

## REPORT SUMMARY

<b>REFERENCE NO - 23/01122/FULL</b>		
<b>APPLICATION PROPOSAL</b> 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.		
<b>ADDRESS</b> 5 Calverley Park Royal Tunbridge Wells Kent TN1 2SH		
<b>RECOMMENDATION</b> to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation)		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> <ul style="list-style-type: none"> <li>• The site is within the Limits to Built Development, where there is no objection to the principle of the proposed development;</li> <li>• The development would respect the context of the site and is not considered to be significantly harmful to the character or appearance of the property itself, nor to the street scene</li> <li>• The proposal is not considered to cause harm to the significance of the Registered Historic Park and Garden, the Arcadian Area or the Conservation Area;</li> <li>• The proposal is not considered to cause harm to the significance to either the host listed building or the surrounding listed buildings</li> <li>• The development would not have a significantly harmful impact on the residential amenity of nearby occupiers;</li> <li>• Other issues raised have been assessed and there are not any which would warrant refusal of the application or which cannot be satisfactorily controlled by condition.</li> </ul>		
<b>INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL</b> The following are considered to be material to the application: <b>Contributions (to be secured through Section 106 legal agreement/unilateral undertaking):</b> N/A <b>Net increase in numbers of jobs:</b> N/A <b>Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs:</b> N/A The following are not considered to be material to the application: <b>Estimated annual council tax benefit for Borough:</b> N/A <b>Estimated annual council tax benefit total:</b> N/A <b>Annual New Homes Bonus (for first 6 years):</b> N/A <b>Estimated annual business rates benefits for Borough:</b> N/A		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The application has been called into the planning committee by Councillor O'Connell for the following reasons: <ul style="list-style-type: none"> <li>• To consider the impact upon the significance of the listed building and the Conservation Area</li> <li>• To consider concerns about the design of the development</li> </ul>		
<b>WARD</b> Park	<b>PARISH/TOWN COUNCIL</b> N/A	<b>APPLICANT</b> Mr Michael Kingshott

		<b>AGENT</b> Mr Barry Kitcherside	
<b>DECISION DUE DATE</b> 14/07/23 EOT 13/12/23	<b>PUBLICITY EXPIRY DATE</b> 14/09/23	<b>OFFICER SITE VISIT DATE</b> 05/06/23	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
23/02420/FULL	Proposed two-storey rear extension and associated alterations	Pending Consideration	
23/02391/LBC	Listed Building Consent - Proposed two-storey rear extension and associated alterations	Pending Consideration	
23/01123/LBC	Listed Building Consent - 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.	Pending Consideration	
23/00027/FULL	Remodelling of internal room spaces and fenestration at ground floor level	Granted	27/03/23
23/00026/LBC	Listed Building Consent - Remodelling of internal room spaces and fenestration at ground floor level	Granted	27/03/23
23/00016/LBC	Listed Building Consent - Remodelling of internal room spaces	Granted	27/03/23
23/00014/FULL	Remodelling of internal room spaces	Granted	27/03/23
23/00013/FULL	External wall replacement	Granted	08/03/23
22/03558/TCA	Tree in Conservation Area Notification - CHERRY - Dismantle in sections to near ground level	No Objections	19/01/23
22/03079/TCA	Tree in Conservation Area Notification - CORDYLINE (T1) - Fell to near ground, EUCALYPTUS (T2) - Grind out stumps	No Objections	25/11/22
21/00287/TPO	Trees: T4 (SWEET CHESTNUT) - Reduce the overall canopy by 2-3 metres.	Granted	12/04/21
15/502330/LBC	Listed Building Consent for installation of damp proofing membranes to the existing cellar and store together with the removal of timber support post then replacement of the same with a single flitch beam and installation of new timber staircase.	Granted	28/05/15
15/501272/LBC	Listed Building Consent for internal alterations to first floor partitioning.	Granted	16/04/15
09/03941/TPO	TREES: SWEET CHESTNUT - Reduce overall canopy by 20%	Granted	12/01/10
05/01570/LBC	Listed Building Consent: Repair work to	Granted	10/08/05

	existing chimneys and replacement of chimney pots with a uniform pattern of chimney pot.		
04/02523/LBC	Listed Building Consent - Internal and external alterations. Remove outbuildings and construct conservatory in rear yard.	Granted	22/11/04
99/02074/TREECA	Trees in a Conservation Area Notification - Reduce crown of one sweet chestnut by 25%	Granted	29/12/99
87/01234/LBC	Listed Building Consent - Internal alterations.	Granted	07/10/87

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 This site consists of a two-storey semi-detached dwelling located on the north side of Calverley Park, a private road overlooking Calverley Grounds.
- 1.02 The dwelling is constructed of stone blocks with a slate tiled roof. To the rear there is a two-storey projection that mirrors a projection on the attached building (no.6) and to the side the porch entrance has been extended and extends across much of the side elevation. A single storey conservatory type extension has been added to the rear, and on the western side of this extension is an enclosed rear yard. On the eastern side there is a stone built flat roofed extension that fills the gap between the conservatory and the side boundary.
- 1.03 To the side of the dwelling is a detached pitch roofed garage with stone/rendered elevations and a slate roof. This appears to be of 20<sup>th</sup> century construction.
- 1.04 There is a vehicular access from Calverley Park that rises up to a parking area within the curtilage of this dwelling and to the front of the detached garage.
- 1.05 The garden extends to the rear, front and western side of the dwelling and generally consists of planted boundaries with some trees. On the front boundary there is a hedge and a low stone wall, which is a common boundary treatment found in Calverley Park, and permission has recently been granted to rebuild and increase the height of this stone wall (23/00014/FULL refers).
- 1.06 Immediately to the rear of the dwelling on the boundary shared with No.6 there is a Sweet Chestnut tree and this is subject to a Tree Preservation Order (015/2003).
- 1.07 This dwelling and the neighbouring buildings in Calverley Park (either side and to the rear) are grade II\* listed buildings. The listing description describes this building as being:

*Early C19. A semi-detached pair built of Tunbridge Wells stone quarried in large blocks. 2 storeys. Slate roof with moulded eaves cornice. 3 sashes to each. The end window bay at each end projects as a splayed bay and has a hooded verandah on the ground floor. Nos 1 to 24 (consec) form a group with Keston Lodge and Victoria Lodge.*

1.08 Planning and listed building consent have been granted for alterations to the existing building under applications 23/00014/FULL, 23/00016/LBC, 23/00027/FULL and 23/00026/LBC. These consents relate to various internal alterations and alterations to the window openings within the side porch entrance.

## 2.0 PROPOSAL

2.01 Planning permission is sought for a two-storey rear and side extension to this dwelling.

2.02 The proposed rear extension would be located above the existing rear conservatory extension and extend to the side (west) elevation where there is currently an enclosed yard. It would have the same ridge and eaves height as the existing rear projection and would effectively continue this projection a further 5m to the rear.

2.03 The proposed side extension would be located immediately to the side of the proposed rear extension and would replace the existing detached garage. This would accommodate a double garage at ground floor level with additional ancillary residential accommodation at first floor level.

2.04 The proposed extensions are to be constructed of stone blocks to match those used on the existing building with a slate tiled roof.

2.05 A separate listed building consent application has been submitted for this proposal under application 23/01123/LBC and the proposed internal alterations to enable connection between the existing and proposed extension are dealt with as part of this accompanying listed building consent application.

2.06 The description of development has been slightly amended since the application was first submitted. Amended plans were also received in August 2023.

2.07 There are currently two further planning and listed building consent applications under consideration in relation to 5 Calverley Park. These are applications 23/02420/FULL and 23/02391/LBC. Confirmation has been received from the planning agent that these relate to a revised proposal for a rear two-storey extension similar to the rear extension the subject of this application and associated internal alterations (they do not include the side two-storey garage extension). Consultations are currently being undertaken in relation to these revised proposals.

## 3.0 SUMMARY INFORMATION

	Existing Dwelling	Proposed			Change (+/-)
		Rear Extension	Side Extension	Dwelling	
No. of storeys	2	2	2	2	No change
Max height	7.9m	7.9m	6.1m	7.9m	No change
Max eaves height	6.7m	6.7m	4.8m	6.7m	No change
Max width	12.5m	8.5m	9.0m	19.9m	+ 7.4m
Max depth	19.4m	5.4m	7.0m	19.9m	+ 0.5m

#### 4.0 PLANNING CONSTRAINTS

- Inside Limits to Built Development
- Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)
- Area of Archaeological Importance
- Calverley Park & Grounds is a Grade II listed Registered Parks and Gardens (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Building and Conservation Areas) Act 1990*)
- Arcadian Area (as defined by Local Plan 2006 Policy EN24)
- Tunbridge Wells Central Access Zone (Residential) – (as defined by Local Plan 2006 Policy TP6)
- Listed Building (5 Calverley Park) Grade: II\* (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Building and Conservation Areas) Act 1990*)
- Nos 1, 2 and 6 Calverley Park are Grade: II\* listed, as are all the other dwellings within Calverley Park aside from 2a, as are Calverley Park Crescent, Victoria Lodge to the east and Hotel du Vin (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Building and Conservation Areas) Act 1990*)
- TPO (015/2003) - Sweet Chestnut on boundary shared with No.6 within rear garden
- Tree Preservation Order 015/2003 – trees to rear and on eastern boundary

#### 5.0 POLICY AND OTHER CONSIDERATIONS

##### **The National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)**

##### **Site Allocations Local Plan (2016)**

- Policy AL/STR2 – Environmental and Recreation Designations

##### **Tunbridge Wells Borough Core Strategy 2010**

- Core Policy 4: Environment
- Core Policy 5: Sustainable design and construction
- Core Policy 9: Development in Royal Tunbridge Wells

##### **Tunbridge Wells Borough Local Plan 2006**

- Policy EN1: Development control criteria
- Policy EN5: Development within, or affecting the character of, a Conservation Area
- Policy EN11: Historic Parks and Gardens
- Policy EN13: Tree and Woodland Protection
- Policy EN24: Arcadian Areas

##### **Tunbridge Wells Borough Submission Local Plan 2020-2038**

- Policy STR1: The Development Strategy
- Policy STR8: Conserving and Enhancing the Natural, Built, and Historic Environment
- Policy STR/RTW1: The Strategy for Royal Tunbridge Wells
- Policy STR/RTW2: The Strategy for Royal Tunbridge Wells Town Centre

- Policy EN1: Sustainable Design
- Policy EN2: Sustainable Design Standards
- Policy EN4: Historic Environment
- Policy EN5: Heritage Assets
- Policy H11: Residential Extensions, Alterations, Outbuildings, and Annexes

**Supplementary Planning Documents:**

- Alterations & Extensions SPD 2006
- Royal Tunbridge Wells and Rusthall Conservation Area Appraisal 2000

## **6.0 LOCAL REPRESENTATIONS**

6.01 Notices were displayed outside the property, in Calverley Park and Calverley Road on 5 June 2023 and further notices were displayed following the submission of amended plans on 24 August 2023. The application was also advertised in a local newspaper on 25 May 2023.

6.02 No representations have been received in support of the proposal. A total of 40 responses (plus 7 additional responses found on the Listed Building Consent application) have been received in relation to the proposal as submitted raising the following concerns:

*Significance/Visual impact*

- 1) Individual Villas in Calverley Park have remained much as they were designed by Decimus Burton, with the exception of some 19th century changes to a few of them and very few significant changes have been made to the public aspects of the houses that face onto the parkland. As such all villas have received a very high Grade II\* listing. Responsibility is on the owners as temporary guardians to retain their significance.
- 2) Later garages tend to be detached single storey and modest in scale so that their effect on the setting of the listed building is limited.
- 3) Only two pairs of semis within this road and the significance is in the symmetry of the semis so that they have the appearance of a single mansion. Nos. 5 & 6 are jointly listed. This 'twinning' was part of Decimus Burtons approach to the design for the Park.
- 4) Loss of the symmetry of nos.5 & 6 with the addition of a large rear and side two-storey extension resulting in an unbalanced and out of proportion appearance
- 5) Proposed side and rear extensions are excessively large, unbalanced and out of proportion with comparatively modestly-sized homes within Calverley Park.
- 6) Proposed side extension would disrupt composition, symmetry and flow of the Calverley Park and the original architectural intentions.
- 7) Proposed side extension would effectively double the frontage of the original building, particularly at first floor level, and would be out of proportion and scale and out of character with the setting of the building
- 8) Proposed extensions would substantially increase the mass and floor area of the building and would be disproportionate to the size of the existing building
- 9) Enlargement would result in overdevelopment and a large house within a small plot
- 10) Proposed side extension would be highly visible from the carriageway and would result in a prominent and dominant form of development that would cause harm to the setting, integrity and character of Calverley Park.
- 11) Detrimental to the integrity of Calverley Park as a whole.

- 12) Detrimental impact on character and appearance of Conservation Area and Arcadian character of the area
- 13) Would be detrimental to the historic park and garden setting
- 14) Loss of original backyard walls and courtyard, which preserves the original outline and concept of the building.
- 15) Loss of space to the side of the dwelling and gap between no.5 and no.1 would have harmful impact on arcadian character
- 16) Demolition will destroy the historic reference to the structures/extensions to the rear.

*Residential Amenity*

- 17) Loss of light to kitchen, utility room, bathroom, rear courtyard and conservatory of no.6
- 18) Loss of view
- 19) Increased light pollution on Calverley Park Crescent

*Impact on Trees*

- 20) Consideration not given to the impact on the nearby mature trees
- 21) Adverse impact on Sweet Chestnut (TPO) to the rear located on the boundary with no.6 due to close proximity to proposed extension and required foundations

*Parking Provision*

- 22) No 'exceptional' reason for the demolition of the garage and its replacement

*Other Concerns*

- 23) Would set a precedent for other inappropriate development within Calverley Park
- 24) Proposed development would undermine the value of a Grade II\* protection
- 25) Not a sustainable form of development as it involves demolition of existing garage and rear extensions and walls
- 26) No public benefits or justification for this development as there is ample parking and it does not provide additional housing for the area
- 27) Disagree that the harm would be 'less than significant' and would be 'less than substantial (lower end) harm to the building' as stated in the submitted planning statements.
- 28) no significant development should be permitted without the consent of the owners of the adjoining property.
- 29) Errors in submitted supporting documents. Including size of site exaggerated, wrongly referred to as Calverley Park Gardens, described as Victorian rather than Regency, conservatory description not accurate.

6.03 Following the submission of amended plans, additional supporting information and a tree report a further 50 responses (plus 4 additional responses found on the listed building consent application) have been received raising the following additional concerns:

- 1) Revised proposals are minor and do address the fundamental objections raised previously
- 2) Plans unclear and do not appear to have reduced the height or scale of the side extension
- 3) Infilling the space between no.1 and no.5 will undermine Decimus Burton's original concept.
- 4) No details of proposed external materials. Should construction go ahead the stone should be from Lambs Philpots Quarry at West Hoathly as this is considered to be the closest match to the existing stone.

- 5) Whilst these houses, their setting and the parkland is privately owned there are many visitors to the park and it is publicly accessible and visible
- 6) Adverse impact on the view and character of Calverley Park Crescent

*Residential Amenity*

- 7) Overbearing impact of proposed side extension on 1 Calverley Park due to proximity to the boundary.
- 8) Loss of light to rear garden of 1 Calverley Park
- 9) Loss of privacy to kitchen, conservatory, main garden and second floor bathroom and bedroom of 1 Calverley Park due to overlooking from proposed first floor accommodation above garage.

*Comments on Additional Supporting Documents*

- 10) Supporting documents give insufficient weight to key planning issues such as setting and does not adequately take into account the requirements of the NPPF, Tunbridge Wells Borough Local Plan, the Tunbridge Wells Conservation Area Appraisals or the Planning (Listed Building and Conservation Area) Act 1990
- 11) Proposal have not demonstrated how they would preserve or enhance the historic environment as required by the adopted Local Plan and the emerging Local Plan
- 12) Scale of the proposed extension does not compare to low level modest extensions previously granted within Calverley Park
- 13) Full consideration has not been given to the proposed rear extension and the impact of the majority of the north elevation and part of the west façade being internalised.
- 14) Note that according to list of applications submitted for Calverley Park provided by the planning agent there have been no other two-storey extensions approved

*Impact on Trees*

- 15) Submitted tree report shows spread of Sweet Chestnut tree after its last prune in March 2022 and this has since regrown to the position of the northeast corner of proposed extension.
- 16) The Sweet Chestnut tree is likely to need annual pruning due to proximity to proposed extension and it cannot be said that the 'overall impact of the development upon the retained tree will be minimal'.
- 17) Tree report incorrectly asserts that there will be no excavation within the vicinity of the tree but excavation will be required to construct the two-storey extension

*Other Matters*

- 18) Disagree with the assessment and conclusions of the Principal Conservation Officer
- 19) Disagrees that the large extensions carried out in the Victorian era should not set a precedent

## **7.0 CONSULTATIONS**

### **Historic England (25/05/23)**

- 7.01 Historic England provides advice when engagement can add most value. In this case no advice is offered. This should not be interpreted as comment on the merits of the application. Suggest that the views of specialist conservation and archaeological advisers are sought and reference made to their published guidance. It is not necessary to consult on this application again, unless there are material changes to the proposals.



**The Georgian Society**  
**(28/09/23 – Following submission of amendments)**

- 7.02 The amended drawings do not address previous concerns and would reiterate the comments submitted 30th June.

**(30/06/23)**

- 7.03 Significance of Heritage Asset: No. 5 Calverley Park is grade II\* listed building. It is located within the grade II registered Park and Garden named, Calverley Park and Calverley Grounds whilst also forming a specific character area within the Royal Tunbridge Wells Conservation Area.
- 7.04 The statement of significance provided by the applicant sets out the values associated with the grade II\* dwelling and those key elements which contribute to the significance of the building. Those key elements include the conscious design of the villa and plan form of the house, with the impressive southern elevation to be seen as a single set piece in order to enhance views within the park and garden. The western elevation with the pedimented entrance porch is another key element of the dwelling with the design of no 5 and 6 being attributed to Decimus Burton meaning the pair were one of the first constructed on the wider site, enhancing the associative value of the building.
- 7.05 No. 5 & 6 Calverley Park make a strong contribution to the significance of the registered park and garden and the illustrative value is high due to the survival of the planned gardens with the villas situated within the park. The composition is a good example of early 19th century planning undertaken by an important figure of the early and mid-19th century. Views towards the southern elevation are important within the park and the setting of No.5 Calverley Park contributes to the significance of the building.
- 7.06 *The Proposal:* The applications for Planning Permission and Listed Building Consent involve the erection of a two-storey extension to the northern section of the site. This will include the removal of the rear yard wall which according to the heritage statement is in the same position as shown on historic mapping. The internal alterations to the building appear to have been permitted as part of applications for Planning Permission and Listed Building Consent in March 2023.
- 7.07 *The Georgian Group Advice:* As stated above and within the heritage statement provided as part of the applications, the form of the building and its setting contribute to the significance of the heritage asset. Additionally, these elements make a strong contribution to the registered park and garden and conservation area. The form and positioning of the building was a conscious decision by Burton to compliment the surrounding villas and composition of the park. The southern elevation of no.5 and 6 appears as one unified facade enhancing views within the registered park and garden and appearance of the conservation area.
- 7.08 In reference to the grade II\* listed building, the removal of the rear yard wall and addition of a new two storey extension would have an impact on the setting and form of the heritage asset. These elements of the applications would cause an element of harm to the significance of the listed building, this harm for the purposes of the NPPF can be categorised as less than substantial harm.
- 7.09 The significance of Calverley Park and Calverley Grounds registered park and garden lies in the variety of villas surrounding the open green space, along with the planning of the entire site and Burton's ambitions to create a new town. Within the

park and garden there are two pairs of semi-detached villas, with no.5 and 6 being one enhancing the importance of their form as part of the variety of built form. The character and appearance of the Tunbridge Wells Conservation Area and more specifically the character area relating to Calverley Park is closely aligned with that of the park and garden. The proposals to extend no.5 to the north would have a detrimental impact on the significance of these two heritage assets due to the overbearing nature of the two-storey extension on the existing form of no.5. The ability to appreciate the form of the heritage assets and its inclusion in views across the wider park and garden would be compromised causing an element of harm to the Calverley Park and Calverley Ground Park and Garden, along with the Tunbridge Wells Conservation Area. This harm is less than substantial to both those heritage assets.

