



Appeal Decision

Site visit made on 11 February 2025

by H Whitfield BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/V2635/D/24/3352727

17 Walton Road, Marshland St. James, Norfolk PE14 8DP

- 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 M White against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/00898/F.
 - The development proposed is described as "Retrospective: Modification of existing front wall including replacement gate".
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a boundary wall, railings and gate at 17 Walton Road, Marshland St. James, Norfolk, PE14 8DP in accordance with the terms of the application, Ref 24/00898/F, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no: Existing & Proposed combination drawing 6791/02/PL01D.

Preliminary Matters

2. The description of development on the application form indicates that the application is retrospective, and that the development is complete. However, during my site visit I observed that a different boundary wall had been constructed and a hedge planted in front of it. I have therefore considered this appeal on the basis of the submitted plans as a proposed development. I have simplified the description of development in my formal decision above to reflect the fact that 'retrospective' is not an act of development under the Act.
3. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and corrected on 7 February 2025. I have had regard to the Framework as a material consideration in my decision making. As there are no substantive changes relevant to the appeal before me, I have not invited further comments from the parties on this matter. I am satisfied that neither party is prejudiced by this.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

5. The appeal site is located in a predominately residential area where there is a mix of dwelling size, style and material palette. Properties are mostly set back from the road and have modest enclosed front gardens and driveways with boundaries that either define the back edge of the footway or are set behind verges. These clearly differentiate between public and private realm. There is some uniformity with front boundary enclosures immediately opposite the appeal site where there is a relatively new build development enclosed by low timber fences and planting. However, front boundary treatments are generally varied in height and style along Walton Road with examples of hedging, timber fences and brick walls with railings and various detailing.
6. The proposal is to replace the front boundary with a dark grey rendered boundary wall with angled/louvred style horizontal railings on top, intervening piers and a dark grey vertical cladded access gate. I have no means of confirming whether the previous boundary treatment existed as it is shown on the plans, however the proposed boundary would sit at the back edge of the verge and span the width of the site frontage.
7. The new front boundary would be higher than some of the existing boundary treatments along Walton Road. However, the use of railings would retain a degree of permeability, reducing the mass and solidity of the development. Furthermore, the total height would not be perceptively out of scale with surrounding boundary enclosures and would not be dissimilar to other front boundaries that I observed during my site visit along this street. For these reasons, the boundary treatment would not appear incongruous or out of character in this varied setting.
8. I acknowledge that horizontal louvred railings are not a decorative style seen within the immediate surroundings. However, railings are not uncommon in domestic settings and although they would be of a different style, they would nevertheless be in keeping with the general residential character of the area. Furthermore, the use of render and dark grey colours would not be harmful in this context, noting that some properties along the street contain elements of render and have utilised dark grey/black timber cladding and stains. Taking this into account, the development would not be harmful to the appearance of Walton Road or unsympathetic to the built environment and local landscape setting.
9. The appellant has suggested the use of horizontal timber louvres as an alternative railing material in their supporting statement. However, as I have found no harm with the materials proposed on the submitted plans, it is not necessary to consider alternatives. Furthermore, I noted from my site visit that a hedge has been planted in front of the current boundary wall which does not feature on the submitted plans. Whilst this has the effect of softening the front boundary, given I have not identified any harm with the appeal proposal it is not necessary to secure the retention of this planting via condition.
10. Therefore, for these reasons given above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the surrounding area. Accordingly, I find no conflict with Policy CS08 of the King's Lynn & West Norfolk Borough Council Local Development Framework Core Strategy (2011) (the Core Strategy), Policy DM15 of the Site Allocations

and Development Management Policies Plan (2016) (SADMPP) or paragraph 135 of the Framework. Amongst other things, these policies require development to be of high-quality design which responds sympathetically to its context and demonstrates that its design would protect and enhance the character and quality of the area.

11. The decision notice also refers to policies CS02 and CS06 of the Core Strategy and Policy DM2 of the SADMPP which respectively detail the settlement hierarchy of the Borough, set the strategy for development in rural areas and outline the types of development permitted outside of settlement boundaries. These policies are not determinative in my consideration of this appeal.

Conditions

12. I have dealt with the appeal on the basis that the development has not yet commenced. Accordingly, the standard time limit condition is needed. I have also attached a condition specifying the approved plans, in the interests of certainty. No other conditions are necessary.

Conclusion

13. For the reasons given above, I conclude that the development accords with the development plan and the appeal should be allowed.

H Whitfield

INSPECTOR