
Appeal Decision

Site Visit made on 29 June 2021

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/Y2620/W/21/3267493

The Granary, 51 Station Road, Sheringham NR26 8RG

- 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 Jon Nash (Regent Square LTD) against the decision of North Norfolk District Council.
 - The application Ref PF/20/1660, dated 10 September 2020, was refused by notice dated 8 January 2021.
 - The development proposed is described as the "demolition of redundant A1 use building and replacement with 6 no. studio holiday lets".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the submission of the appellant's appeal the Revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. In light of this I have sought the views of the main parties in writing and I have taken any subsequent responses into account in reaching my decision.

Main Issue

3. The main issues in this appeal are the effect of the development on the character and appearance of the area and the living conditions of adjoining occupiers with particular regard to privacy and outlook at 51 and 53 Station Road.

Reasons

Character and Appearance

4. The site is within the town centre of Sheringham which has a largely commercial character and contains a wide variety of shops, stores and recreational premises that cater for both the local and tourist trade. Station Road itself is typical of many town centres, with a range of architectural styles and ages of buildings.
5. An alley allows access behind a shop on Station Road to the appeal site where a part single storey and part 1 ½ storey building is located. The building is 'L' shaped and abuts its northern and eastern boundary and although not readily visible from Station Road, one can partly view the building through the alley. However, the southern elevation and first floor window is visible from Sheringham Station and there is a degree of openness to the appeal site and

surrounding properties which allows views to the north where one can appreciate the range of roofscapes.

6. The proposal seeks to demolish the existing building and replace it with a two storey building that would provide six studio holiday lets. The proposal would occupy the majority of the width of the site, extending close to its rear boundary. A small area of open space would be provided to the front of the site under the stairway access to the first floor properties. Cycle parking and space for refuse bins is also provided within the site.
7. As the development proposes a residential use one would expect a reasonable level of outdoor space to be provided within the site. However, the residential use would be through holiday lets, which is quite different with associated short-term occupancies. Furthermore, the site is within a sustainable location close to shops, services and transport links. Consequently, the nature and pattern of usage of a holiday let would, in my view, be different to a dwelling in permanent residential use and one that could reasonably be secured by a planning condition. Therefore, I am not persuaded that the lack of amenity space for future users of the building would amount to harm.
8. Although I acknowledge that there is no requirement to slavishly follow the form of the existing building, the proposal would be larger in terms of its floor area than that currently on site. Due to its span and height across almost the entire width of the plot, the new building would appear substantially larger than the existing building on site. Consequently, notwithstanding the building has been moved away from its boundaries, the space remaining is not readily useable and does little to alter the size of the proposal which would be of a greater scale, bulk and massing than the property to be demolished.
9. Consequently, when viewed from Sheringham Station and the surrounding properties, as a result of the additional scale, bulk and mass, the side elevation of the new building, would appear excessively large and visually prominent within such a tight plot. Notwithstanding the presence of the large building to the north, the development would erode the sense of openness that one can appreciate when looking northwards across the appeal site. Consequently, this would result in a development that has a cramped appearance, which is indicative of overdevelopment of the site. The proposal would be out of keeping and harmful to the character and appearance of the area. Furthermore, I am not persuaded that the development would only be harmful from its southern elevation as the site is clearly visible from the properties that surround it.
10. As the site lies within the Sheringham Conservation Area (SCA), it also rests with me as the decision maker to apply the intended protection for heritage assets as specified in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore, in undertaking this duty, I have based my assessment on the evidence presented before me and the observations I made during my site visit. I consider that the proposal would result in harm, through the cramped appearance of the development, which would fail to preserve or enhance the SCA.
11. Given the size of the SCA, I find this harm to be less than substantial. In such circumstances the Framework requires at paragraph 202 that where a development would lead to less than substantial harm, this should be weighed against the public benefits of the proposal. In this instance, although the harm is less than substantial it should not be treated as a less than substantial

objection to the proposal. I acknowledge that there would be some benefits through the provision of holiday lets, which would be available to the public who are likely to boost spending in the area. I also recognise the challenges the high street faces during the Covid-19 pandemic and that the development will provide employment. However, I do not consider that this would overcome the great weight that should be given to the conservation of a designated heritage asset.

12. Thus, the development would result in harm to the character and appearance of the area. It would be in conflict with Policy EN4 of the North Norfolk District Council Core Strategy 2008 (the Core Strategy) which seeks, amongst other things, to ensure that developments have regard to local context and preserve or enhance the character and quality of an area.

Living Conditions

13. To the front of the appeal site is 51 and 53 Station Road which contain residential accommodation over the ground floor retail areas. A number of windows are within the rear elevation of 51 and 53 which look over the roof of the existing building. The development proposes a two storey building, which includes a gallery serving three of the six holiday lets at first floor level, with its principal elevation facing onto the rear of No. 51.
14. The appellant states that the development would be some 8m from the rear windows of 51 Station Road. However, the 8m distance would be reduced with users of the site accessing the first floor via the stairs and gallery in such a close distance that would create an unneighbourly and imposing environment to No. 51, resulting in harm to the living conditions of its occupiers.
15. Although I acknowledge that in suburban locations there is likely to be a degree of mutual overlooking between properties, the development is nevertheless very close to the rear of No. 51 and the offer to obscure the bottom of the windows would not remove the sounds and movement associated with the comings and goings of users of the proposed holiday lets. This would be appreciable from No. 51 and to a lesser extent No. 53, giving a strong perception of being overlooked, which, to my mind, can be as harmful as actual overlooking.
16. In addition, the scale of the building at such a close position would be overbearing when viewed from the rear windows of No.51, creating a dominant feature that would result in a poor outlook that its occupiers currently enjoy. The development would therefore harm the living conditions of the occupiers of No. 51 Station Road.
17. Given the oblique nature of the development site from the rear elevation of No. 53, I am not persuaded that the proposal would harm the living conditions of its occupiers through loss of privacy or indeed outlook, to the same degree.
18. Thus, the development would result in harm to the living conditions of the occupiers of No. 51 Station Road through loss of privacy and outlook. It would be in conflict with Policy EN4 of the Core Strategy which seeks, amongst other things, to ensure that developments do not have a significant detrimental effect on the residential amenity of nearby occupiers.

Other Matters

19. I acknowledge that the building has been vacant for some time and that residential use of the site is acceptable in principle. I accept that, despite its spatial limitations, the contemporary design of the development is acceptable. I also note the comments from the Council's Conservation and Design Officer who did not feel able to sustain an objection to the proposal. However, this should not be read as a tacit agreement that the development was acceptable.

Conclusion

20. Thus, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

Graham Wyatt

INSPECTOR