



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/V2635/D/23/3333532

Cedar View, Walnut Road, Walpole St. Peter, Wisbech, PE14 7PE

- 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 and Mrs Boyle against the decision of Kings Lynn and West Norfolk Borough Council.
 - The application Ref 23/01387/F, dated 26 July 2023, was refused by notice dated 27 October 2023.
 - The development proposed is 1st floor extension and alterations to existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for 1st floor extension and alterations to existing dwelling at Cedar View, Walnut Road, Walpole St. Peter, Wisbech, PE14 7PE in accordance with the terms of the application, Ref 23/01387/F, dated 26 July 2023, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. As will be seen from the heading above, the application referred to the proposal as being a 1st floor extension and alterations to existing dwelling. However, the council assumed that the 'alterations' are the rendering of the ground floor rear projection underneath the balcony which matches the render already approved on the balcony screen and is therefore acceptable. But, on behalf of the appellant, I am told that the 'alterations' are internal, incidental to the extension, and do not require planning permission.
3. Therefore, there is a single main issue in this case: the effect of the proposed first floor extension on the appearance of the local area.

Reasons

4. The development plan policy relevant to this appeal includes Policy CS06 of the Core Strategy 2011 that relates to rural areas. This states that the strategy is to maintain local character and a high quality environment. Core Strategy Policy CS08 relates to sustainable development, requiring new development within the borough to be of a high quality design. Policy DM15 of the Site

Allocations and Development Management Policies Plan is a general design policy. It includes the statement that 'the scale height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting.....'.

5. The appeal property is a large detached 2-storey modern house – modern in the sense that it appears relatively recently constructed and also in the sense that it breaks away somewhat from traditional form and character. Its front elevation is not unusual in that it has 2-stories under a tall roof with dormer window accommodation in the roof space. It has a forward projecting 2-storey element, acting as the formal entrance and hallway, with the first floor comprising a stairwell and landing, lit by a now popular style of window with a triangular top projecting up to the underside of the gable. The dormers, set in a slated roof, have a shallow mono-pitched, standing seam zinc roof and cheeks.
6. Where it becomes particularly interesting, is the treatment of the eastern flank, facing onto the drive leading to the garage at the rear. This flank elevation has a ground floor oriel window that faces towards the front, but at an angle of about 50° to the main side elevation. Just beyond this is a side extension, set at a similar angle, that has a mono-pitched roof at a level higher than a normal single storey. Immediately beyond this, and partly integral to it, is a further side extension, set at a slightly different angle, again under a mono-pitched roof, but this time single storey in height.
7. Turning to the rear, where the first floor extension is proposed to be situated, there is currently a wide balcony, that cranks slightly to the west, with a high wall on the boundary with the neighbouring house. That neighbouring house is set at some distance to the west. This wall is just under 2m high. The proposal is to extend the existing gable roofed bedroom to take in a substantial part of the balcony, using the wall just mentioned as its flank, with additional height to bring it to eaves level. Because the proposed extension would be wider than the existing, the gabled roof would also be wider and higher. The eastern wall of this extension would also be set some 15° westwards, rather than at right-angles to the main rear elevation of the house.
8. Architecturally there is not a consistency in the design of the group of dwellings that are neighbours to the appeal site. But the fact is that the appearance from the public domain would not be changed by the appeal proposal. And as far as neighbours' perception is concerned, there would not be any significant change in the dwelling that they could see. Viewed in the light of the description that I have given of the existing house and the proposed extension, I conclude that the extension would sit comfortably with the existing house, and would have no harmful effect on the appearance of the local area. I do not regard the proposal as being discordant in its setting or of poor design. The existing house has the characteristics that it has, and the proposal responds to that in a satisfactory way.
9. I have taken account of all other matters raised. There is a large amount of window that would serve the extended bedroom, that looks towards the rear and garden of 'Cranny Hill', the dwelling to the east. Bearing in mind that the area of the extension is currently a large balcony, and the distance involved – some 24m at its closest, and that the existing screen wall to the balcony would remain – I do not consider that there would be any material overlooking that

would justify the refusal of planning permission. To the west, there is again much space between the appeal dwelling and its neighbour, and there would be no window in this elevation.

10. For the reasons that I have given, I will allow the appeal.

Conditions

11. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 2 conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance.
12. These seek that the development should be carried out in accordance with the plans and that the materials match the existing. I agree that the first of these conditions is necessary for certainty and avoidance of doubt as to the development permitted (compliance with plans can be incorporated into the wording of the decision) and the second is necessary to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner.

Terrence Kemmann-Lane

INSPECTOR