
Appeal Decision

Site visit made on 29 September 2021

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2021

Appeal Ref: APP/V2635/D/21/3275643

Victoria House, 3 Manor Road, Dersingham, Kings Lynn PE31 6LD

- 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 and Mrs Parton against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 21/00290/F, dated 16 February 2021, was refused by notice dated 29 April 2021.
 - The development proposed is Construction of double garage to front of property and associated turning area. Removal of existing front fence, new estate fencing. Removal of 3 trees and replanting with 4.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single garage to front of property and associated turning area. Removal of existing front fence, new estate fencing. Removal of 3 trees and replanting with 4 at Victoria House, 3 Manor Road, Dersingham, Kings Lynn PE31 6LD in accordance with the terms of the application, Ref 21/00290/F, dated 5 March 2021, subject to the following 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 Number PAR PL2.1; and Drawing Number PAR PL2.2.
 - 3) All planting, as shown on the approved plans, shall be carried out in the first planting season following the commencement of the development 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.

Preliminary Matters

2. The proposal was amended, during the course of the application, from a double garage to a single garage. The Council determined the application on that basis. This is reflected in the description of development in my decision above.
3. On 20 July 2021 a revised National Planning Policy Framework was issued. However, there have been no material changes to the parts of the Framework's policies relevant to this case. Therefore, it has not been necessary to go back to the parties for further comments in this instance. Any reference to 'the Framework' made within my decision are to this revised version.

Main Issues

4. The main issues are whether or not the proposed development would preserve or enhance the character or appearance of the Dersingham Conservation Area and the effect of the proposal on the setting of the Grade II Listed Building, West Hall Manor Cottages.

Reasons

5. The appeal site is situated within the south western extent of the Dersingham Conservation Area (CA). The CA is to the north, east and south of the village, in the form of an approximate reverse 'C', taking in the historic core and wrapping around the extensive more modern development to the west. Manor Road is a busy street with a mix of buildings of varied periods, styles and uses. It is predominantly residential in character. Some buildings are built right up to the street edge and some are set back behind various depth front gardens. West Hall Manor Cottages, a Grade II Listed Building (LB) is situated to the east of the appeal site.
6. I am required under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to give special attention to the desirability of preserving or enhancing the character or appearance of the CA. I am also required under Section 66(1) of the Act, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
7. From the evidence provided to me and from what I saw on my site visit, I consider that the significance of the CA arises from the historic spread of development and the variety of buildings of different ages, styles, forms and heights. Carrstone dominates as a building material.
8. The LB is a mid-century former manor house of rubble Carrstone construction with brick dressings and red pantile roof with later additions. It has been extended at its southern end by the addition of three red brick cottages. The LB is orientated perpendicular to the road and set back from it, a vehicular access passes in front of the LB between the appeal site and the LB's front elevation and garden. Its significance derives largely from its historic and architectural interest. The site lies within the setting of the LB.
9. The proposal would result in built form where currently there is none and would therefore reduce the extent of space between the LB and the street. However, the building would be modest in size and of high-quality design, incorporating traditional detailing and materials, including local Carrstone shale. I am satisfied that the building would retain a sufficient amount of space in front of the LB so as not to undermine or dilute the special interest and significance of the LB or the contribution its setting makes to that significance. The main views out of and towards the LB would be preserved. The existing closed boarded timber boundary fencing at the site, that faces the LB and the street, would be replaced with a softer boundary treatment of estate fencing and yew hedgerow. This would enhance the appearance of this part of the CA and the setting of the LB and would be a benefit of the proposal.
10. The proposal would appear subservient to its host property and would not be unduly assertive in the street scene. The roofline would be approximately 3.6

metres high, and the hipped roof pitch would draw the overall height away from the side boundary. Combined with its set back of some 7 metres from the highway, the building would not appear dominant in the street scene. The proposed development would be a sympathetic addition, respectful of the appearance and character of the CA. Although it would reduce the openness of the front garden to the dwelling, as a single garage it would only have a limited footprint. A significant part of the garden would be retained, thus preserving the general spaciousness of the plot and its immediate surroundings. Given the layout and character of the area, the design of the building and its position within the site would not result in harm to the character or appearance of its surroundings. The character and appearance of the CA as a whole would be preserved.

11. The proposal would result in the removal of three mature trees from the site, two silver birch and a pine. Whilst these trees contribute to the somewhat verdant appearance of the street scene and CA, the effect of their removal would be minimal and would be compensated for, in the long term, by the provision of a yew hedge and four new silver birch.
12. I therefore conclude that the proposal would not harm the character and appearance of the area, would preserve the character and appearance of the CA and would preserve the setting and, thus, the significance of the LB. It would accord with the heritage and design aims of Policies CS01, CS06, CS08 and CS12 of the Council's Core Strategy 2011, Policy DM15 of the Council's Site Allocations and Development Management Policies Plan 2016 and the Framework.

Other Matter

13. Concern has been raised regarding the effect of the proposed widening of the hard surfaced access to the appeal site and the effect this would have on the availability of public parking within the street. However, the evidence indicates this land to be within the ownership of the appellants. No objection has been raised by the Highway Authority in this regard. I am, therefore, satisfied that the proposal would not result in the loss of public parking provision. This matter does not affect my conclusions in relation to the main issues.

Conditions

14. In addition to the standard time limit condition, it is necessary to impose a condition specifying the approved drawings as this provides certainty. The proposed materials are stated on the plans and therefore this matter is dealt with under condition 2. I have imposed a condition to secure the approved planting in a timely manner, in the interest of the protection of the character and appearance of the area.

Conclusion

15. For the above reasons the appeal is allowed.

S Tudhope

INSPECTOR