- 7.10 *Recommendation:* As the application stands, there would be less than substantial harm caused to significance of three heritage assets.
- 7.11 Paragraph 199 of the NPPF states that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation’. Conservation within the glossary of the NPPF is defined as ‘the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance’.
- 7.12 Paragraph 200 sets out 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’.
- 7.13 As the proposals cause an element of less than substantial harm to the significance of three heritage assets, paragraph 202 of the NPPF is engaged. Paragraph 202 sets out the need to weigh public benefits against the harm caused.
- 7.14 The Group recommends the applicant withdraw the applications for Planning Permission and Listed Building Consent due to the harm arising from the proposals. If the applicant is unwilling to do so, your local authority should refuse consent.
- 7.15 As the decision maker, your local authority should take these comments on board when undertaking the balancing act set out within paragraph 202 of the NPPF. Additionally, the statutory duty set out within sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990. Within the Act, it states that special regard should be given to the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses; and in reference to conservation areas (section 72), that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

### **Historic Buildings and Places**

#### **(22/08/23 – Following submission of amendments)**

- 7.16 HB&P provided preliminary comments to this application in submission dated 27 June 2023. Following the submission of the document *Heritage Technical Note (Rebuttal) to Conservation Officer and third party comments* by Cotswold Archaeology, would reiterate HB&P’s objections and concerns about the impacts on the form, massing and character of the listed building and the wider registered parkland and conservation area.
- 7.17 Without repeating the history of the site, HB&P are concerned that the rebuttal and the Conservation Officer’s conclusions down play the fact that Numbers 5 and 6

Calverley Park is a grade II\* listed building designed to appear as a single villa, and is part of a group of 24 grade II\* villas, their varied designs forming a homogenous whole, which are arranged in a quadrant to the north and east perimeter of the grade II Calverley Park and Grounds. Historic England advises that only 5.8% of listed buildings are grade II\* and are particularly important buildings of more than special interest. The concentration of grade II\* buildings, all unified by being part of a planned development and landscape designed by Decimus Burton, makes Calverley Park a unique and special historic environment.

- 7.18 HB&P agree that the existing garages are later additions and not of significance, but this is a small detached single story building. It is also agreed that, in terms of the physical impact on the historic building fabric, the rear and side extension would represent less than substantial harm.
- 7.19 However, it is the form, massing and scale of proposed side extension that will cause a higher level harm to the character and architectural interest of the listed building and therefore wider setting of Calverley Park. While each of the grade II\* villas are different, the importance of the design of Numbers 5 and 6 is in its cohesive appearance as a single Regency Villa. This is a substantial two storey side extension, consisting of a double garage and an accommodation level above, that would markedly alter and impact that historic architectural harmony between the two halves. HB&P do not agree that the setback mitigates the visual impact or the perceived bulk of the extension. Further, the design does not appear overly subservient, being two storeys, full width, with an awkwardly angled roof line and large garage door, adding significant mass to the side of the building.
- 7.20 In its current form, HB&P wish to reiterate our concerns that this application would harm the significance and architectural interest of a highly listed heritage asset, the group value of the adjoining buildings, and the wider setting of Calverley Park.
- 7.21 Recommendation: Withdrawal of the application or Refusal
- 7.22 HB&P recommends that the application is withdrawn and more a sensitive scheme is submitted. If this is not forthcoming, it is recommended it be refused due to the level of harm that would be caused by the proposed development of the designated heritage asset through the loss of its historic purpose, form and legibility of the original house by virtue of the excessive scale, height and bulk of the proposed extensions. The relevant policies are Policy 199 and 200 of the NPPF (2021).
- (27/06/23)**
- 7.23 The NPPF advises that great weight should be given to a heritage asset's conservation, and that any harm to, or loss of, significance requires clear and convincing justification (Policy 199 and 200 of the NPPF (2021)). With this in mind, HB&P have reviewed the documentation available and have a number of concerns with the proposal which harm the character and historic interest of this grade II\* heritage asset, as well as the group value of the adjoining houses and Calverley Park.
- 7.24 5 and 6 Calverley Park date from 1828 and are one of only two paired villas that were designed by Decimus Burton at Calverley Park. They are a symmetrical pair, designed to appear as a single Regency mansion and have survived relatively intact without major alteration.

- 7.25 The proposal is for a substantial extension extending from the rear of the house to the north and also replacing the existing detached garage to the west with an attached double garage with an accommodation level above.
- 7.26 While we acknowledge the desire for modern living and that there are opportunities for a sensitively designed extension to the rear, HB&P object to the design, size and form of the proposed garage and side extension. It is a significant and dominant structure that adds considerable bulk and offsets the pair of villas. Only a more sensitively designed and subordinate structure would be appropriate in this location.
- 7.27 With regards to the alteration to the existing building, the proposed relocation of the window to the ground floor study/ proposed WC has not been justified, nor is it shown on the 'proposed' elevation plan to be able to understand the impact of this change on the principal elevation. It is within a later addition, but why is this necessary? Opaque glass for privacy would be less invasive. The loss of the rear window to the 1842 service range (proposed wintergarden) is also unjustified.
- 7.28 HB&P is also highly concerned about the changes to the main ground floor hall at the foot of the main staircase. The loss of the original planform and in this location has not been explained or justified, nor details of how the fine doorcase will be altered with the partial removal of the adjacent wall.
- 7.29 In its current form, this application would harm the significance and architectural interest of the building itself, the group value of the adjoining buildings, and the wider setting of Calverley Park.
- 7.30 HB&P recommends that the application is withdrawn and more a sensitive scheme is submitted. If this is not forthcoming, it is recommended it be refused due to the level of harm that would be caused by the proposed development of the designated heritage asset through the loss of its historic purpose, form and legibility of the original house by virtue of the excessive scale, height and bulk of the proposed extensions and alterations. The relevant policies are Policy 199 and 200 of the NPPF (2021).

**KCC Heritage  
(13/11/23)**

- 7.31 Undertaken search of the HER and there does not seem to be much of an archaeological potential. So based on current information, would not recommend any need for formal archaeological works.

**Royal Tunbridge Wells Civic Society  
(11/09/23 – Following submission of amendments)**

- 7.32 Objection to these proposals is not affected by the amendments. The proposal is to destroy the symmetry of a listed pair of semi-detached houses with a large garage extension fully visible from the surrounding listed park. This is directly contrary to the national guidance and the Council's own policy. It is not necessary to secure the future of the building and there are no compensatory public benefits. In accordance with national standards and the Council's own policy it must be refused.

**(11/07/23 – responding to Conservation Officer's Comments)**

- 7.33 The Conservation Officer's response (COR) acknowledges that the villas of Calverley Park are 'accomplished designs by an architect of national significance', significant in being pioneering examples of planning with diverse designs in a landscaped setting, in fact a listed Historic Park. They are all, including the symmetrical villa comprising 5&6, accordingly graded 2\* and the Officer notes that some have been greatly

extended in the past without this affecting their grading. This underlines their outstanding significance but does not mean that extensions which the COR concedes are `substantial` are desirable, or that they might not affect the statutory listing.

- 7.34 The current proposal is for extensions to the rear and side of no.5, following earlier consents for internal alterations and the removal of later additions; the present proposals mean a 33% net increase in footprint of the original house, and 25% in floorspace of the present structure. Such increases on a listed building require `clear and convincing justification` (NPPF para 200), whether or not other listed buildings have been similarly extended in earlier times. In the words of the Council's Conservation Statement: `Any proposal to build in the (Park) should be considered very critically, if indeed any building should be accepted at all` (para. 8.3.1).
- 7.35 Nos. 5&6 are a Heritage Asset, as defined in the emerging Local Plan paras 6.57-58, contained within another Heritage Asset, the listed Park, and a conservation area. The Plan is clear that a negative approach, limiting the harm of development, is not enough in such cases: `All proposals shall demonstrate... how (they) would preserve or enhance the historic environment` (Policy EN4). This follows the NPPF (2021) which requires authorities to take account of `the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation` (para 197). No change of use is proposed in this case and there is no claim that these changes are necessary to secure the future of the building.
- 7.36 The COR distinguishes between the two elements of the proposal, a rear extension absorbing some existing modifications to the original house, and a two-storey side extension replacing an existing free-standing garage and shed with a double garage and flat. The latter, although set back, mimics rather weakly the style of the house and with its contrasting garage doors would be a prominent feature from the front, unbalancing the symmetry of the elevation. The Officer suggests the side extension `works reasonably in architectural terms`, has `significantly lower status` than the host building (p.5), and `would be visible to a very limited degree` (p.6), but these are personal judgments and in fact the Council's policy on house extensions would normally require an extension to be distinct as well as subordinate.
- 7.37 The COR approach seems to be that preserving the integrity of a heritage asset means merely avoiding unnecessary change to the original structure, but this is not the sense of the Local Plan: `The setting, significance, and importance of historic buildings can be seriously harmed by inappropriate neighbouring developments` (para 6.66). If logically extended the COR argument would seem to be that no harm would be done if the asset was wholly enveloped in later building. Similarly the COR suggests the location of the side extension helps to `break up the long flat elevation created by the rear extension` (p.5). But this argument weighs as much against the rear extension as in favour of the side extension.
- 7.38 Remarkably the COR follows the applicant's Planning Statement that these proposals `are proportionally modest` (p.6) and their harm lies only in the direct effect on the original structure, and suggests measures to minimise this. This misrepresents statutory guidance and the Council's own policy. There is clearly an impact on the integrity of the villa from a major extension, an impact on the conservation area from the loss of character, and an impact on the listed park from the visibility of the side extension. Even if it is judged that the harm is `less than substantial` the NPPF provides that `where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use` (para 202).

- 7.39 It is not the case that major change is required to secure a viable future for no.5. There are no other public benefits to offset the harm of the proposal.

**(12/06/23)**

- 7.40 The Society strongly opposes these proposals to add to the side elevation of no.5 a two-storey extension comprising two garages and an annexe flat above, a substantial enlargement of the house as seen from the front. The flat would have no direct connection to the house and there does not seem any practical reason for siting it in this position.
- 7.41 Nos 5 and 6 are listed together with the high grade of 2\* and any substantial alteration should be judged in the context of the block as a whole, an essential part of the Decimus Burton concept for the park. The effect of a two-storey extension would be to destroy the symmetry of the pair and however carried out alter the character of the whole. Believe it would be impossible fully as proposed to match the stonework and details of the extension to the original with a front elevation dominated by garage doors; but so far as it was possible assimilating the extension to the original house visually would only make the imbalance more damaging. As the applicant's Heritage Assessment concedes the enlargement `would alter the setting of the building and the appearance of the Conservation Area`. Strongly disagree that the harm inflicted on a house listed grade 2\* and a protected landscape would be `less than significant`. But note that in the terms of the NPPF `great weight` should be given to the preservation of an asset of such importance from even a lesser degree of harm.
- 7.42 Note that the size of the plot would make it possible to locate a detached garage further from the house and further back, and even behind the house, but we do not imply that a proposal such as this would necessarily be an acceptable alternative.
- 7.43 Surprised that in such a significant case there is no opinion available from Historic England.

**Decimus Burton Society  
(23/06/23)**

- 7.44 The Decimus Burton Society has carefully reviewed these applications and objects to the proposals that will harm the appearance and setting of the Grade II\* Listed buildings.
- 7.45 The sequence of Decimus Burton villas in Calverley Park is a significant heritage asset, of special architectural interest and as a seminal, nationally important, set piece of Georgian Town Planning.
- 7.46 The award of Grade II\* is given to less than 6% of the country's listed buildings, and applications affecting them therefore need to be considered with particular care and diligence.
- 7.47 5 and 6 Calverley Park are of especial interest, partly because they are among the earliest of the Calverley Park sequence, dating from 1828 and thus Georgian, and partly because they are one of only two examples of Decimus Burton's paired villas in the Calverley Park sequence.
- 7.48 They are a symmetrical pair, giving the impression of a single Regency mansion, and Burton's original design has survived substantially intact without major intervention.

- 7.49 Both houses have a modern garage, set slightly apart and aside from the listed buildings. Their separation and subservient scale reduce their impact on the listed buildings and their setting.
- 7.50 The proposed addition to number 5 is a substantial rear wing running back from the house, stepping down to a two storey attached garage with accommodation over, with separate access from the house.
- 7.51 The design is bland, and no attempt is made to subordinate the rear wing which simply continues the main house's roofline back over it. The garage development is block-like and strangely proportioned.
- 7.52 The Heritage Statement accompanying the application points out that 'Overall, the proportionally modest degree of change, coupled with the preservation of all elements that contribute to 'special interest' means that the historic and architectural interest of the building is preserved. The proposals are therefore in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.'
- 7.53 Given the significance of the individual building, its semidetached neighbour, the grouping and setting in Park, this is clearly inaccurate.
- 7.54 The proposal does not take into account the need for change to respect the conservation of the significance of the whole, which is not just a matter of 'modest change' and the preservation of the 'special interest' of the individual listed building.
- 7.55 No 5 is Grade II\* listed as part of numbers 5 and 6, it is part of a carefully conceived, near-symmetrical pair of houses, that are an integral part of the Grade II Calverley Park and the wider conservation area.
- 7.56 The unacceptable bulky first floor additions proposed at no 5 would upset the symmetry of the pair and, together with the re-configuration of the roof, would have a seriously adverse effect upon the integrity of the Grade II\* listed building.
- 7.57 The application does not properly describe the source of masonry, the coursing or treatment of the ashlar both of which are integral to the coherence of the listed buildings within Calverley Park.
- 7.58 The Heritage Statement also points out that the proposal would provide public benefits 'including securing the optimum viable use of the building'. But, as the PPG points out: 'the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. *The optimum viable use may not necessarily be the most economically viable one*'.
- 7.59 NPPF requires that great weight is given to the conservation of a heritage asset, and 'the more important the asset the greater the weight should be' (paragraph 199).
- 7.60 This current application causes significant harm to the Grade II\* listed buildings, 5 & 6, Calverley Park, by unbalancing the pair, and, in the likelihood that there are acceptable alternatives, it cannot be said to be the optimum viable use.
- 7.61 The impact of the extensions on the character of the listed building - both individually and as a whole - and on its wider setting, is harmful and is such that these applications should be refused, and sympathetic alternatives developed.

**Royal Tunbridge Wells Town Forum Strategic Planning Working Group  
(13/09/23 – Following submission of amendments)**

- 7.62 Reiterate their misgivings about the proposed extension, notwithstanding the revised plans

**(27/06/23)**

- 7.63 Extremely concerned about the potential harm this application poses to the protected landscape of Calverley Park and its 24 villas built to the plans of Decimus Burton as an iconic example of Georgian town planning. This ensemble of “rus in urbes” is recognized to be of national importance and is certainly the most notable contribution of any in Royal Tunbridge Wells to our national built heritage.
- 7.64 The proposed extension would be highly visible from the carriage way in Calverley Park and would destroy the symmetry of the mirror-imaged numbers 5 and 6 Calverley Park, as is made clear by the proposed elevation drawing CP404. By doing so, it would undermine the unity of the overall design for Calverley Park which has been largely maintained through to the present day and is of great value.
- 7.65 There seems no obvious or sufficient reason for an extension in this form. The Heritage Statement to the application shows other examples of garages on the estate, all of them well set back and not impacting on the skyline of the 24 villas. Indeed the existing garage at 5 Calverley Park is such an example and could no doubt readily be reconstructed to accommodate 2 large cars, possibly with staff accommodation behind, though this should not be read as our support for such a proposal. What is clear is that the application for the present scheme is not compatible with maintaining the character of the estate and would set a very dangerous precedent if it were to gain planning consent.
- 7.66 Support the adverse comments posted by the Civic Society on this application.

**Principal Conservation Officer  
(23/11/23)**

- 7.67 The Principal Conservation Officer has provided an assessment of the comments made on the application that identify heritage harm from the proposals. This assessment sets out how their comments differ to those particular elements within the objections which are considered to be harmful to the significance of the listed building. ***[Officer note: these are reproduced in the appraisal below at paragraphs 10.38 to 10.43].***

**(05/10/23 – following submission of amended proposals)**

- 7.68 The revisions have been discussed at length with the applicants and have resulted from previous comments. The amendments are minor and result in improvements to the proposal. From a heritage perspective no objection to the revisions.

**(07/07/23)**

- 7.69 The submission includes a heritage statement which is comprehensive and meets the requirements of NPPF guidance. The document clearly identifies the history of the site, the Calverley Park development by Decimus Burton, the identification of significance in accordance with Historic England guidelines and assessment of impact.
- 7.70 The assessment regarding the conservation area and the registered park and garden is considered acceptable and it is agreed that there is no harmful impact to the Conservation area or the Registered Park and Garden.



### **Assessment of Significance – Villas**

- 7.71 The building forms a part of the Decimus Burton designed 'Calverley New Town' which included a wide number of buildings across this ridge stretching from Trinity Church in the west and the 2 and 3 Priory, the now demolished Calverley Terrace and Calverley Parade replaced by the current Town Hall, 9-10 Calverley Terrace being the sole survivor, The Hotel Du Vin, Calverley Crescent, Calverley Park and Oakfeild Court to the East, with buildings north of this line on Calverley Road and Garden Road (attributed to Decimus Burton) with a school on Grover Street (Un-listed) and the parkland to the South and West of Calverley Park.
- 7.72 This was a major expansion of the town in the early half of the 19th century, the aim of which was *'to erect a number of edifices suitable to the reception of genteel families; and simultaneously with the larger buildings, a number of shops. Etc. in their immediate neighbourhood, so that residents upon the estate might enjoy the same advantages as those who lived near the springs'* (from a source within the Royal Tunbridge Wells Civic Society Monograph No 1 'Decimus Burton Esquire').
- 7.73 More intimately, the building is a part of the Calverley Park ensemble of 24 villas. The composition is varied with no two buildings matching. The buildings exhibit a range of revival styles, and a range of forms including two and three storey compositions, single villas and paired villas, symmetrical and asymmetrical compositions which share commonality based upon simplicity of form. There is therefore a sense of restrained variety in the composition of villas, each appearing to have its own individuality within an overall whole. Calverley Park itself for the first residential park development within Tunbridge Wells and would influence the creation of the other Residential parks of Tunbridge Wells that followed.
- 7.74 The run of buildings is described in a statement in the Royal Tunbridge Wells Civic Society Monograph No 1 'Decimus Burton Esquire' where the author states that *'walking along the curved carriage drive can be likened to turning the pages of a late Georgian architectural pattern book'*.
- 7.75 As individual buildings the Calverley Park villas are simple examples of the styles chosen with little extravagance of architecture when compared to Burtons London works. A reference in Royal Tunbridge Wells Civic Society Monograph No 1 'Decimus Burton Esquire' references a quote by John Britton FSA (7 July 1771 – 1 January 1857) *'In designing and placing these houses the architect has evidently studied variety, but restrained his fancy to such simple forms and sizes as seemed best adapted to an economical expenditure'*. It needs to be noted that simplicity of form and architecture and economy of expenditure does not automatically mean low architectural quality in the same way that fussy or complex architecture and vast expenditure does not automatically indicate high architectural quality. Architectural quality comes from the effective use of basic architectural principles such as solid to void ratios, scale, overall mass and massing (the arrangement of different masses within a composition), proportion, appropriate detailing. Each style of architecture utilises these principles differently to achieve a different form.
- 7.76 Revivalist styles such as those used by Decimus Burton, based upon ancient classical and gothic periods, need to articulate or interpret the original principles with care to produce the best examples and the highest quality within a particular revival style. In the case of the Calverley Park villas, the designs are good examples of the revival styles in a very simple form and use the basic architectural principles well with no great adornment. They are accomplished designs by an architect of national significance.

- 7.77 It can be seen from the above that the significance of 5 Calverley Park (and all the park villas) as a building of historic or architectural merit is multi-layered. This significance derives:
- from being a part of a significant expansion of the town in the late Georgian period,
  - from being a part of an exemplary residential park development that influenced the future development of residential parks within the subsequent expansion of Tunbridge Wells and through this contributing significantly to the character of the town as a whole,
  - from being part of a body of work by a nationally important architect
  - from being accomplished examples of simple villa designs in a range of styles utilised at the time.
- 7.78 Significance is also gained from the significant survival of much of Burton's new town development, in particular the survival of part of the parkland, the full 24 villas, the 3 lodges and to a lesser degree the associated Calverley Crescent which create a set piece.
- 7.79 It would be reasonable to say, as set out above, that the design of the individual villas themselves is only a part of their overall significance. This is perhaps most apparent from the fact that all 24 villas are grade II\*. At the time of listing, many of the villas had experienced some level of change, either internally or externally that would have impacted upon the purity of the original Decimus Burton designs. From map evidence alone the following have had alterations sufficient to appear evident on map layers prior to the listing of the buildings:
- Numbers 8, 11, 12(and 12a), 14, 17, 18, 21, 22, 23, 24.
  - Numbers 8 and 17 appear to have had extensions removed after listing.
- 7.80 Of particular note are:
- No. 12 which at the time of listing had been extended to the rear with two storey elements of about the same floor area as the original villa and to the full width of the original, identified as Victorian in date in the list description.
  - No. 14 which at the time of listing had received an extra storey in height (behind the pediment)
  - No. 17 which at the time of listing had received an extra storey in height and a bay window at first floor as mentioned in the list description plus a large extension to the rear from map evidence.
  - Nos. 21, 23 and 24 all appear from the maps to have had substantial rear extensions.
- 7.81 Despite these villas, in particular 12 and 17, having gone through quite significant alteration, these villas were awarded the same high level of grade at II\* as far less altered villas, which would seem to indicate that the alteration of the designs was not considered to have a significant impact on the overall significance of the villas. This does not indicate that there was no harm caused by these pre-listing alterations, only that any harm that might have been identified did not affect the level of listing compared to less altered villas in the park.

### **Assessment of Significance – Parkland**

- 7.82 The parkland, when designed, was split into three distinct character areas. There are the private gardens with their villas, there is the close area of parkland between the gardens and the haha and there is the wider parkland that ran down to Mount Pleasant Road. The landscape is well described within the Historic England Register of parks and gardens where this park is registered as grade II.
- 7.83 A statement in the Royal Tunbridge Wells Civic Society Monograph No 1 'Decimus Burton Esquire' where the author illustrates the connection between the villas and the parkland, *'The Calverley Park villas, in their landscaped setting were arranged in an arc, facing a pleasure ground. Thus the occupants could enjoy the illusion of looking out from their front windows over ancestral acres'*.
- 7.84 Over the intervening years this illusion has been broken in a number of ways, firstly open parkland beyond the haha has been transformed into a municipal park, while this has affected the original parkland, it is itself of historic interest. Secondly by the growth of a tall hedge with trees along the line of the haha which has visually interrupted views from the inner parkland across the municipal park, and thirdly, by the significant growth of front garden hedges in the villa gardens that have interrupted views from the villas into even the closest part of the parkland.
- 7.85 None the less, the parkland still exists in its full extent, the character of individual trees and clumps remains evident and it still forms the setting for a number of listed buildings, including the 24 villas, the Crescent and the Hotel. Its historical association with Decimus Burton remains strong.
- 7.86 The significance of the parkland as a grade II historic park and garden is multi-layered. This significance derives:
- from being a part of a significant expansion of the town in the late Georgian period,
  - from the fact that the park was an influence of the subsequent residential parks that followed in Tunbridge Wells,
  - from being the work by of a nationally important architect,
  - from the association and a strong group value with other heritage assets

### **Assessment of Significance – Conservation Area.**

- 7.87 The Character Appraisal identifies Calverley Park as a distinct character area with the following key characteristics:
- Key Buildings
  - Key Spaces
  - Views
  - Materials
  - Green Space, Trees, and Hedges
- 7.88 Within these key characteristics there is emphasise on the same areas of significance as the parkland itself, which is logical.

### **Assessment of proposals**

- 7.89 As the internal alterations have already received permission, these are not discussed further.

- 7.90 The proposed rear extension providing a ground floor 'conservatory' and a first floor bedroom and two en-suites is a substantial extension. This extension does not have any significant impact on the existing room plans within the historic layout of the principal building and therefore the internal floor plan of the principal building is still readily identifiable. The significance of the floorplan is retained. The main impact on the existing fabric of the principle building on the rear is the creation of the double doors in the ground floor room which already has approval and the removal of the wall below one first floor window and the blocking up of one first floor window, the creation of a new door opening. These works are relatively minor and would not have a harmful impact on the significance of the building. It would be possible to retain the outline of the infilled window by having a recess left once the window is infilled. This could be secured by condition or the drawings altered prior to approval. The impact caused by infilling would be lessened by creating the recess.
- 7.91 A potential impact would be the proposed finish for the internalised rear wall, currently stone. If this wall is to be left un-plastered then it would be readily identified as the former external wall. If the finish is to be plaster then this would obscure the stonework and direct application would cause significant physical harm should a future proposal to remove be brought forward. Therefore, if the finish is to be plaster then this should be an independent system possibly metal stud and plasterboard. This can be checked with the applicant and conditioned if appropriate.
- 7.92 The rear extension at roof level has been designed to be an exact replica of the existing roof, same width and same height. It would be normal to require an extension to be subservient to the host building, with a small footprint, set back from the walls of the host building with a lower roof and so on. However, there are occasions where this would provide an unsatisfactory architectural solution.
- 7.93 The buildings on Calverley Park do have a range of roof profiles, the unaltered ones retain a reasonable level of simplicity of form. In this particular case if the extension roof were to be made subservient the clean lines of the roof slopes and ridge height would be adversely affected.
- 7.94 Therefore, if the extension is determined to be acceptable, the roof profile used for the rear extension would be considered appropriate in this circumstance. However, the extension of the roof should not be allowed to damage the existing roof construction and therefore the existing roof timbers should all be retained insitu and the new roof would need to be independent of, or carefully constructed to bear onto the existing roof structure. This would ensure that archaeological record remains intact under the proposed roof extension. This can be conditioned if considered appropriate.
- 7.95 The rear extension, if taken in isolation, would be considered to be modest. Its design philosophy would be considered appropriate as would its materiality.
- 7.96 The side extension would be placed on to this new rear extension with a short overlap onto the host buildings side extension. Its placement in this location ensures that the vast majority of the side elevation remains visible and true to the original, save the later extensions to the porch.
- 7.97 There is a link structure that sits on top of and extends rearwards from one of the later ground floor porch extensions. The details of the cornice at eaves level are continued onto this element which acts as a buffer between the existing roof profile and the proposed roof of the garage block. This works reasonably in architectural

terms. If the side extension were to be omitted this small step out would help to break up what would be a long flat elevation created by the rear elevation.

- 7.98 The rest of the side extension has been designed to be subservient. The roof ridge and eaves are set well down and it is clear architecturally the first floor is lower than in the main house. The design for this part of the proposed extensions is therefore subservient to the architecture of the host building and that it will be perceived to be of significantly lower status allowing the main house to maintain its dominance within the site.
- 7.99 It is unfortunate that the roof pitch does not match that of the main roof. It would not be difficult to retain the current proposed ridge height and increase the pitch of the proposed roof by reducing the height of the eaves without affecting the windows below. This would have the advantage of reducing the perceived mass of the extension. If the application is proposed for approval this amendment should be sought.
- 7.100 It needs to be recognised that number 5 is part of a pair with number 6. The original design of 5 and 6 is symmetrical, although past extensions to the porch to number 5 have impacted the perfection of the original symmetry. The addition of the side extension will have a further impact on this symmetry, although as it would be set well back from the front façade the impact of this on its architectural character would not be significant. Whilst the rear extension would read as a natural extension of the same form and appearance, essentially retaining the symmetry at the front, the side extension relates less well to the form and layout of the building.
- 7.101 Finally, the combined size of the rear and side extension would be substantial. There will be a visual impact on the side and front elevations from the side extension.

### **Impact on significance**

#### **The Villa.**

- 7.102 That the significance of the villa is based on a range of attributes as identified earlier in this consultation response. For clarity these are:

Being a part of a significant expansion of the town in the late Georgian period; being a part of an exemplary residential park development; being part of a body of work by a nationally important architect; being accomplished examples of simple villa designs in a range of styles utilised at the time and being part of the significant survival of much of Burton's new town development.

- 7.103 Much of this significance will remain unaltered by the proposal. The one area of significance that may be affected is the design of the individual villa.
- 7.104 The building will retain almost all of its design and archaeological integrity as the original form and fabric of the Decimus Burton design will be retained and recognisable. The rear elevation, while enclosed by the extension, remains insitu. The roof structure, while enclosed, will be conditioned for full retention with no physical alteration to existing fabric. In essentials the original building remains intact.
- 7.105 The extension is a large visual addition to the original and there is a visual impact. Notwithstanding this, the extension will be readily identifiable as a later addition and will not be confused as being a part of the original design. The design pays respect to the original, designed to be in keeping, using appropriate architectural motifs, and appropriate materials. Despite being a large extension the design intention is essentially appropriate.

7.106 In this way the significance of the building is essentially retained.

**The Conservation Area and the Historic Park and Garden.**

7.107 Although the proposal is a large extension, this is situated within the private garden of the villa and to the rear of the property. The property is well screened and the proposal will mostly be concealed behind the existing villa. The side extension will be visible to a very limited degree and only within the private grounds of the estate (although public access is permitted). The impact on the wider parkland is therefore very low and would not be considered harmful to the significance of either the Conservation Area or the Historic Park and Garden.

**Conclusion:**

7.108 It is noted that the Applicants own heritage statement identifies a low level of harm as follows:

*On balance, it has been assessed that the proposed development would result in less than substantial harm to the building only, solely due to the interventions to the historic fabric and alteration to portions of the building's circulation. (Page 5 and repeated page 74)*

And then in apparent contradiction, the heritage statement identifies the following:

*Overall, the proportionally modest degree of change, coupled with the preservation of all elements that contribute to 'special interest' means that the historic and architectural interest of the building is preserved. (Page 5 and repeated page 74)*

7.109 It would be appropriate to say that the sentence 'preservation of all elements that contribute to 'special interest' means that the historic and architectural interest of the building is preserved' equates to the fact that the significance of the building is preserved.

7.110 The level of harm identified by the heritage statement is 'solely due to the interventions to the historic fabric and alteration to portions of the building's circulation'. Having reviewed these alterations and while there is an impact on historic fabric and an impact on historic circulation, these impacts are not harmful to the identified significance of the villa as laid out in this consultation.

