



Appeal Decision

Site Visit made on 19 October 2010

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2021

Appeal A Ref: APP/Y2620/Y/21/3273563

34 Norwich Street, Fakenham NR21 9AE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr D Perposhi against the decision of North Norfolk District Council.
 - The application Ref LA/21/0193, dated 18 January 2021, was refused by notice dated 29 March 2021.
 - The works proposed are new access stairs to upper floor flat and removal of existing.
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Appeal B Ref: APP/Y2620/W/21/3272450

34 Norwich Street, Fakenham NR21 9AE

- 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 D Perposhi against the decision of North Norfolk District Council.
 - The application Ref PF/21/0192, dated 18 January 2021, was refused by notice dated 29 March 2021.
 - The development proposed is external access stairs to upper floor flat and removal of existing.
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Decision - Appeal A

1. The appeal is dismissed.

Decision - Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning.
4. The revised National Planning Policy Framework (the Framework) was also published on 20 July 2021, the parties have had the opportunity to comment on its implications and I have taken account of the revised Framework in my decision.

Main Issue

5. The main issue in both appeals is whether the proposed development/works would preserve the grade II listed 34, Norwich Street or its setting and any features of special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the character or appearance of the Fakenham Conservation Area.

Reasons

Significance

6. The appeal property is a grade II listed three storey property known as 34, Norwich Street (No 34 Norwich Street) within the Fakenham Conservation Area (CA).
7. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. The same act also requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore, paragraph 199 of the Framework states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
8. No 34 Norwich Street is an early C19 red brick and black glazed tiled hipped roof three storey building. The elevation facing Norwich Street has first and second floor sash windows. The ground floor has entrance doors with pilastered doorcases with entablature. The rear elevation faces Whitehorse Street and is less detailed, with more irregular sized and spaced windows and a brick wall enclosing a small service area.
9. The CA includes the main historic core of the town centred around its market place. It includes a variety of traditional buildings, many Georgian, particularly in and around the market place, with their scale and quality reflecting historical wealth generated through agricultural trade and the local market.
10. Insofar as is relevant to these appeals the significance of No 34 Norwich Street derives from its historical and architectural interest as an early C19 building and part of the historic commercial core of Fakenham. Insofar as is relevant, the significance of the CA derives from the architecture and layout of the buildings within it, their relationship with the market place and their historical association with the agricultural economy.

Effects on No 34 Norwich Street and the Fakenham Conservation Area

11. The scheme is described as new access stairs to upper floor flat and removal of existing. However, other than photographs of the existing staircase, there are no substantive details of the works necessary to remove the existing staircase, make good and the impact these works would have on the internal historic fabric of the listed building or its significance. Even though there are no details of internal fabric included on the listing description this does not mean that any such proposal would not involve the removal of or harm to historic fabric which could harm the significance of the listed building. Such works could be extensive and damaging and whether or not the existing stairs meet current building regulations is not sufficient justification for their removal.
12. The Framework is clear in that the level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Thus, without clear details which demonstrate how the existing staircase could be sensitively removed and the building made good, I cannot understand or be satisfied that the scheme could be implemented without causing harm to features of special architectural or

historic interest. Conditions seeking to secure details of such measures, in this instance, would not therefore be appropriate.

13. Turning my attention to the proposed external staircase and the replacement of the first floor window with a new doorway at first floor level on the elevation facing Whitehorse Street. There are also no details showing how the proposed structure would be attached to the listed building or whether the works to create the larger opening and remove the existing window would involve the loss of historic fabric. Furthermore, whilst the elevation to which the new staircase would be attached may not have the same quality of architectural detailing as the elevation facing Norwich Street, it still retains a simple and traditional form with its traditional hipped roof the most prominent feature.
14. The proposed metal staircase would rise above the existing brick wall, leading to a raised platform and metal balustrade. It would have a modern utilitarian appearance which would complicate and conflict with the simple traditional features of the elevation harming both the setting and significance of the listed building. Consequently, the proposal would fail to preserve the historic architectural detailing and would harm the setting and significance of the grade II listed No 34 Norwich Street.
15. These effects would be particularly noticeable from Whitehorse Street a main route through the CA to and from the market place. I note the existing external staircase on the adjacent property. However, irrespective of whether or not there is other harmful development in this part of the CA already, this is not a reason to justify further harm. I have found harm to the setting and significance of a grade II listed building within the CA. That harm would be widely visible on a busy CA through route and therefore also fail to preserve or enhance the character or appearance of the CA, harming the significance of the CA as a whole.

Planning and Heritage Balance

16. The combined harm I have identified to the significance of the designated heritage assets would be less than substantial. In which case paragraph 202 of the Framework requires it to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
17. The proposals would improve the living conditions for the occupiers in terms of additional internal living space and stairs that would be safer and meet building regulations. However, these benefits are modest and would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage assets.
18. Thus, overall, I find the proposed development/works would fail to preserve the grade II listed No 34 Norwich Street and its setting and would also fail to preserve or enhance the character or appearance of the CA contrary to the respective sections of the Act and the Framework. For the same reasons both appeal proposals would also conflict with the development plan, particularly Policies EN4 and EN8 of the North Norfolk Local Development Framework Core Strategy Incorporating Development Control Policies (2008) which amongst other things seek to ensure good design and that proposals do not cause harm to the historic environment.

Conclusion

19. For the reasons given above and taking into account all other matters raised, I conclude that both appeals should be dismissed.

L Fleming

INSPECTOR