



Appeal Decision

Site visit made on 15 October 2024

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 15th November 2024

Appeal Ref: APP/V2635/D/24/3346534

12 South Everard Street, King's Lynn, Norfolk, PE30 5HJ

- 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 B. Day against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/00434/F.
 - The development proposed is described as 'retrospective re-painting of façade and uPVC windows and doors'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development proposed has already been carried out. An Article 4 direction applies to the area which has removed certain permitted development rights, including those that relate to painting and the replacement of external doors and windows. As a result, planning permission is required for the development.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of The Friars Conservation Area.

Reasons

4. The National Planning Policy Framework ('the Framework') is an important material consideration. It identifies that heritage assets are an irreplaceable resource. Paragraph 205 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation.
5. The appeal site is located within The Friars Conservation Area (CA). In the exercising of planning functions the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the CA. Policy DM15 of the Site Allocations and Development Management Policies Plan (SADMPP) and policy CS12 of the King's Lynn and West Norfolk Core Strategy (Core Strategy) require the protection of the character and appearance of a locality, including heritage assets, through high quality design that respects local design features.
6. The CA covers that part of South Lynn which contains well designed, older and historic buildings. Use of brown Wisbech brick and local buff brick is widespread

along the terraced residential streets, such as South Everard Street, which are the predominate form of development within the CA. The design and appearance of building facades, including their windows and entrance doors, are intrinsic parts of the CA's historic built environment and its character and appearance. The significance of the CA and its buildings, which are predominantly from the late Georgian and Victorian period, relates to the dense pattern of nineteenth century development and is therefore architectural and historical.

7. South Everard Street is typical of the streets on the western side of London Road that were developed at the start of the nineteenth century shortly after the creation of this new road into the town centre. The street is characterised by modest, two storey terraced homes set on the back edge of the pavement. Historic building facades consist of a deep reveal, panelled front door with a rectangular skylight above framed by simple pilasters and a cornice, and deep reveal sash windows. These features are set within Flemish bond walls built using brown Wisbech bricks, or local buff bricks, or a contrasting mixture of both which serves to highlight the distinctive brickwork pattern. Although relatively few of the dwellings along this road still have all of the historic features described, sufficient have one or more for the historic character and appearance of the street and its cohesiveness to be understood and appreciated.
8. 12 South Everard Street is at odds with such historic building facades. The new front door is a modern design in uPVC unframed by pilasters or cornice and the new windows are uPVC casements with a horizontal rather than a vertical emphasis as seen with sash windows. Both the door and window openings also have no reveal. The only feature that it now shares with the historic facades is the Flemish brick bond which itself has been obscured by grey paint.
9. I recognise that prior to the development being carried out the front elevation of this building also had uPVC casement windows with no reveal, that the front door was not framed by pilasters or a cornice and that the brickwork was painted white. I also note that on the basis of the evidence provided these features had been in place for more than 10 years and that one of its immediate neighbours also has casement windows. There is no substantive evidence before me though that supports the assertion that this dwelling or its immediate neighbour, which sit together in the middle of a 19th century terrace, actually date from the 1920s or 1930s.
10. The development that has been carried out has further harmed the appearance of the building in relation to the CA by deleting the rectangular fanlight above the front door, replacing the painted wood panelled front door with a contemporarily designed uPVC door, and by painting the front elevation an unflattering grey. As the CA Character Statement published by the Council notes, unsuitable replacement windows and doors with little to no reveal and unsympathetic paintwork detract from the character and appearance of the CA. For the reasons given above, I agree with that assessment and consequently find that the development has harmed the street scene as well as the CA as a whole and its significance.
11. Reference to permission for a uPVC front door and windows allowed on appeal for the dwelling at 62 Checker Street which is also located within the CA has been referred to in support of the appeal. However, in that case the existing aluminium nature of the front door and windows and their design was found to

be wholly uncharacteristic of the surrounding area and the replacement windows and doors are of a similar design to those that characterised that street. As a result, the circumstances of that appeal are materially different to those in the appeal before me. Reference to this decision therefore has not altered my assessment of the effect of the development at No 12.

Less than substantial harm

12. The harm that has been caused to the significance of the CA is less than substantial. Paragraph 206 of the Framework requires clear and convincing justification for any harm to the significance of a designated heritage asset. Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
13. In accordance with the statutory duty, I attach considerable importance and weight to the harm that is being caused by the development to the CA.
14. On the other side of the balance, the windows include trickle vents which aid ventilation of the property. The use of side hung casement windows on the first floor also allows egress in the event of an emergency. The windows that have been replaced did not have these features. In addition, the uPVC front door provides improved security, better insulation and lower maintenance than the timber panelled door it replaced. In these regards, the replacement door and windows have therefore improved the quality of the housing stock in the town which is a public benefit. However, as similar betterment could also be achieved via more appropriate replacements which would not harm the appearance of the CA, I attach little weight to this public benefit.
15. Taking all these matters into account, my overall conclusion is that the public benefits of the proposal do not outweigh the considerable importance and weight that I attach to the harm that has been caused.
16. In light of my reasoning, I therefore find that the development does not preserve or enhance the character or appearance of the CA. This is contrary to the requirements of section 72(1) of the Act. Conflict also occurs with Policy DM15 of the SADMPP, policy CS12 of the Core Strategy and the provisions within the Framework which seek to conserve and enhance the historic environment.

Conclusion

17. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector