

Appeal Decision

Site visit made on 12 January 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH January 2022

Appeal Ref: APP/U2615/D/21/3285491

Stones Throw Cottage, North Market Road, Winterton-On-Sea NR29 4BH

- 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 & Mrs Hibbert against the decision of Great Yarmouth Borough Council.
 - The application Ref 06/21/0606/F, dated 8 July 2021, was refused by notice dated 11 October 2021.
 - The development proposed is single storey front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Two drawings showing different designs for the front extension have been provided and the appellants request that both are considered in this appeal. However, the Council indicates that at the time of its consideration of the application, the appellants wished the application to be determined on the basis of the original drawing (ref 2149-001A) and that was the basis for its decision. For this reason and because it is unclear whether other parties were consulted on the alternative design, I have considered the proposed extension on the basis of the original drawing and have not had regard to the alternative design (ref 2149-001B).

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Winterton Conservation Area, in which the appeal property is located.

Reasons

4. The Winterton Conservation Area comprises two distinct parts; the appeal property is located adjacent to the northern boundary of the larger part, which covers predominantly residential properties as well as the nearby seafront. The appeal property is a two storey cottage in the middle of a short terrace of three cottages. This terrace is perpendicular to North Market Road and, together with other neighbouring dwellings, forms a small and distinct group of attractive cottages that appear largely to have retained their original historic
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- character and appearance. As such, the appeal property and neighbouring cottages make a positive contribution to the conservation area.
5. The adjoining property to the south-west has a small porch and a single storey element to the front close to the road, although this is also of limited size. The property to the other side, Endcot, has a more substantive single storey element to the front that appears to be of similar depth to the appeal proposal. As such, single storey development to the front of the cottages is not an uncharacteristic feature of this part of the conservation area.
 6. However, the proposed extension appears to be of greater width than the existing features on the terrace and, consequently, it would obscure more of the original frontage than is the case for the two adjoining dwellings. Moreover, unlike the features on the neighbouring dwellings, it would result in a visually awkward relationship with the upper floor windows. The cut-away of the mono-pitch roof to accommodate these windows represents an incongruous design in this setting where no such features exist and would contrast unfavourably with the simple and original frontage of the cottage.
 7. Both the size and alien roof profile of the extension would draw attention to it as an uncharacteristic form of development in this setting. The fact that there does not appear to be a conservation area appraisal in place does not alter these findings, particularly as I must have regard to 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 area¹.
 8. Despite the hedge to the front, the extended dwelling would be visible from the public realm and neighbouring dwellings. While the harmful effects of development in a conservation area are not dependent on such views being available, these effects would nonetheless be readily apparent from the surrounding area.
 9. Therefore, for the reasons given, I find that the proposed extension would fail to preserve the character and appearance of the Winterton Conservation Area. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation². Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
 10. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal³. I acknowledge that it is not possible to extend the property to the rear and that the extension is intended to create more living space for full-time occupation rather than use as a holiday home. However, these matters relate to occupation and use of the appeal property as a private residence and, as such, there are no public benefits that would overcome the harm that has been found with regard to the proposal.

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

² Paragraph 199.

³ Paragraph 202.

11. Therefore, for the reasons given, I conclude that the proposed extension would not preserve the character or appearance of the Winterton Conservation Area. Consequently, it is contrary to Policy CS10 of the Great Yarmouth Local Plan Core Strategy 2013-2030, concerning safeguarding local heritage assets; and to Policy HOU18 of the Great Yarmouth Borough-Wide Local Plan (2001), which requires residential extensions to be in keeping with the character of the area. Reference is also made to Policy H5 of the emerging Local Plan, although this apparently concerns rural worker dwellings and, therefore, is not relevant. The proposal is also contrary to section 16 of the Framework.

Conclusion

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

J Bell-Williamson

INSPECTOR