



Appeal Decision

Site visit made on 2 November 2023

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2023

Appeal Ref: APP/E9505/D/22/3311834

Shoals Cottage, The Shoal, Irstead, Norfolk NR12 8XS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr & Mrs Bob Parks against the decision of the Broads Authority.
- The application Ref BA/2022/0309/COND, dated 9 September 2022, was refused by notice dated 15 November 2022.
- The application sought planning permission for house extension without complying with a condition attached to planning permission Ref BA/2022/0030/HOUSEH, dated 8 April 2022.
- The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details received as listed below:
 - Site Location Plan (Received by the Local Planning Authority 25 January 2022)
 - Shoals Cottage Location Plan c - Block plan proposed (Received by the Local Planning Authority on 08 February 2022)
 - Amended 5367 d parks Shoals Cottage The Shoals Irstead House Proposed 14032022 dwg (Received by the Local Planning Authority on 15 March 2022)
 - Shoals Cottage - Proposed Materials (Received by the Local Planning Authority on 18 March 2022)
 - Brick bond and mortar details redacted (Received by the Local Planning Authority on 18 March 2022)
 - Flood Risk Assessment Tick Sheet (Received by the Local Planning Authority on 28 January 2022)
 - 'PRELIMINARY BAT ROOST ASSESSMENT FOR PROPOSED EXTENSION AND ALTERATIONS TO THATCHED ROOF' received by the Local Planning Authority on 01 April 2022.
- The reason given for the condition is: For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.

Decision

1. The appeal is allowed and planning permission is granted for house extension at Shoals Cottage, The Shoal, Irstead, Norfolk NR12 8XS in accordance with the terms of the application, Ref BA/2022/0309/COND, dated 9 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details received as listed below:
 - Site Location Plan (Received by the Local Planning Authority 25 January 2022)
 - Shoals Cottage Location Plan c - Block plan proposed (Received by the Local Planning Authority on 08 February 2022)

- 5367/G1 Proposed replacement of Thatch with Plain Tiles
- Shoals Cottage - Proposed Materials (Received by the Local Planning Authority on 18 March 2022) except as it relates to roof materials
- Brick bond and mortar details redacted (Received by the Local Planning Authority on 18 March 2022)
- Flood Risk Assessment Tick Sheet (Received by the Local Planning Authority on 28 January 2022)

Main Issue

2. The main issue is the effect of the revised materials upon the cultural heritage of the Broads and the significance of the non-designated heritage asset.

Reasons

3. Thatched buildings make a significant positive contribution to the character and appearance of the Broads, and I am mindful of the statutory duty¹ placed on me to conserve its cultural heritage. The Council has identified Shoals Cottage as a non-designated heritage asset (NDHA), and I have no reason to disagree. For the purposes of this appeal, its significance lies in its architectural and artistic interest as an example of an Arts and Crafts dwelling.
4. The host dwelling, which was shown to have a thatched roof in photographs submitted with the appeal, now has a tiled roof. Construction of the substantial, approved house extension is at an advanced stage, although the roof was covered. Its elevations use matching materials to the existing dwelling, and along with the height of the extension matching that of the existing dwelling, provide a coherence to the extended building. The use of tile on the extension would continue this coherence.
5. Consequently, a thatched roof on the extension would appear incongruous and would not integrate with the host dwelling as it now appears. In light of the change to the roof of the host dwelling, a thatched roof on the extension would be of very little, if any, value in demonstrating the cultural heritage of the Broads and in maintaining the significance of the NDHA.
6. The proposed use of tile in place of thatch would therefore not have a harmful effect upon the cultural heritage of the Broads and the significance of the non-designated heritage asset. It would therefore be in accordance with Local Plan for the Broads (May 2019) (LP) Policy DM11 which requires development to preserve historic assets and LP Policy DM43 which requires materials to be appropriate to their context. It would also be in accordance with paragraphs 130 and 135 of the National Planning Policy Framework which, amongst other things, require development to add to the quality of an area and for the quality of approved development to not be materially diminished between permission and completion. It would also be in accordance with paragraph 203 which requires the effect on the significance of the NDHA to be taken into account.
7. The Council has cited LP Policy DM21 which concerns amenity of surrounding and future occupiers of development. I do not find this to be of direct relevance to the proposal before me.

¹ Section 17A of the Norfolk and Suffolk Broads Act 1988

Conditions

8. In allowing this appeal, a new planning permission is granted. I have amended the approved plans condition to reflect the amended plans and materials. The Planning Practice Guidance advises that such decisions should restate the conditions imposed on earlier permissions that continue to have effect. As the development has commenced, there is no need for me to impose the standard time limit.
9. The original permission included a condition which required the development to be carried out in accordance with a bat roost assessment. The Council has confirmed it would not be necessary for this condition to be reimposed were the appeal to be allowed as there would no longer be a thatched roof. I have no reason to disagree and have also removed the reference to this document in the approved plans condition.

Conclusion

10. I therefore conclude that the appeal should be allowed and grant a new planning permission which varies the disputed condition.

J Downs

INSPECTOR