.
28. Furthermore, I appreciate that the architectural detailing of the side extension is intended to differentiate it from the host building and allow it to be read as a later addition. However, the double garage door would be uncharacteristic and unduly squat while the first-floor windows would sit awkwardly close to the eaves. Those to the front elevation would also be unusually close together, and while the dimensions of the windows to the rear would be consistent with those of the existing building, their scale and number would appear overlarge and somewhat squeezed against the different proportions of the side extension. In my assessment, the overall façade treatment would be discordant and would not sit well against the refined elegance of the listed building.
29. I saw that the existing garage is visible from Calverley Park and some points within parkland to the south west of the site. Despite its set back, the greater height and scale of the side extension would give it increased presence and based on my observations, it would be plain in some views from the front of the building. I acknowledge that the extension may not be visible in tandem with the side of No 6, but the experience of a building is not static and so the difference between the sides would in reality be appreciable. I also accept that the retained southern elevation would remain prominent and recognisable and that nearly all of the existing western elevation would be visible. Even so, I find given the above factors that the proposal would result in a conspicuous shift in the intended symmetry of the building and unsympathetic and unwieldy

additions that would detract significantly from its architectural character and quality.

30. With regard to the much greater height, bulk and overall mass of the extension in comparison to the existing garage and shed to the side of the dwelling, I am further unable to agree with the appellant's assertion that the perception of the existing and proposed forms would not be materially different. In my view, the extension would be a far more dominant presence and notwithstanding space that would be retained to the front and rear, it would appear to fill much of the gap to the side of No 5 with only modest separation retained to the boundary with No 1. As a consequence, the existing physical and visual separation between these buildings would be considerably reduced to the extent that I consider they would appear uncharacteristically crowded. Moreover, the impression of a spacious, landscaped setting which provides the context for the listed building and which is an important part of Burton's concept for the Calverley Park development as a bucolic idyll would be significantly eroded.
31. I note that the Council's reasons for refusal of the Appeals A and B schemes refer to harm by reason of the position, form and size of the side extension and do not specifically mention the rear extension. Nevertheless, I have found in respect of Appeal C having regard to all of the evidence before me that the rear extension would fail to preserve the special interest of the listed building as a whole and would cause it harm. I consider there would be similar harm arising from the rear extension element of the Appeals A and B proposal, and that the harm would be further exacerbated by the inclusion of the side extension.
32. Overall, I find that the Appeals A and B proposal would bring about change that would harmfully alter the legibility and experience of the listed building and there would be marked detriment to its inherent architectural and historic interest. Accordingly, the proposal would fail to preserve the special interest of the listed building as a whole and would cause it harm.

Conclusion on Main Issue

33. I have found above that the proposals under each of Appeals A, B and C would fail to preserve the special interest of the listed building '5 and 6 Calverley Park' and would cause it harm. The degree of harm would be greater in Appeals A and B than in Appeal C, but in the terms of the Framework, I find with regard to the scale and nature of the proposals relative to the building as a whole that the harm in each case would be 'less than substantial'.
34. In reaching this view, I acknowledge that all of the Calverley Park villas are listed at Grade II* although fairly significant alterations had been made to some prior to their listing. However, I am not convinced that the equivalent listing level of the altered villas is compelling evidence demonstrating that their special interest had not been affected. Rather it seems to me to reflect that they each retained sufficient interest to be listed at that level, despite the alterations. As buildings that are now listed, the Act requires special regard to the desirability of preserving them, and while I accept that the appeal proposals would not obviate all of the special interest held by the host listed building, that is not the same as preserving it.
35. The appellant has also referred to more recent applications that have been made in respect of nearby buildings but from the information before me, none would be directly comparable to the appeal proposals which include two-storey

additions. These applications do not therefore persuade me that the appeal proposals would not harm the special interest of the subject listed building, nor justify causing harm to this building.

36. 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. I return to this matter in my planning balance below.

Royal Tunbridge Wells Conservation Area

37. The Royal Tunbridge Wells CA covers an extensive area, encompassing much of the town, although the appeal site is located within the Calverley Park Character Area which is tightly focused on the Calverley Estate. In addition to its arcadian character which established the concept of 'rus in urbes', the CAA notes characteristics of this Character Area as including a low density of building, the strong interrelationship of landscape and architecture and naturalistic parkland or fields as an outlook. Insofar as it relates to these appeals, I consider that these attributes together with the accomplished and complementary architectural quality of the many historic buildings give the area a highly attractive and distinctive character and appearance which contributes to the significance of the CA.
38. The composition of the 24 villas on Calverley Park which vary in design but which share common themes to present a coherent ensemble of elegant buildings set within spacious grounds and mature landscaping overlooking parkland is particularly striking. As a component of this group, I find that the appeal site makes a positive contribution to the character and appearance and thus the significance of the CA.
39. I appreciate that the Council did not identify harm to the CA. However, I have found above that both the Appeals A and B and the Appeal C proposal would cause harm to the listed building 5 and 6 Calverley Park.
40. Public views of the Appeal C extension would be limited. However, its height and scale would make it fairly prominent from other properties within this part of the CA where I consider its size and awkward relationship with the host building would be discordant. The positive contribution that the appeal site currently makes to the character and architectural quality of this part of the CA would therefore be diminished.
41. In Appeals A and B, the side extension would also be clearly apparent in views from Calverley Park and sections of the parkland to the front of the site. It would not be prominent in the street scene, but despite its set back, I consider that the unsympathetic detailing of the extension and the unbalancing of the building and loss of spaciousness to the side of No 5 would be perceived by an observer passing by. As a consequence, the characteristic spacious and verdant qualities of the area and the experience of the intentional and carefully balanced built form which is part of Burton's design for Calverley Park would be eroded.
42. Having regard to its relatively small scale, I consider that the effect of the Appeals A and B proposal would be localised and of very limited magnitude in the context of the extensive area of the CA in its entirety. In Appeal C, the

reduced visibility means that effects would be even more marginal. Nevertheless, I am unable to conclude that the character and the appearance of the CA as a whole would be preserved or enhanced. Notwithstanding alterations that have been made to other nearby buildings, I conclude that the Appeals A and B and the Appeal C proposal would each cause less than substantial harm to the significance of the CA.

Setting and Significance of Nearby Listed Buildings (Appeal A Only)

43. Farnborough Lodge, Keston Lodge and Victoria Lodge which mark the entrances to the Calverley Estate are Grade II* listed buildings dating to the early 19th Century. The lodges together with the 24 Grade II* listed Calverley Park villas are identified as forming a group in their respective listing descriptions. The Grade II* listed 1-17 Calverley Park Crescent nearby was also by Decimus Burton, designed as a crescent of shops with lodging houses above, while the Grade II listed Calverley Park Hotel was altered and enlarged by Burton in 1840 when it became a hotel. In relation to this appeal, I consider much of the special interest of the individual listed buildings to derive from their inherent architectural and historic interest. That said, their significance is enhanced through the group value resulting from their complementary style and architectural language despite varying designs and their association with Burton as part of a phase of early 19th century landscape-centred expansion of the town.
44. As one of the villas designed by Burton sharing unifying features with the group, the appeal building is part of this narrative and its grounds add to the arcadian quality of the area. On that basis, I consider the site to make some, albeit limited, contribution to the significance of these nearby listed buildings as part of their setting.
45. I have found that the proposal would harm the architectural composition and quality of 5 and 6 Calverley Park as a listed building, and that it would reduce the spacious and verdant qualities of the appeal site. It would therefore erode the visual contribution that the site makes as part of the group, as well as the parkland setting which contributes to the significance of the listed buildings noted above. The effect would be most pronounced in respect of 1 Calverley Park where the side extension would be seen closely alongside this neighbour and would significantly reduce the gap between the buildings with a corresponding loss of openness. The greater separation to other listed buildings means that effects would be more limited, but I consider there would be some detriment to the ability to understand and appreciate Burton's intention for Calverley Park and their place in the historic development of the wider area.
46. To that extent, there would be harm to the significance of these listed buildings through development in their setting. However, the site is only a small part of the setting of the buildings which is itself only one element that contributes to their significance. Given also the scale of the proposal, I consider the harm to No 1 would be very limited and that in all other cases it would be negligible. That said, negligible is not equivalent to no harm and I therefore conclude that the proposal would fail to preserve the setting and significance of these nearby listed buildings, causing less than substantial harm to them as designated heritage assets.
47. At the Hearing, I was also informed of a Grade II listed building 'two bollards to the south west of Calverley Park Crescent'. These bear the inscription

'St Mary-le-bone' and the listing description notes that they date to the early 19th century and were presumably moved from London to the site. As bollards they are of clearly different nature to the appeal building and in the absence of firm details in the evidence before me indicating any historic functional link or association with the appeal site, and noting the lack of direct intervisibility, I consider the appeal site to make no meaningful contribution to the significance of the building. Further, the significance of this listed building would not be harmed by the development proposed within its wider setting.

Calverley Park and Calverley Grounds Registered Park and Garden (Appeal A Only)

48. The RPG covers a similar, although slightly smaller, area to the Calverley Park Character Area of the CA. The focus of the RPG may be the parkland, but the buildings are also part of the designed landscape. The main parties agree that parallels can be drawn between the significance of the RPG and the significance of the CA. I concur, and insofar as it relates to this appeal, I consider that the contribution that the appeal site makes to the significance of the RPG would be similar to the contribution that I have found it to make to the CA.
49. By the same token, the harm that I have identified would be caused to the CA through the erosion of the positive contribution that the site currently makes to the architectural quality and balance of built form and characteristic spacious and verdant qualities of the area which are integral to Burton's design for Calverley Park, would also be detrimental to the qualities of the RPG.
50. Notwithstanding that the Council did not identify harm, I therefore conclude that the significance of the RPG as a heritage asset would be harmed by the Appeal A proposal, albeit in a small way such that I find that the harm would be less than substantial in the terms of the Framework.

