
Appeal Decision

Site visit made on 23 March 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2020

Appeal Ref: APP/V2635/W/19/3237461

Brookfield, Main Road, West Bilney PE32 1HW.

- 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 Warnes against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 19/01175/F, dated 3 July 2019, was refused by notice dated 12 September 2019.
 - The development proposed is alterations and extensions to enlarge kitchen, create additional bedrooms and an annexe.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The main parties are not in agreement as to whether the land to the north of Brookfield is domestic. However, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to have the matter determined under sections 191 or 192 of the Act¹. Any such application would be unaffected by my determination of this appeal.

Main Issue

3. The main issue is whether the proposed development would comply with the development plan, having regard to its policy objectives for protecting the countryside and the effect on the character and appearance of the existing house and its surroundings.

Reasons

4. The appeal site concerns a detached house and land to the northwest of it within an area of countryside between East Winch and West Bilney. There are houses to either side of the site, separated from it by mature planting. There are also large areas of dense mature woodland to the north, south and west, including those associated with the East Winch Common Site of Special Scientific Interest (the SSSI) and open agricultural fields to the northwest and south.
5. The house appears to have had a longstanding association with the land immediately to the north but this is notably distinct from the garden area of the

¹ The Town and Country Planning Act 1990.

- house in visual terms. Moreover, the house and its garden areas are enclosed by planting and other enclosures and incorporate domestic paraphernalia, whereas the adjacent land is a large unkempt area of grass and shrubland.
6. In terms of the house itself, it incorporates a very distinctive roof form and detailing, with gables to the southwest and southeast elevations and a hip to the northeast corner. The western roof slope of the southeast-facing gable also rakes down over a single storey portion of the house encompassing the hallway. Each gable has an expressed brick verge, brick and tile eaves corbelling and the windows are framed with brick soldier courses at the cills and heads and a tile creasing above the heads. Furthermore, between the ground and first floor windows of the western gable is a square feature brick patternation. The appeal property has previously been altered with single storey extensions to the side and rear, but the scale and form of these extensions ensures that they remain subservient to the property.
 7. Taken together these features make a significantly positive contribution to the individual character and appearance of the existing house and its surroundings.
 8. Policy CS06 of the Council's Core Strategy (Adopted July 2011) (the CS) outlines that, beyond the villages, the Council's strategy will be to protect the countryside for, amongst other things, its intrinsic character and beauty. The policy also suggests that the development of greenfield sites will be resisted unless essential for agricultural or forestry needs. However, Policy CS06 predates Policy DM2 of the Council's Site Allocations and Development Management Policies Plan (Adopted September 2016) (the SADMPP). The latter is less restrictive given that it suggests that development in the countryside will be restricted and limited to that identified as suitable in rural areas by other policies in the local plan [which comprises both documents].
 9. The term 'including' therefore implies that this is not a closed list and Policy DM5 of the SADMPP would apply. This refers to proposals for extensions to dwellings in the countryside and suggests that they will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. It should also reflect the scale and character of its surroundings. Furthermore, Policies CS08 of the CS and DM15 of the SADMPP require that proposals respond to the context and character of places in West Norfolk, particularly through their scale, height, massing, materials and layout.
 10. The proposed extensions to the northwest of the existing house would partially invert the form of the house, with a second similarly proportioned gable alongside the existing southwest facing gable. However, this would continue beyond the rear of the house and not replicate the corbelling or verge detailing found on the existing house. Moreover, it would incorporate a fascia and verge boards. The wing projecting to the northwest would be part single and two storeys in height and extend somewhat from the house. It would also not replicate the raking roof form found to the southwest of the house.
 11. I appreciate that the extensions to the northwest of the existing house would utilise a carefully considered palette of materials, sympathetic to those used in the construction of the house, and be set back behind the eaves corbelling to the southwest gable. However, they would jar with the architecture of the existing house and appear as dominant and imposing additions, the scale and

form of which would have an uncomfortable relationship with the existing house, fundamentally overwhelming it.

12. The application drawings appear to suggest that existing hedging that separates the garden of the house from the neighbouring land and the street frontage would be removed. This would provide more open views from the A47 and footpath of the existing house and the proposed extensions. Although the proposal includes new hedge planting, it is unlikely that this would have a meaningful effect for some time or entirely screen the development from view. Nevertheless, I do not subscribe to the notion that development that would be visually harmful to its surroundings would be acceptable if it can be hidden.
13. Notwithstanding the above, given its scale and physical relationship with the existing house, the proposed single storey extension to the northeast, would not be harmful to the individual character and appearance of the house or how it contributes to the surrounding area.
14. I have been referred to a development granted planning permission at the disused Queens Service Station on the A47. However, the full details of that scheme are not before me so I am unable to make any meaningful comparisons with the appeal proposal. Nevertheless, in any event, I have considered the appeal scheme on its own individual merits and identified harm for the reasons outlined above.
15. Despite my favourable consideration of the proposed single storey extension to the northeast of the house, I conclude that the proposed development comprising the extensions to the northwest would have an unacceptably harmful effect on the character and appearance of the existing house and its surroundings. The proposal would therefore not comply with the development plan, having regard to its policy objectives for protecting the countryside. Hence, the proposal would not accord with Policies DM2, DM5 and DM15 of the SADMPP and Policies CS06 and CS08 of the CS.
16. The proposal would also not comply with Paragraph 170 of the National Planning Policy Framework, which requires that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

17. I have noted that the Council did not object to the proposal on grounds of the living conditions of neighbouring occupiers or flood risk. In particular, the living conditions of neighbouring occupiers would not be harmed given the distance between the houses and the proposal. Nonetheless, the absence of harm in respect of these matters would weigh neither for nor against the proposal.
18. I appreciate that the Council did not raise any concerns with regard to the proposed annexe or its compliance with Policy DM7 of the SADMPP and I acknowledge that the proposal could make other housing available elsewhere that may currently be occupied by the appellant's family. However, I have not been provided with substantive evidence in relation to these matters or that the proposed annexe could not be accommodated within the site in a manner that would not result in the harm that I have identified above.
19. Similarly, the ecological mitigation measures required as part of the proposal to address implications on the SSSI would not constitute benefits, as they would

not be unique to the development proposed, could be carried out without it, and would not mitigate the harm to the character and appearance of the area for the reasons I have set out above.

Conclusion

20. For the reasons given above, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR