The Planning Inspectorate

Appeal Decision

Site visit made on 21 June 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date : 29 June 2016

Appeal Ref: APP/V2635/D/16/3148824
Hope Cottage, Busseys Lane, Holme next the Sea, Norfolk PE36 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ocean Breaks against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 16/00196/F, dated 2 February 2016, was refused by notice dated 31 March 2016.
- The development proposed is erection of two storey side extension.

Decision

1. The appeal is dismissed.

Preliminary matter

2. The Council's decision notice refers to Policy DM15 in the emerging King's Lynn and West Norfolk Site Allocations and Development Management Policies (SADM) Pre-Submission Document (January 2015). The SADM is at an advanced stage having been through examination and the Council are currently consulting on the main modifications to the plan. I therefore give this policy in the emerging Development Plan significant weight as a material consideration.

Main Issues

3. The effect of the development on (i) the character and appearance of the existing dwelling and area including the Holme next the Sea Conservation Area (the Conservation Area) and (ii) the Area of Outstanding Natural Beauty (the AONB).

Reasons

Character and appearance including the existing dwelling and Conservation Area

4. The appeal property comprises a two storey building with a single storey linked building to the side. The property is constructed of traditional clunch (chalk) together with timber boarding and windows under a red pantile roof. It is reported to have been restored and converted for holiday use, with that use starting in 2011, and is located close to the back edge of Busseys Lane, a short unmade lane on the northern edge of the Conservation Area and within the AONB.

5. The immediate context includes the rear garden of the adjacent property to the south, mobile caravans/timber chalet on land to the east and open fields to the

north and west, which forms part of the Redwell Marsh Reserve Site of Special Scientific Interest (SSSI). A restricted byway running along Busseys Lane and into the SSSI provides public access by foot.

6. The Draft Conservation Area Character Statement (revised in February 1992), which pre-dates the restoration of the current building, identifies Hope Cottage as an Important Unlisted building. The properties in the village follow mostly the same traditional form, materials and design as the appeal property. Thus, with the exception of some more modern buildings, this provides a strong unifying character and appearance to the Conservation Area.

7. I note the appellant's arguments about the screening provided by the existing hedgerows around the site. Similarly I note his comments about the character of this part of the Conservation Area and absence of any building materials to dominate the built form along Busseys Lane being influenced by the mobile caravans and timber chalet on land to the east, together with the stationing of a mobile home on land immediately to the south. However, notwithstanding this, I consider that the scale and modern design of the proposed extension would not be in keeping with the traditional form of the existing cottage and the properties in the village. Whilst, the existing vegetation along the lane and around the site would provide some screening, due to close proximity of the cottage to the back edge of the lane, the proposed extension would be visible from the road and those passing along it to the byway.

8. As such I consider that the proposed two storey extension, by virtue of its scale and modern design would represent an incongruous feature on the rear of the existing property that would dominate the existing form, such that the vernacular qualities of its scale and design would be lost, despite the clear demarcation between old and new. The proposal would therefore be harmful to the character and appearance of the existing property and the Conservation Area.

9. Nevertheless, given the modest scale of the development, that harm would be less than substantial and in accordance with paragraph 134 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits from the proposal. Similarly, a balanced approach is required to assess the effect on the existing cottage as a non-designated heritage asset, in accordance with paragraph 135 of the Framework.

10. I note the appellant's desire to provide additional accommodation for the existing building through an innovative design and to make the use of the property as a holiday let more viable. However, this benefit would not outweigh the harm that the proposed extension would cause to the character and appearance of the conservation area. Similarly, by virtue of its scale and modern design, the proposed extension would affect directly the existing cottage and harm its significance as a non-designated heritage asset.

11. Consequently, I conclude that the proposed extension would cause harm to the character and appearance of the existing property and the Conservation Area. The development would therefore conflict with Policy CS12 of the King's Lynn and West Norfolk Core Strategy (2011) (the Core Strategy) and Policy DM15 of the emerging SADM. These policies seek, amongst other things, to protect and enhance the historic environment and the amenity of the wider environment including the heritage and cultural value of the area.

12. The proposed extension would also fail to comply with the Framework as outlined above and paragraphs 17, 56 and 64, which contain amongst other matters the requirement for high quality design that responds to the character and appearance of the existing building and the area.

Character and appearance of the AONB

13. On my site visit I viewed the site from the various locations highlighted in the appellant's supporting statement. Other than from the restricted byway running into the SSSI off Busseys Lane immediately to the north, the site was not prominent from any public footpath. There were only distant views from the footpath running into the SSSI off Beach Road to the north-west of the site, but these were largely obscured by existing vegetation.

14. From the restricted byway immediately to the north of the site, the existing cottage and outbuildings could not be viewed directly due to the existing dense hedgerow and vegetation measuring approximately 3m in height along the northern and western boundary of the site.

15. I conclude, that given the modest scale of the proposed extension and the screening provided by the existing vegetation on the boundaries, that the development would not be directly visible and as such would not adversely impact on the public views across the open landscape from the AONB.

16. Consequently, I conclude, the proposal would not cause harm to the character and appearance of the open landscape of the AONB. The development would therefore not conflict with Policy CS12 of the Core Strategy and Policy DM15 of the emerging SADM and the Framework in this regard. These policies seek, amongst other things, to protect and enhance the landscape character and the amenity of the wider environment including the heritage and cultural value of the area.

Other matter

17. Third parties have raised concerns about the development disturbing the wildlife in the Redwell Marsh SSSI. The SSSI falls within the North Norfolk Coast Special Protection Area and Special Area of Conservation. It also lies within the North Norfolk Coast Ramsar area. In view of the modest scale of the development, I consider that the proposal would not adversely affect the SSSI and as such would accord with Policy CS12 of the Core Strategy and the advice contained within the Framework.

Conclusion

18. Notwithstanding my findings on the AONB, this does not outweigh the harm I have identified to the existing dwelling and the Conservation Area. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed

David Troy

INSPECTOR