



Appeal Decision

Site visit made on 21 February 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2024

Appeal Ref: APP/V2635/D/23/3329253

Woodthorpe Villa, Main Road, Brancaster Staithe, Norfolk PE31 8BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr J Mahon against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref is 23/00456/F.
- The development proposed is to reform the existing roof to facilitate new inset balcony.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The parts most relevant to the appeal have not substantively changed from the previous iteration. Consequently, this update does not alter the main parties' cases, and it is not necessary to seek further comments. References hereafter are to the December 2023 version.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal relates to a detached, two-storey villa dating from the early 20th century, as revealed by its architectural details including Flemish bonded red brick facades, voussoir window arches and a slender first floor balcony spanning the width of the front elevation. The evidence before me suggests the roof space was later converted with two modest front dormer windows added. Despite being set back from the road behind the line of neighbouring development, the villa nevertheless has a strong presence in the street scene owing to the scale and quality of its broad, symmetrical front elevation, and it contributes positively to the character and appearance of the area.
5. The existing front dormers would be replaced with two enlarged dormers each containing a set of French doors that would open onto an inset balcony spanning across the majority of the front roof slope and enclosed by a glass balustrade. A third, smaller dormer window would sit between the other two.
6. The proposed fenestration would respect the symmetrical arrangement of the front elevation; however, the replacement dormers would be substantially larger in height and width than the existing dormers, and also larger than the windows below at first floor level. The existing hierarchy and proportionality of

the fenestration would be lost, replaced with a top heavy, dominant array of windows that would become an inadvertent focal point of the building. This would be exacerbated by the contemporary glass balustrade which would jar severely with the traditional architecture of the villa, most glaringly in not matching the existing balcony at first floor level, resulting in an awkward mix of styles and a diminished presence for the original balcony below.

7. The wider street scene is mixed in terms of its architecture, and as such the proposals would not disrupt a consistent roofline or characteristic feature. However, the alterations would severely upset the architectural composition and would cause significant harm to the overall quality of the building. This deleterious effect on the host building would be plainly visible and would in turn harm the overall quality of the street scene.
8. The appellant points to examples of balconies nearby, which I observed at my visit. A number of these are on the rear elevations of dwellings, and so are not comparable in terms of their effect on the street scene. At Brecklands, the dormers are more proportionate in size relative to the roof slope and the balconies remain separate and smaller in size than that proposed under the appeal scheme. The dwellings at The Sailings are recent developments of different design to the appeal dwelling, with the second floor balconies integrated into the front gable. The balcony to the dwelling at The Orchard is at first floor level and consequently is not as prominent. None of these examples are directly comparable to the proposal before me, which I have considered on its own merits.
9. The appellant also argues that the proposal would 'reinstate' an original design feature, namely the views possible over the North Sea which have been lost due to subsequent housing development on the opposite side of Main Street. However, the original feature enabling views, the first floor balcony, still exists and the proposal cannot be regarded as an actual restoration. Moreover, it is well established in planning that there is no right to a particular view, and the fact that development has obscured views once possible is not a valid reason to permit harmful alterations.
10. Moreover, planning permission has been granted¹ for alterations to enlarge the front dormers to French doors with Juliet balconies. This represents a fall-back position for the appellant until 29 April 2024, and would afford the elevated views sought. The permitted scheme also maintains separate dormers and a better overall sense of proportion to the scale of roof level additions and balance to the overall composition of the front elevation. Therefore, as a fall-back, the permitted scheme is demonstrably less harmful, and so it does not weigh in favour of the appeal scheme as a material consideration.
11. The Council regards the villa as a non-designated heritage asset. The appellant challenges this on the basis that any heritage significance it may possess has not been set out, nor has the Council conducted an appropriate balancing exercise as directed by the Framework. The evidence before me in respect of the potential significance of the building is limited, and whilst there is certainly some architectural merit, there is not sufficient information to reach a finding one way or the other. However, whether or not the building should be regarded as a non-designated heritage asset is ultimately not determinative, as even if considered not to be one, this does not diminish the harm identified.

¹ Council Ref 21/00224/F

12. For the above reasons, therefore, I conclude that the proposal would significantly harm the character and appearance of the host building and area, in conflict with Policies CS08 and CS12 of the Core Strategy (July 2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (September 2016) and Policy 2 of the Brancaster Neighbourhood Plan (November 2015), which together requires high quality design in new development which respects the character and appearance of the villages and preserves the historic and built environment.

Other Matter

13. The Council did not identify harm in respect of the effect on neighbours' living conditions. Having observed the site and potential views from the balcony, I am satisfied neighbouring occupants would not suffer a harmful loss of privacy. However, an absence of harm in this respect is a neutral factor weighing neither for nor against the development.

Conclusion

14. The proposal would conflict with the development plan, taken as a whole, and there are no material considerations which point to permission being granted in spite of this conflict. Therefore, the appeal should be dismissed.

K Savage

INSPECTOR