7.111 While there are visual and physical impacts on the villa, as well as visual impacts within the parkland and the conservation areas, would suggest that these impacts are not harmful to the significance of the listed building, the registered park and garden or the conservation area.

7.112 Therefore no objection raised to the proposal from a heritage perspective.

**Tree Officer**

(19/07/23)

7.113 No problems with the report, encroachment onto the roof of the proposed build in the future might be a consideration, in the future. Overall happy with the proposal but tree protection details should be conditioned.

**8.0 APPLICANT'S SUPPORTING COMMENTS**

8.01 The Planning Statement submitted concludes:

- This Planning Statement has been prepared to support applications for planning permission and listed building consent for demolition of the existing garage and its replacement with a new double storey garage, a part second storey addition to the existing home and internal reconfigurations of the existing main home.
- The Proposed Development incorporates a number of internal and external changes to the building. These principally incorporate the partial removal of some historical partitions and the alteration of selected historical apertures. Externally, the demolition of the existing garage and construction of a new two-storey garage with accommodation will impact on the setting of the building and the appearance of the Conservation Area.
- The Heritage Assessment concludes, that the proposals incorporate a limited removal of both historical and modern fabric and as such, the proportionally modest degree of change, coupled with the preservation of all elements that contribute to 'special interest' mean that the historic and architectural interest of the building remains preserved. The proposals are therefore in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.
- In relation to development within Conservation Areas, the Act states (section 72) that 'special attention' should be paid to the desirability of preserving or enhancing the character and appearance of a Conservation Area. The proposal is considered to preserve the character and appearance of Tunbridge Wells Conservation Area and therefore accords with the requirements of Section 72 of the Act.

## **9.0 BACKGROUND PAPERS AND PLANS**

Planning Statement dated 27 April 2023

Built Heritage Assessment dated April 2023

Additional Statement – Impacts on character and appearance of Calverley Park  
Conservation Area

Heritage Technical Note (Rebuttal) to Conservation Officer and third party Comments  
dated 27 July 2023

Cotswold Archaeology Response dated 22 August 2023

Tree Survey Report July 2023

Additional Arboricultural Response dated 28 July 2023

CP.100	Site Location Plan
CP.102	Existing Ground Floor Plan
CP.103	Existing First Floor Plan
CP.104	Existing Roof Plan
CP.106	Tree Location Plan - Existing Plan
CP.107	Ground Floor - Existing plan with tree
CP.108	First Floor - Existing plan with tree
CP 202b	Ground Floor - Proposed Plan
CP 203b	First Floor - Proposed Plan
CP 204b	Roof - Proposed Plan
CP.207	Ground Floor - Proposed plan with tree
CP.208	First Floor - Proposed plan with tree
CP.301	Existing Sections and Elevations
CP.302	Existing Sections and Elevations
CP.303	Existing Sections and Elevations
CP.304	Existing Sections and Elevation
CP 401b	Proposed Sections and Elevations
CP 402b	Proposed Sections and Elevations

CP 403b Proposed Sections and Elevations  
CP 404b Proposed Sections and Elevations  
Proposed Wire Diagram

## 10.0 APPRAISAL

### Principle of Development

10.01 This property lies within the Limits of Built Development and as such the extension and alteration of existing buildings in this area can be considered acceptable in principle subject to all material planning considerations being satisfactorily addressed.

10.02 In this instance, the main considerations relate to:

- visual impact on the character and appearance of the building itself and the area, particularly taking into account the property's location within a Conservation Area, a designated Historic Park and Garden and an Arcadian Area;
- impact on the character, historic fabric, setting and overall significance of this Grade II\* Listed Building and the setting of surrounding listed buildings;
- impact on residential amenities of surrounding dwellings;
- impact on trees, and;
- impact on archaeological potential on the site.

### Visual impact including impact on the Conservation Area, the designated Historic Park and Garden and the Arcadian Area

10.03 Paragraph 130 of the NPPF seeks to ensure that proposals are visually attractive because of good architecture, layout and appropriate and effective landscaping. It requires that developments are sympathetic to local character and history while not preventing or discouraging appropriate innovation or change. Paragraph 134 of the NPPF also seeks to ensure that development '*reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes*'. Core Policy 4(1) seeks to ensure that the Borough's urban landscapes are conserved and enhanced and Local Plan Policy EN1 requires the design of a proposal to respect the context of its site.

10.04 The property lies within the Calverley Park Area of the Tunbridge Wells Conservation Area and within an Arcadian Area. Landscaping is a dominant feature within this area and, as set out in the Conservation Area Appraisal for the Calverley Park area (paragraph 8.1.7), it provides both a setting for the elegant villas and an "arcadian" outlook from them. The appraisal goes on to advise that:

*'The main characteristics of this arcadian environment are a low density of building, strong interrelationships of landscape and architecture, and naturalistic parkland or fields as an outlook. Development layouts are informal, usually employing sinuous and curving road alignments, emphasised by rustic surface treatments and continuous densely planted property boundaries with minimal breaks for vehicle access, all of which minimise the visual impact of the car.'*

10.05 Local Plan Policy EN5 seeks to ensure that proposals preserve or enhance the significance of the Conservation Area; Policy EN24 seeks to ensure that the predominant characteristics of the Arcadian Area are respected and that landscaping remains the dominant feature within the site and along boundaries. S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special



attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 10.06 This property also lies within a designated Grade II listed Historic Park and Garden, which includes Calverley Grounds and the dwellings in Calverley Park and Calverley Park Crescent. Saved Local Plan Policy EN11 requires that proposals will only be permitted where no significant harm would be caused to the character, amenities or setting of the Park and Garden.
- 10.07 This proposal relates to a rear and side extension to this semi-detached dwellinghouse. It is intended that the rear extension would take the form, design and proportions of the existing rear projection and the side extension would have a similar form as the dwelling, with amendments received that indicate that the pitch of the roof would match that of the existing dwelling. External materials are also proposed to match those used on the existing dwelling and this design approach is considered to be suitable and acceptable in this instance. Specific details of the proposed external materials can be secured by planning condition to ensure an acceptable appearance to the development.
- 10.08 The proposed rear extension would have a similar footprint as the existing conservatory and enclosed yard and would not extend any further into the rear garden than these structures. The two-storey nature of the rear extension would result in a prominent extension when viewed from the rear but taking into account the existing rear projection and the intention to replicate this projection further rearward, this is not considered to be out of keeping with the character or appearance of the existing dwelling.
- 10.09 The proposed side extension replaces a modest detached garage (which is of no heritage value); would be attached to the rear extension and approximately 1.3 metres of the side elevation of the existing building. Whilst it would have a significant width (over 7 metres), the overall height of the extension is 0.4 metres below the eaves height of the existing dwelling. The extension would be seen as an addition to the dwelling but the reduced height would help to provide a subservient appearance and, on balance, it is not considered that this would appear out of proportion with the existing dwelling.
- 10.10 In terms of the impact on the wider characteristics of the area, the main impact would be from the proposed side extension as this would be visible from the main private highway of Calverley Park to the south. This element of the extension has been set back 12 metres from the front elevation of the dwelling and has been positioned so that it sits behind the existing side porch and chimney. The dwelling itself is also set back from the road with a narrow vehicular access to the current garage and parking area and 1 Calverley Park to the west is positioned closer to the highway. It is also noted that no changes are proposed to the vehicular entrance or the front boundary of the property, which under recent planning permission 23/00014/FULL will continue to consist of a stone wall and tall hedgerow. In this case, views of this extension would be limited to the area close to the vehicular access and it would not be seen in context with the wider street scene.
- 10.11 There would also be glimpses of this extension from Calverley Park to the west but this extension would be positioned behind 1 Calverley Park and would be partially obscured by the mature boundary planting so that it is considered that this would not result in a dominating or overly prominent feature when viewed from this angle.

- 10.12 The submitted drawings indicate that there would be a gap of 3 metres between the side extension and the western boundary and whilst this does reduce to around 1.3 metres on the rear corner of the extension, this is considered to provide adequate spacing between this extension, which would be in accordance with the advice contained in the Alterations and Extensions SPD. It is acknowledged that the extensions combined result in a substantial extension to the dwelling but taking into account the size of the plot and the position of the extensions it is not considered that this would result in a cramped form of development that would be overly prominent within the street scene.
- 10.13 Concerns have been raised regarding the loss of symmetry of this pair of semi-detached dwellings. However, due to the positioning of the side extension 12 metres back from the front elevation of these dwellings the original form and design of these dwellings would still be clearly evident and it is not considered that this would unbalance this pair of semi-detached dwellings to a degree that this would adversely impact on their visual contribution to the character of this street scene. The impact that this has on the significance of the listed building is dealt with below.
- 10.14 In terms of the landscape character, it is noted that the proposed extensions would be located either on the same footprint as existing extensions or enclosure to the rear or on the area to the side of the house that contains an existing garage. There would be some loss of garden but the side extension has been positioned so that the recently planted hedge on the western (side) boundary can be retained and become established. The proposal would not result in the loss of any mature planting or trees that are considered to be important landscape features of this area and as such it is considered that the landscape characteristics (and ultimately the significance) of the Arcadian Area and Conservation Area would be preserved.
- 10.15 As this relates to development within the curtilage of a dwelling and the development is set back a considerable distance from the highway it is considered that this would have no impact on the character and setting and the overall significance of the Historic Park and Garden.
- 10.16 Overall, the proposal is considered to respect the character and appearance of the host building and wider street scene and would preserve the significance of the Historic Park and Garden, the Arcadian Area and the Conservation Area.

