
Appeal Decision

Site visit made on 24 March 2022

by M Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2022

Appeal Ref: APP/V2635/W/21/3279084

Land at Manor Farmhouse, Broad Lane, Brancaster

- 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 Langton Homes against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 20/02057/F, dated 17 December 2020, was refused by notice dated 6 April 2021.
 - The development proposed is erection of pavilion for use as single dwelling, with associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a Listed building, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues in this case are whether the proposal would preserve or enhance the character or appearance of the Brancaster Conservation Area, and the impact of the proposal on the significance of the Church of St Mary, a Grade I Listed building, having regard to its setting.

Reasons

4. Manor Farmhouse (Manor Farm) is set back from the A149 coastal road and Broad Lane, from which access is taken. The appeal site lies adjacent to Manor Farm and within its grounds. It also lies within the Brancaster Conservation Area (CA). The Church of St Mary, Grade I Listed¹, is located on the opposite side of Broad Lane.
5. I have used the submitted Brancaster Conservation Area Character Statement² alongside the evidence submitted and the observations I made on my site visit to determine the significance of the CA. In this regard, I consider that its character has evolved over time. The historic core of the CA lies generally to the east of the appeal site, comprising a linear pattern of traditional buildings positioned on either side of the A149 and several side streets that connect to it.

¹ List Entry Number - 1237744

² Character Statement Designated 1990, Revised May 2009

These buildings tend to display a vernacular style, utilising cobbled flint walls, light colourwash and render, red bricks, and pantile roofs.

6. Broad Lane, on the other hand, is a departure from the more compact urban form, with properties varying in their age and style, laid out in a looser arrangement in spacious gardens, often screened from the street by mature vegetation. Therefore, in respect of this appeal, it is the presence of well-preserved traditional buildings that are constructed from traditional materials, and the spacious, leafy surroundings which contribute to the significance of the CA.
7. Insofar as the Grade I Listed Church of St Mary is concerned; it is an impressive building dating from the late medieval period. It includes a number of historic architectural elements typical of ecclesiastical buildings of this period and is characterised by the use of local materials, including pebble flint that has been used in the construction of its walls. The church has a prominent tower and forms an anchor point within the village. The informal landscaped graveyard immediately surrounding it, coupled with its open, corner plot position and common materials, all contribute to the historic, rural character of the village. Given the above, I find that the setting of the building, insofar as it relates to this appeal, to be primarily associated with the open aspect of the graveyard that stresses the status and importance of this key building. This directly contributes to its special interest for the reasons given.
8. The appeal site lies adjacent to Manor Farm. The date of this building has not been verified³, but it is from a later era than other buildings in the village such as the church. It is an attractive period building displaying full height bays, a symmetrical and traditional façade, and a large garden area to the front and side of the building surrounded by a traditional wall. The appeal site is a component part of the leafy spacious grounds associated with Manor Farm and makes a positive contribution to the character and appearance of the CA.
9. I do not accept the appellant's assertion that the appeal site is less important to the CA than the communal gardens which lie in front of the principal elevation. On the contrary, to my mind it is the appearance of the total area of open space around Manor Farm, including that associated with the appeal site, which reinforces the building's presence and the verdant grounds within which it sits.
10. The appeal site also constitutes part of the setting of the church, although the contribution it makes to its significance is less notable. This is due to its peripheral position at an oblique angle to the church and its location on the opposite side of Broad Lane, distinctly separate from the church grounds. When viewed from the church and associated yard, the appeal site is well screened by intervening vegetation even at times of the year when leaf cover is limited, and the garden space associated with the appeal site does not feature prominently in the setting of the church. Consequently, I conclude that there would be no harm to the setting of the listed building.
11. In respect of the wider impacts, the proposed building would not appear subservient to Manor Farm. This is despite its low-profile flat roof, and the 'pavilion' style design. The overall footprint of the building would constitute a conspicuous addition to the garden space. This would be exacerbated by the

³ The appellant states it is a Victorian building

detached parking area which would be located in front of the proposed dwelling, along with black metal railings and a hedgerow which would be positioned in between the proposal and Manor Farm. The result would be a distinctly separate residential unit and subdivision of the existing garden. In its entirety the proposal would appear prominent within the grounds of Manor Farm, diminishing the property's semblance of individuality and its contribution to the CA. As a result of the urbanising effect of the proposal, this would harm the spacious and rural character of the surroundings. Overall, the proposal would be detrimental to the character and appearance of the CA.

12. I am aware that Manor Farm has recently been converted into apartments and the land in front of the building now forms communal gardens. Moreover, new houses and conversions of historic farm outbuildings have recently been developed close to the appeal site. Be that as it may, the existing gardens retain their spaciousness and verdant character. Conversely, the use of the land for the dwelling and associated parking would be a permanent encroachment into an undeveloped area of green space which would erode the character of the site.
13. In terms of visibility from the wider CA, this would be restricted mainly due to existing vegetation and screening, and the limited height of the proposed building. There would, however, be kinetic views of the flat roof of the proposed dwelling when travelling along Broad Lane, along with limited views of the dwelling through the main entrance gates to Manor Farm. This urbanising effect would nevertheless alter the appearance of the CA thus failing to preserve its significance.
14. Paragraph 199 of 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 its conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of the asset and that any such harm should have a clear and convincing justification. Given the limited views, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
15. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
16. I appreciate that the design of the scheme would be high quality, and I am told the appellant has delivered other high quality traditional schemes in the local area. Moreover, no objections are raised by the Council in respect of the proposed building's design. The proposal would also provide an additional dwelling, thus making a contribution to local housing supply, in accordance with local policies. However, having considered these as public benefits, I am not satisfied that collectively they would be sufficient to outweigh the harm that I have identified.
17. Given the above and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the character and appearance of the Brancaster Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 199 of the Framework, and would conflict with policies CS01 and CS08 of the Kings Lynn & West Norfolk Borough Council Local Development Framework Core Strategy 2011, Policies DM1 and DM15 of the

Site Allocations and Development Management Policies 2016 which requires, amongst other matters, that development is of high quality that reflects the character and appearance and the historic environment by responding to context and character, and preserves or enhances the character and appearance of an area, including conservation areas, and is in keeping with the village. There would also be conflict with Policy 1, Policy 2 and Policy 8 of the Draft Review Brancaster Parish Neighbourhood Plan for 2018 – 2036, although I am unclear on the status of this document in relation to the development plan.

Other Matters

18. The appellant has provided details of payment to the Council in relation to Habitats Regulations Monitoring and Mitigation Payments. However, it is not necessary for me to consider this further, or the implications of this proposal on European designated sites⁴, as I am dismissing the appeal for the reasons given.
19. Concerns have been raised by residents covering a range of matters including highways, flood risk, and the effect of the proposal on the living conditions of the residents of apartments within Manor Farm. Whilst I note the Council raise no objections to these matters, as I am dismissing the appeal for the reasons given, it has not been necessary for me to address these matters further.

Conclusion

20. For the reasons given, the appeal is dismissed.

M Woodward

INSPECTOR

⁴ As detailed in the Conservation of Habitats and Species Regulations 2017