
Appeal Decision

Site visit made on 7 November 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 20th December 2017

Appeal Ref: APP/V2635/W/17/3179813

Coach House, High Street, Thornham PE36 6LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andy Brand, The Abbey Group (Cambridgeshire) Limited against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 17/00113/F, dated 23 January 2017, was refused by notice dated 3 April 2017.
 - The development proposed is the erection of 2 no. detached two storey dwellings, new shared vehicular access and boundary treatments.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 no. detached two storey dwellings, new shared vehicular access and boundary treatments at Coach House, High Street, Thornham PE36 6LY in accordance with the terms of the application, Ref 17/00113/F, dated 23 January 2017, subject to the conditions in the attached Schedule.

Main Issues

2. The main issues are:
 - Whether the development would protect or enhance the character or appearance of the Thornham Conservation Area; and
 - The effect of the repositioning of the existing wall on the character and appearance of the Conservation Area.

Reasons

The effect on the Conservation Area

3. The appeal site consists of an existing detached dwelling, Coach House, with associated access and a large area of private garden. The site is located within the Thornham Conservation Area and also an Area of Outstanding Natural Beauty (AONB). The site is largely screened from the public realm by existing trees and hedging, in front of which sits a traditional wall. This part of Thornham is visually attractive, with the general use of flint, stone and red brick detailing to many of the existing properties. The existing housing is mixed in terms of scales and plot sizes, with many of the dwellings to the west being terraced or semi-detached. The immediate surroundings host larger, more spacious plots, but with smaller plots interspersed, such as Gardener's Cottage

and Sutton Cottage. Further to the west, the pattern of development becomes more dense and compact again.

4. The proposal would introduce two detached dwellings into what is currently part of the garden land for Coach House. The dwellings would be sited in a linear manner, fronting but set back from High Street. Although there are examples of dwellings set within large plots along this part of High Street, such as the appeal site and the dwellings opposite, there are also smaller plots either side of the appeal site. The proposed development would provide suitable sized gardens for the proposed dwellings, as well as retaining sufficient space for the host dwelling, and the plot sizes, although smaller than some of the larger plots in the vicinity, would not be out of character with the varied plot sizes present.
5. The immediate character is a green and verdant one along this part of High Street due to the existing landscaping present along the front boundaries of some of the sites. Although the proposal would introduce two new dwellings into the existing garden area, involving the removal of the existing hedging to the front of the site, this would be replaced. Should the hedging not survive the relocation then it would be reasonable to attach a condition requiring replacement hedging to be planted, which, although it may take some time to fully establish, would serve to reflect and maintain the verdant character in this location. Furthermore, there is a TPO protected tree present to the front of the site which would be retained and this would help to preserve the existing character in terms of the landscaping present.
6. For the above reasons, the proposed development would preserve the character and appearance of the Thornham Conservation Area and would be in keeping with the general form and character of development in this area. The proposal would therefore comply with the requirements of Policies CS06, CS08 and CS12 of the King's Lynn and West Norfolk Borough Council Local Development Framework – Core Strategy (2011) (the CS). These policies collectively require new development to maintain local character and a high quality environment and protect and enhance the historic environment. The development would also comply with Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) (the DMP), which seeks to ensure that development responds sensitively and sympathetically to the local setting through high quality design and use of materials. Furthermore, the proposal would comply with the aims of the National Planning Policy Framework (the Framework) which attaches great importance to the design of the built environment and the preservation and enhancement of the historic environment.

The effect of the proposed relocation of the wall

7. The front boundary of the site is delineated by a traditional flint wall with red brick detailing. This type of wall runs along much of High Street on both sides of the road and the materials reflect the existing dwellings. The wall generally runs along the back of the footpath and is punctuated by vehicular accesses to the properties, many of which then have more modern brick walls within the accesses themselves. The wall reduces in height as you travel towards the west and the angles of the wall vary somewhat along High Street. The Thornham Conservation Area Appraisal makes reference to the wall identifying

that on the north side the dwellings are largely hidden behind a continuous high wall, interrupted by modern gateways.

8. The proposed development would involve the demolition and relocation of the existing front boundary wall approximately 2.4 metres back from the edge of the highway. Whilst the wall serves to provide some sense of enclosure as a result of its height along this part of High Street, this is also achieved by the presence of the landscaping along the front boundaries. The rebuilding of the wall to the same height as the existing, in combination with the replanting of the hedge would retain a suitable degree of enclosure to the proposed dwellings.
9. Whilst the proposal would see the wall relocated further back from the highway, it would follow on from the wall outside The Gables on the westernmost side, and would only be set back a small amount from the wall on the other side of the access to Coach House and Gardener's Cottage. As such, visually the wall would still follow the existing pattern, and whilst there would be a material change in its location, this would not erode the visual qualities that the wall currently provides.
10. For the above reasons, the relocation of the wall would preserve and would not be harmful to the character and appearance of the Conservation Area. As such, the proposal would comply with Policy CS12 of the CS and Policy DM15 of the DMP, which seek to protect and enhance the heritage value of an area and the historic environment.

Other Matters

11. The site is located within an Area of Outstanding Natural Beauty (AONB). Its location within the existing built up area of the village, as well as the scale and design of the proposed dwellings, which would reflect the surroundings, would not result in any undue harm to the character and would preserve the natural beauty of the AONB.

Conditions

12. In addition to the standard time limit condition I attach a condition listing the approved plans for the purposes of clarity. The Council have requested a number of conditions which I have considered against the Planning Practice Guidance and have amended or omitted where necessary.
13. Conditions 3, 4, 5, 6, 7 and 8 are necessary in order to preserve and enhance the character of the Conservation Area by ensuring that the materials, detailing, wall reconstruction and landscaping are appropriate in relation to the surroundings. Conditions 9, 10, and 11 are necessary in the interests of highway safety. I have amended the visibility splay condition to read 0.6 metres rather than 0.225 metres as this would be sufficient to allow adequate visibility. Condition 12 is necessary in order to ensure that the TPO tree is suitably protected during construction works and in the interests of the visual character of the area.
14. A condition requiring the off-site highway improvement works is not necessary as the approved plans condition and access construction conditions are sufficient to ensure that all required works are carried out as proposed. A condition restricting permitted development rights for gates across the access is not necessary as there are other gates present in the area and no

justification has been put forward to identify why this would be required to make the development acceptable in planning terms.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

R Norman

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 16/54/01 Rev F; 16/54/05 and 16/54/06.
- 3) Notwithstanding the submitted details, prior to any construction beyond the finished floor level, details of the windows and doors to be used in the construction of the property at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) No development of a building/s shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
- 5) Prior to the first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatments shall be completed before the buildings are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) Notwithstanding details received, prior to the construction of the realigned wall as shown on Drawing No 16/54/01 Rev F, a sample panel of the materials to be used in the realigned wall hereby permitted shall be erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 7) Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units. Soft landscaping works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 9) Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification drawing No. 16/54/01 Rev F. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 10) Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highways carriageway.
- 11) No dwelling shall be occupied until space has been laid out within the site for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
- 12) The development hereby approved shall be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement by Richard Morrish Associated Ltd dated December 2016.