#### **Impact on Listed Building and surrounding Listed Buildings**

- 10.17 5 Calverley Park is a Grade II\* Listed Building and the remaining villas in Calverley Park along with those in Calverley Park Crescent are also Grade II\* Listed Buildings.
- 10.18 An accompanying listed building consent application (23/01123/LBC) has been submitted and the impact that this proposal has on the significance of this listed building is also assessed in full under this application.
- 10.19 The NPPF requires the Local Planning Authority (LPA) to assess such applications considering details that are proportionate to the heritage asset's importance. This reflects the statutory duty within S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.20 Paragraph 195 of the NPPF states that *'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking*

*account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.*

- 10.21 Para 199 of the NPPF states that '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*'
- 10.22 Para 200 further advises; '*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.*'
- 10.23 In the first instance the specific significance of this listed building is required to be identified and then an assessment of the proposal's impact on the significance of this listed building can be assessed.
- 10.24 It is considered that sufficient information has been submitted and specialist advice has been received to identify the significance of this listed building and the impact of the proposal on this significance. The Principal Conservation Officer has assessed this proposal and their advice carries significant weight in the determination of this application.
- 10.25 The Principal Conservation Officer has set out that the significance of this listed building is multi-layered and derives in part from the design of the individual villas and the survival of this group of buildings in connection with the parkland setting but mainly from:
- being a part of a significant expansion of the town in the late Georgian period;
  - being a part of an exemplary residential park development that influenced the future development of residential parks within the subsequent expansion of Tunbridge Wells and through this contributing significantly to the character of the town as a whole;
  - being part of a body of work by a nationally important architect; and
  - being accomplished examples of simple villa designs in a range of styles utilised at the time.
- 10.26 The two-storey rear extension would extend off the existing rear projection and would replicate the existing form and appearance of this original projection. Whilst an extension that has a reduced size and scale would have a more subservient appearance and would clearly be seen as a newer addition to the building, it is noted that these villas have an elegant simplicity to their form and a subservient addition would result in the loss of the clean lines of the current roof form. As such the Principal Conservation Officer has not raised objections to the design approach for this rear extension element and this is considered to be appropriate in this instance. As recommended by the Principal Conservation Officer it is considered that it is important to retain the existing roof construction and the new roof should have limited impact on the existing historic roof construction. This will help to limit the impact on historic fabric and ensure that the archaeological record remains intact. Further details in relation to the method of construction of the roof can be secured by condition.

- 10.27 As part of this rear extension the existing rear wall would become an internal wall. At ground floor level no alterations are proposed to this rear wall other than the replacement of a window with double doors but this has already been approved under application 23/00026/LBC. The main impact on the historic fabric would be at first floor level where it is intended to block up a window, create a door opening within an existing window opening and create a new opening. These alterations to historic fabric are considered to be fairly minor and the original openings, whilst altered would still be apparent. Amended plans have been provided to ensure that the blocked up window has a recess and the Principal Conservation Officer is of the view that these alterations would not have a harmful impact on the significance of the listed building. With regard to the treatment of this former external wall, the Principal Conservation Officer has advised that this could remain as exposed stone so that this would be readily identified as the former external wall or if the intention is to plaster this wall then this should be an independent system that limits any physical harm to the stone wall. Details of the proposed treatment of this wall and a method statement can be secured by planning condition.
- 10.28 The proposed side extension has been amended in response to the Principal Conservation Officer's initial assessment. The flat roofed link above the rear section of the side porch has been removed and the eaves of the side extension have been lowered to enable the pitch of the roof to more accurately match that of the host building. It is intended that this would be constructed in external materials to match those used on the existing building. Whilst the side extension is of significant width, its height is lower than that of the existing building with the ridge height of the extension 0.4 metres below the eaves height of the host building. It is also set back 12 metres from the front elevation of the dwelling and taking into account the advice of the Principal Conservation Officer it is considered that this would have a subservient appearance and the dominance and higher status of the main house would be maintained.
- 10.29 The side extension is only partially attached to the existing building and the majority is to the side of the rear extension. The impact on the historic fabric of the original building is limited to its external connection and the creation of a new opening at ground floor level in the rear elevation of the existing porch. These alterations to the historic fabric are considered to be minor.
- 10.30 Taking the rear and side extension as a whole it is considered that this is a significant addition to this listed building. However, taking each element in turn, the impact that this proposal will have on the fabric of the original building is considered to be minor and much of the original layout and construction will be retained.
- 10.31 5 Calverley Park is part of a pair with 6 Calverley Park, and these are one of two pairs of semi-detached dwellings in this street. It is acknowledged that these were originally constructed as a symmetrical pair and previous owners have sought to retain this symmetry to some degree. It is not unusual for alterations to be carried out independently from the other semi. In this case both dwellings have been altered and extended by porches to the side and extensions to the rear and this has affected the perfect symmetry of these buildings. The proposed extensions are of substantial size and would impact on the symmetry of this dwelling. However, as advised by the Principal Conservation Officer, the rear extension would 'read as a natural extension of the same form and appearance' and the extensions as a whole are predominantly positioned at the rear with the side extension set back 12 metres from the front elevations. As such the appearance of the original building when viewed from Calverley Park, which contributes to the significance of this listed building, would be maintained.

- 10.32 In terms of the impact that this proposal has on the significance of the listed building, it is noted that the extensions are of a size and scale to have a visual impact on the building. However, as advised by the Principal Conservation Officer, the significance of this listed building is not just in terms of the visual impact on the building itself but how the proposal would relate to the original building and the contribution it makes to the wider the Georgian residential parkland setting.
- 10.33 As assessed above the impact on the historic fabric of the listed building is considered to be limited. The internal alterations to provide access to the extensions are considered to be minor and the original layout of the dwelling would be maintained. The existing rear wall and roof construction will be obscured by the proposed rear extension but, with suitably worded conditions, these will remain. The side extension is predominantly attached to the rear extension and only partially attached to the main building. In this case, the listed building as it was originally constructed and appreciated would be maintained, particularly when viewed from Calverley Park.
- 10.34 The proposed extensions are considered to be of a design that respects the existing appearance and character of the building and would still be clearly recognisable as additions to the original building, which will remain largely intact. Details of joinery and external material can be secured by condition to ensure that these are appropriate to the status of this listed building.
- 10.35 Taking into account the advice of the Principal Conservation Officer it is considered that that on balance the proposal would not be harmful to the significance of this listed building.
- 10.36 In terms of the impact that this proposal will have on the adjacent listed buildings and the wider setting of Decimus Burton's 'new town' (which includes Calverley Park, Calverley Park Crescent, the lodges and Hotel du Vin), the Principal Conservation Officer has advised that the significance of these is derived from being part of an exemplary residential park development by a nationally important architect that forms part of a significant expansion of the town in the late Georgian period. However, the Principal Conservation Officer has concluded that the only element of significance that would be affected by this proposal would be impact on the listed building itself.
- 10.37 The proposed extensions are predominantly located at the rear of the building and the side extension would be set well back from the front elevation of the building so that direct views of this proposal from Calverley Park would be limited to close to the vehicular entrance. The Principal Conservation Officer has advised that this side extension would appear as a type of service room extension that was a typical later addition to late 18<sup>th</sup>, early 19<sup>th</sup> century properties and examples of large 18<sup>th</sup> or 19<sup>th</sup> century extensions to the detached villas can be found in Calverley Park. As such due to the set back of this extension and its subservient nature the original form and character of Burton's original building would remain the focal point of views from Calverley Park and there would be no harmful impact on the setting of the adjacent villas or the wider character of this historic street scene.
- 10.38 The objections and views in response to this proposal have been considered and the main themes of harm that form the basis of the objections are broadly as follows:

- A substantial enlargement of the house as seen from the front and in terms of footprint, adding bulk to the appearance.
- Alterations should be judged in the context of the block as a whole.
- Side extension would unbalance the symmetry of the semi-detached pair.
- The southern (front) elevation of the pair presents a unified façade.
- Personal judgements of the PCO.
- The rear wing is not subordinate.
- The side extension would be highly visible.

10.39 The Principal Conservation Officer has provided an objective, professional view in response to the proposals, based on national planning policy and legislation, and the Historic England guidance that supports these, in particular Historic England Good Practice Note 2 'Managing Significance in Decision-Taking the Historic Environment' (GPA2), and GPA3 'The Setting of Heritage Assets'. These, and their experience and knowledge as a historic environment professional, has led to a conclusion that the majority of the heritage values of the house, which form its significance, will be unaffected by the proposals.

10.40 The significance of the house is described in two places in the PCO's report; when considering the role of the house in the development of Calverley Park as a whole, and when considering the impact on the villa itself. These elements of significance are as follows:

- Being a part of a significant expansion of the town in the late Georgian period;
- Being a part of an exemplary residential park development;
- Being part of a body of work by a nationally important architect;
- Being part of the significant survival of much of Burton's new town development; and
- Being an accomplished example of a simple villa design, along with the range of styles utilised within the rest of the park.

10.41 The PCO then used this definition of the elements of significance to consider the effect of the proposals on the house. This was an assessment of the particular attributes of the proposals that could impact on those identified elements of significance. They concluded that only one element of significance, the final bullet point above (the design of the villa), would be affected. This is in accordance with paragraph 195 of the NPPF: *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'* Some potential improvements were identified initially in regard to the roof form of the side extension. Amendments were sought in order to reduce conflict, and the current proposals reflect this.

10.42 The Principal Conservation Officer is of the view that the extensions are two discrete (individually separate and distinct) additions to the house which will largely be read separately and will not adversely affect the simple form and appearance of the villa. The form of the rear extension, following the same form of its host, will help to reduce

the perception of any increase in scale and will respect the form and appearance of the Burton design. The side extension is set well back, to the rear of the side elevation of the house, and the ridge and eaves heights are much lower than the main house. This serves two purposes in avoiding harm – reading as a subservient addition that fades into the background and is not easily visible from the public realm. In close proximity, it will read as a type of service room extension that was a typical later addition to late 18<sup>th</sup>, early 19<sup>th</sup> century properties as wealth increased in the increasingly industrial period of the 19<sup>th</sup> century. It will be clearly subservient to, and visually separated from, the original Burton composition.

10.43 The listed building will therefore retain its architectural and archaeological integrity, as the original form and historic fabric will be retained in the rear extension, which will also repeat the materials and detailing of the existing. The side extension will be set well back and will be readily identified as a later addition, but one that is clearly subservient to the main house. The set back and separation will also assist in the proposals not having an adverse impact of the general symmetry of the pair.

10.44 In summary:

- The rear extension has been designed to complement the existing simple form and appearance of the existing building;
- The side element is of a design that is in keeping with the original building and a height and scale that would appear subservient and taking into account the position of the extension to the rear and 12 metres back from the front elevation this would not compete with the dominance of the original building;
- The proposed internal alterations are considered to be minor and subject to the submission of further information to be secured by condition the proposal will not result in significant loss of historic fabric;
- Whilst the proposal will unbalance this pair of semi-detached dwellings taking into account the position of the extensions the original building would remain dominant and its visual character and presence within the street scene would be maintained.