Other Matters

51. While Appeal C has been made against a refusal to grant listed building consent, I note that a parallel application seeking planning permission for the proposal was granted by the Council. I also note that all three of the appeal applications were recommended for approval by Council officers and that the Conservation Officer had not objected. In determining the appeals however, I must come to my own view on the basis of all of the evidence before me, and these are not matters which lead me to alter my findings on the main issues.

Planning Balance

52. The Framework advises 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. It further outlines that great weight should be given to the conservation of designated heritage assets, and that the more important the asset, the greater the weight should be.
53. I have found that appeals A, B and C would each fail to preserve the special interest of the listed building, 5 and 6 Calverley Park, and would cause less than substantial harm to its significance as a Grade II* listed building. The harm attracts considerable importance and weight in each case.
54. The proposals would each also cause less than substantial harm to the significance of the Royal Tunbridge Wells CA. In light of the advice within the

Framework, I give great weight to this harm. In relation to Appeal A, I further give considerable importance and weight to the less than substantial harm that I have identified would be caused to nearby listed buildings through development within their setting, and great weight to the less than substantial harm to the significance of the Calverley Park and Calverley Park Grounds RPG.

55. On the other hand, the appellant stated at the Hearing that there were no public benefits of the proposals to be weighed against any harm to the significance of designated heritage assets. I nevertheless consider that the restoration of historic ceiling heights and cornices which is part of both proposals could be considered a heritage and therefore public benefit. That said, restoration would be limited to a very small part of the dwelling and in my view would be balanced out by the change to the historic planform of the hallway affecting a doorcase and infilling of the window to the ancillary/service range. Taken as a whole, I find that the works to the existing building fabric would not amount to an overall heritage benefit to the listed building.
56. The proposals would each provide extended and improved living accommodation for occupiers of the dwelling but this is essentially a private rather than a public benefit. I also note that the Council has previously granted consent for the majority of the remodelling alterations within the existing dwelling, other than those associated with the extensions now proposed. A separate scheme for a replacement detached garage has also been approved. Although the extensions would offer additional floorspace not provided by these schemes, I have no firm evidence to demonstrate that the maintenance or the continued viable use of the appeal property as a dwelling is dependent on either proposal as the building has an ongoing residential use that would not cease in their absence.
57. I find in this context that there are no public benefits sufficient to outweigh the respective harm that I have identified would be caused to the listed building which attracts considerable importance and weight. Nor would there be public benefits sufficient to outweigh the harm that each proposal would cause to the significance of the CA, or the harm that the Appeal A proposal would cause to the significance of nearby listed buildings and to the significance of the Calverley Park and Calverley Park Grounds RPG.
58. Given the above, I conclude that the Appeals A, B and C proposal would each fail to preserve the special interest of the Grade II* listed building, 5 and 6 Calverley Park, and the significance of the Royal Tunbridge Wells CA. In the absence of any significant public benefits, I find no clear and convincing justification for the harm that each proposal would cause to these designated heritage assets. Accordingly, the proposals would fail to satisfy the requirements of the Act and the Framework. There would also be conflict with saved Policies EN1 and EN5 of the Tunbridge Wells Borough Local Plan 2006 ('the LP') and Core Policy 4 of the Core Strategy 2010 ('the CS') insofar as they include requirements broadly seeking the conservation and enhancement of heritage assets including conservation areas, and respect for features important to the character of an area.
59. The Appeal A proposal would also fail to preserve the setting and significance of nearby listed buildings and would harm the Calverley Park and Calverley Park Grounds RPG. The harm would not be outweighed by public benefits in further conflict with the Framework and the requirements of saved Policy EN1 of the LP

and Core Policy 4 of the CS noted above, and the proposal would be contrary to saved Policy EN11 of the LP insofar as it seeks to avoid harm to historic parks and gardens. In my assessment, the Appeal A proposal would conflict 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

60. For the reasons given above, I conclude that Appeal A, Appeal B and Appeal C should each be dismissed.

J Bowyer

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Rob Sutton	Cotswold Archaeology
Barry Kitcherside	Chartplan

FOR THE LOCAL PLANNING AUTHORITY:

Lucinda Roach	Tunbridge Wells Borough Council
Eimear Murphy	on behalf of Tunbridge Wells Borough Council
Debbie Salter	Tunbridge Wells Borough Council

INTERESTED PARTIES:

David Cooper	Local resident
Corinna Keefe	Borough Councillor
Matthew Lowe	Borough Councillor
Piers Quirke	Local resident
Deborah Rees	Local resident
Peter Rumley	Heritage consultant on behalf of local residents
Dorothy Weller	Local resident
David Wright	Royal Tunbridge Wells Civic Society

DOCUMENTS SUBMITTED DURING AND AFTER THE HEARING

HD1	Historic England Advice Note 2: Making Changes to Heritage Assets.
HD2	Updated suggested conditions.
HD3	National Heritage List for England entries for 1-17 Calverley Park Crescent; Two bollards to the south west of Calverley Park Crescent; The Calverley Hotel; and Farnborough Lodge.