



Appeal Decision

Site visit made on 28 February 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 11.03.2024

Appeal Ref: APP/Y2620/D/23/3331090

1 Manor Farm Barns, Norwich Road, Corpusty, NR11 6QD

- 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 Michael Walsh against the decision of North Norfolk District Council.
 - The application Ref PF/22/2767, dated 22 November 2022, was refused by notice dated 20 July 2023.
 - The development proposed is erection of roof over walled garden to provide domestic outbuilding (studio/gym) - part retrospective with amendments to reduce size and scale of building to allow for external courtyard area.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form described the proposed development as "reduce size and scale of as-built Studio / Gym Room on the application site, within previous walled garden area". The council changed this to the description used in the heading above, as did the appeal form. I have adopted it as it more clearly identifies the development proposed.

Main Issues

3. The main issues in this case are i) the effect of the proposal on the character of the barn conversion, its setting and the surrounding countryside; ii) the effect on the Grade II listed heritage asset - Manor House.

Reasons

The site and brief background

4. The appeal site contains a dwelling which is a conversion of a former barn set within a former 'farmyard' complex containing another barn to the east which has been converted into two dwellings. Immediately adjoining the site to the south is the Grade II listed Manor House. The existing walled garden to the dwelling has been roofed over to provide a domestic outbuilding. This was subject to enforcement action, so that this appeal proposal is an amended scheme that seeks to overcome the previous objections. The use of the structure remains as a personal gym, for private use only, with no commercial use. The principle of this use is acceptable, as it is an appropriate use incidental to the dwelling.

5. The extension as built covers an area of approximately 15m x 12m. The proposal is to reduce the scale of the extension by one third, to an area of approximately 10m x 12m. This would involve removing one third of the roof, up to the point where one of the two roof steels spans the structure. The open sided elevation that this would leave, would then be infilled with brickwork and three sets of double glazed doors. This elevation would be within the existing perimeters of the former walled garden boundary, but part of that perimeter would be opened to create an access to other areas of the curtilage. The roof would then be finished in Sedum.

The effect of the proposal on the character of the barn conversion, its setting and the surrounding countryside

6. The appeal dwelling is set at a higher level than the walled garden, so that there is patio area along its north-western façade, from which there is a set of steps down to the garden level. The steps would remain in the covered area, the new side wall of which would be just beyond, on their north-eastern side. This would leave an open area about 5m wide running to the wall at the end of the garden. The covered area would extend to the garden wall to the south-west, again running to the end of the garden. The roof would sit on top of the south-west and north west walls. The steps would have their own roof, dropping down to the main roof to provide a protected entrance door.
7. The walled garden would have been a significant feature of the house when it was converted from a barn. The outlook across this area from the terrace along the north-eastern façade, with the reduction in roofed area as proposed, could not be described as visually pleasing, consisting of either the present covering of grey membrane or, slightly more pleasing, as a sedum roof, but not an area that could be enjoyed as open space. The remaining garden would be relieved of the roofing, but would be relatively insignificant alongside the roofed area. The roofed area would dominate this outlook, rather than be a subservient built element to the house. For these reasons I consider that the proposed roofed area would be harmful to the character and appearance of the barn conversion.
8. I am, however, not persuaded that there would be a significant detrimental effect on setting of the barn conversion and the surrounding countryside. The walled garden is set back from both Norwich Road and the B1149, and little can be seen from these highways because of the trees and shrubs lining the former and the buildings and walls of the Manor and the other barn conversions screening the latter. Looking across the countryside from the north-west, the roof would be imperceptible, and not a significant feature from the public footpath. I therefore do not consider that this part of the refusal reason is justified.

The effect on the Grade II listed Manor House.

9. The following is part of the description of the Manor House included in the listing: "House and attached garden wall to south, C16. Brick and flint with pantiled roof ... Attached garden wall: flint with brick quoins and coping, off-set flint plinth with brick cap". It is clear that the brick and flint boundary walls are an important element of the character and appearance of the Manor House, and also those that are part of its setting.
10. Policy EN 4 of the North Norfolk Core Strategy, incorporating Development Control Policies, adopted in 2008 (CS) requires development to be of a high

standard of design and, among other matters, be suitably designed for the context within which they are set. Policy EN 8 of the CS deals with protecting and enhancing the historic environment. This requires development to preserve or enhance the character and appearance of designated assets and their settings and be of high quality and sensitive design.

11. Although predating the latest version, these policies are in conformity with the National Planning Policy Framework (the Framework), September 2023. Section 16 of the Framework deals with Conserving and enhancing the historic environment. It begins (paragraph 189) with the following statement of policy: *"Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"*
12. Paragraph 199 then states: *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance"*.
13. The proposed partial demolition of the appeal structure would reduce its impact to a degree, but it would still have a presence over most of the walled enclosure, and for 2 boundary walls it would sit on top of the walls, or within an increased wall height. The roof structure as now proposed would be incongruous to the setting of the listed building in both respects. In addition, it would be apparent from at least the upper windows of the Manor House, even though at an angle of sightline and separated from the boundary by the proposed open area. The proposed sedum roof and its substructure would add to the height of the roof, and the raised sedum surface would appear no less incongruous than the grey membrane. These factors mean that the reduced building would be harmful to the asset itself.

Conclusions

14. I have taken into account all other matters raised, including that the proposed reduced building would provide professional training facilities for the appellant, as well as space for a separate teaching area for, in particular, a child of the family. These are substantial, but private benefits to the appellant and his family.
15. As to the first issue, although I am not persuaded that there would be a significant detrimental effect on setting of the barn conversion and the surrounding countryside, for the reasons set out in paragraph 7 above, I consider that the proposed roofed area would be harmful to the character and appearance of the barn conversion.
16. With regard to the effect on the Grade II listed Manor House, for the reasons expressed in paragraph 13 above, I consider that, in the terms used in the Framework, there would be less than substantial harm arising from the structure as proposed to be altered in this appeal. There are no public benefits that would outweigh the harm. The Grade II listed building is of high

significance and I must give great weight to the asset's conservation and setting.

17. In respect of both issues, I find that the proposal is contrary to the Policies of the CS, particularly EN 4 and EN 8, and Section 16 of the Framework. The appeal will therefore be dismissed.

Terrence Kemmann-Lane

INSPECTOR