10.45 As such it is considered that this proposal would not cause harm to the significance of the listed 5 Calverley Park or the surrounding listed buildings.

#### **Residential Amenity**

10.46 The dwellings that would be directly affected by this proposal are those immediately adjacent to this site; 1 and 6 Calverley Park. The dwellings to the rear, 2 and 2A Calverley Park, are a significant distance from this development (more than 40 metres) and it is not considered that there would be any impact from this development in terms of loss of light, overshadowing or overlooking resulting in loss of privacy due to the distance and current boundary treatments.

10.47 Criterion 2 of Local Plan Policy EN1 requires that proposals do not cause significant harm to the residential amenities of adjoining occupiers and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight, and privacy.

10.48 It is considered important at this juncture to distinguish between overlooking (and a consequential loss of privacy) and merely being able to 'see' towards another property. For an 'outlook' to be substantially harmed the impact must be far greater than a simple change of view. The preservation of a private view or the

corresponding impact on adjoining property values through the loss of that view are not considerations that carry any weight.

*1 Calverley Park*

- 10.49 The property to the west, 1 Calverley Park, is a detached two-storey dwelling, that has been extended on the north elevation by a single storey kitchen extension and garage that follows the side shared boundary (05/01903/FULL and 05/01904/LBC refer). There are 3 upper floor windows in the north elevation of this adjacent property and these appear to serve a first floor bedroom and en-suite. These are positioned closer to the west elevation and the nearest upper floor bedroom window is located approximately 6.7m from the east elevation of this adjacent dwelling. There is also a conservatory extension on the eastern side, located to the south of the two-storey element of this adjacent dwelling.
- 10.50 The potential impact towards No.1 Calverley Park would be mainly from the proposed side two-storey extension incorporating the garage and accommodation above.
- 10.51 The proposed side extension would replace the current single storey garage with a two-storey extension. The extension would be positioned 1.6 metres closer to the boundary shared with 1 Calverley Park than the current garage. As a result there would be a distance of between 3.095 metres and 1.38 metres to the shared boundary from the flank elevation of the extension. The eaves height of the extension is to be 4.8m with the ridge of the hipped roof extending to 6.3m. Part of the extension would be adjacent to 1 Calverley Park's existing single storey extension but it would extend further to the rear and approximately 0.5m beyond the rear of the garage that is to be replaced.
- 10.52 The boundary between these properties consists of a fairly dense and well established hedge, which in part has recently been replaced, and to some extent this planting and the position of the neighbouring extension would help to reduce the impact that this two-storey extension would have on the occupiers of 1 Calverley Park. On balance, taking into account the position of the proposed extension, its distance from the shared boundary and the extent of the neighbouring garden it is not considered that this would result in an overbearing structure that would cause significant harm through additional overshadowing or loss of the light to the occupiers of 1 Calverley Park.
- 10.53 In terms of overlooking, there are upper floor windows proposed in the extension, which are to serve habitable accommodation. The rear-facing windows would have some views of the garden to the north of 1 Calverley Park but these would be oblique views limited to the most northern corner of the garden. The upper floor windows on the front elevation of the proposed extension would directly overlook the driveway/ parking area and the eastern elevation of 1 Calverley Park. There would also be views of the north elevation of 1 Calverley Park but it is considered that these would again be oblique views.
- 10.54 Taking into account that the windows in this north elevation are positioned further to the eastern side of this elevation there would not be direct overlooking between the upper floor bedroom/en-suite windows of 1 Calverley Park and the proposed front windows in the side extension.
- 10.55 The proposed side extension would be set back from the neighbour's conservatory by more than 15 metres. The position and scale of the neighbour's two-storey element would prevent direct overlooking of this conservatory from the upper floor front facing windows on the proposed extensions. There are no upper floor windows



proposed in the side (west) elevation of the extension and this will prevent direct overlooking of the neighbouring dwelling but a condition can be attached to ensure that no further windows are installed in this elevation.

#### *6 Calverley Park*

- 10.56 The other half of this semi, 6 Calverley Park, is located to the east and is of a similar scale and design as the application dwelling. This also has a two-storey rear projection and a rear conservatory, which are positioned 2.3 metres from the shared boundary. The area between No.6's two-storey projection and the shared boundary has been enclosed and is in use as a utility room. Similar to the application property, there is a rear upper floor window in the north elevation and this appears to serve an en-suite. There is also a smaller window on the west elevation serving a toilet.
- 10.57 The potential impact towards No.6 Calverley Park would be from the proposed rear extension above the existing conservatory and enclosed courtyard.
- 10.58 The proposed extension would be a continuation of the existing rear two-storey projection in form, scale and height and would extend a further 5.5 metres rearwards. It would be set back from the boundary shared with 6 Calverley Park by 2.3 metres and the existing single storey stone built extension would be retained along the eastern edge of the extension. There would be a gap of over 4.5 metres between the proposed extension and the neighbouring dwelling (conservatory). Therefore on balance, it is not considered that this would have a significantly overbearing impact on the occupiers of 6 Calverley Park. It is acknowledged that the rear extension would result in some additional overshadowing and loss of light to the upper floor windows, rear courtyard, utility room and conservatory. However given the distances involved, the orientation of the dwellings and the rooms that these windows serve (bathrooms) it is not considered that this would result in significant loss of light and a reason for refusal on these grounds could not be sustained.
- 10.59 In terms of overlooking, there are no upper floor windows proposed in the side (east) elevation of the extension and this will prevent direct overlooking of the neighbouring dwelling but a condition can be attached to ensure that no further windows are installed in this elevation. Upper floor windows are only proposed in the rear (north) elevation and these will serve a new bedroom and en-suite. It is not considered that the level of overlooking from these windows would be significantly greater than the existing upper floor windows located in similar positions in the existing two-storey projection.

#### *Summary*

- 10.60 it is not considered that this proposal would cause significant harm to the residential amenities of neighbouring properties to justify refusal.

#### **Impact on Trees**

- 10.61 There is a Sweet Chestnut located within the planted boundary shared with 6 Calverley Park and this is protected by a Tree Preservation Order (015/2003). It is located within an area raised ground on this boundary and 3.5 metres from the existing dwelling. This Sweet Chestnut has undergone pruning in the past (the most recent application to reduce the overall canopy of this tree by 2-3 metres was in 2021).
- 10.62 A tree report has been submitted and this concludes that due to ground levels and existing retaining structures within the garden *the roots and the soil supporting those roots would not exert any impact upon, or be impacted in a material way, by the*

*proposed development*'. This is also based on the information that the extension would predominantly be built off the existing conservatory walls and no excavation works would be required in the vicinity of the tree.

10.63 The Tree Officer has reviewed this report and has not raised objections or concerns to the assessment and conclusions provided. This is subject to tree protection details being secured by a suitably worded planning condition.

10.64 It is noted that the submitted tree report goes on to say that there may be a need to reduce the crown of the tree to enable construction to take place but this will be subject to separate consent in consultation with the Tree Officer. Similarly, any future pruning that is required, which is a continuation of the repeat maintenance of this tree, will require prior consent.

10.65 Taking into account the advice of the Tree Officer it is considered that subject to tree protection measures being put in place during construction that this proposal would not cause harm to the protected Sweet Chestnut.

#### **Archaeology**

10.66 The site is located within a wider area that has archaeological potential. However, KCC's Archaeology has been consulted and has confirmed that the archaeological potential is limited on this site. In this case, no further archaeological assessment or investigation is required.

#### **Other Matters**

10.67 In terms of the accuracy of the documents and plans, these are considered to provide sufficient details to assess the proposal. Revised plans have been sought from the applicant to address the inaccuracies between the ground floor plan and the elevation plan in respect of a blocked up window in the porch and a new window in the front facing elevation of the porch. However, it is noted that planning and listed building consent has been granted for these specific changes as well and internal alterations that are not reliant on the extensions hereby proposed under applications 23/00014/FULL, 23/00016/LBC, 23/00026/LBC and 23/00027/FULL.

### **11.0 RECOMMENDATION – GRANT subject to the following conditions:**

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans:

CP 202b	Ground Floor - Proposed Plan
CP 203b	First Floor - Proposed Plan
CP 204b	Roof - Proposed Plan
CP 401b	Proposed Sections and Elevations
CP 402b	Proposed Sections and Elevations
CP 403b	Proposed Sections and Elevations
CP 404b	Proposed Sections and Elevations

Reason: To clarify which plans have been approved.

- (3) Notwithstanding the details submitted, no development shall take place until details of tree protection in accordance with British Standard BS 5837 have been submitted to and approved in writing by the Local Planning Authority. These details shall be set out in a standalone Arboricultural Method Statement (AMS) and scaleable Tree Protection Plan (TPP) or, where appropriate, a combined AMS/TPP or set of statements and plans.

The approved AMS and TPP shall be provided to the site foreman prior to commencement of development, and all contractors on site shall be made aware of the specified tree protection measures.

The AMS and TPP shall cover all trees to be retained which could be impacted by the development, and shall include specific measures to protect these trees through all phases of the development, including measures for:

- the location of site facilities and materials storage;
- demolition of existing structures/hard surfaces;
- changes in ground levels, including the location of construction spoil;
- excavation, including for drainage and other services;
- installation of new hard surfaces; and
- preparatory works for new landscaping where these may encroach into root protection areas and/or present canopy spreads.

All demolition and construction activities shall be carried out in accordance with the approved AMS and TPP, unless otherwise agreed in writing by the Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990. Details are required prior to commencement to safeguard existing trees to be retained, mitigate impacts from development which could lead to their early loss and protect the public amenity and character of the local area.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended) (or any Order revoking and re-enacting that Order), no windows, or similar openings shall be inserted in the upper floor of the east and west elevations of the development other than as hereby approved without the prior planning permission of the Local Planning Authority

Reason: In the interests of the amenity of occupants of the adjoining property.

- (5) The habitable accommodation above the garage hereby approved shall not be occupied at any time other than for purposes incidental or ancillary to the residential use of the dwelling known as 5 Calverley Park.

Reason: To prevent the formation of a substandard dwelling without adequate independent living space, amenities, access and car parking

## **INFORMATIVES**

N/A

Case Officer: Kirsty Minney

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

Planning Committee Report  
6<sup>th</sup> December 2023

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.