
Appeal Decision

Site visit made on 11 May 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2021

Appeal Ref: APP/E9505/D/20/3258679

Gunton Lodge, Broadview Road, Lowestoft, Suffolk NR32 3PL

- 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 N Hannant against the decision of The Broads Authority.
 - The application Ref BA/2020/0105/HOUSEH, dated 16 April 2020, was refused by notice dated 25 August 2020.
 - The development proposed is 'balcony at second floor & off second floor bedroom'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed balcony would preserve or enhance the character or appearance of the Oulton Broad Conservation Area in which the appeal property, a locally listed building, is located.

Reasons

3. The Oulton Broad Conservation Area comprises the northern perimeter of the Broad, with substantial houses set in linear plots at right angles to the Broad running down to the water's edge, and roads generally following the line of the banks of the Broad. Gunton Lodge is a late 19th century dwelling at the end of Broadview Road, built of red brick with stone detailing and timber sash windows. Its overall qualities have accorded it locally listed status due to the particularly positive contribution it makes to the character and appearance of the conservation area.
 4. The building's rear elevation is prominent in views from the surrounding area and includes a number of distinct features, including the three storey belvedere, a first floor balcony, a two-storey gable feature and dormer windows. I note the appellant's contention that the belvedere is a later addition to the original building. Nonetheless, it has integrated well, with an overall design, fenestration and materials that respect the design and appearance of the original building.
 5. The proposal is for a balcony with railings at roof level with the dormers largely replaced by French doors. Despite the distinct individual features, the rear elevation comprises a proportionate and coherent whole. This is particularly
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apparent from the scale of the windows progressing from the larger windows on the ground floor to the smaller windows of the dormer and top floor of the belvedere. The proposed full length doors and railings at roof level would upset these proportions, giving the roof a 'top heavy' appearance. Moreover, the balcony and windows would compete visually with the similar feature on the floor below and, as such, would be an uncharacteristic and incongruous change. I agree also with the Council that the railings would create a visually cluttered elevation.

6. Therefore, for these reasons, I find that the proposal would fail to preserve the character and appearance of the Oulton Broad Conservation Area. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation¹. Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
7. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal². The appellant indicates that the larger openings and balcony would enable much better views than the current dormers; and safer access to the belvedere than the existing ladder from the first floor. I accept that the existing ladder detracts from the character and appearance of the building. However, on the assumption that it would be removed, this would not overcome the harm that has been found with regard to the proposed balcony, the principal purpose of which relates to a private benefit with regard to occupation and use of the appeal property.
8. I note that the appellant intends to replace the roof tiles, which it is contended will be more in keeping with the appearance of the original building. However, this alteration has been approved separately to the appeal proposal³ and, as such, any resultant improvement to the building's appearance is not dependent on the current proposal. Therefore, there are no public benefits in this case that would outweigh the harm that would result from the proposed balcony.
9. Accordingly, for the reasons given, I conclude that the proposed balcony would not preserve the character or appearance of the Oulton Broad Conservation Area. Consequently, it is contrary to the following policies from the Local Plan for the Broads (2019): SP5 concerning the protection of the historic environment of the Broads; DM11 concerning the effects of development on heritage assets; and DM43, which requires all development to be of a high design quality. The proposal is also contrary to section 16 of the Framework.
10. In reaching this conclusion I am particularly mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area⁴.

¹ Paragraph 193.

² Paragraph 196.

³ Under ref BA/2019/0137/HOUSEH.

⁴ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

11. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR