



Appeal Decision

Site visit made on 20 February 2025

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/V2635/W/24/3354992

Westgate Farm, Ringstead Road, Burnham Market, Norfolk, PE31 8JR

- 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 John Stevenson against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/00643/F.
 - The development proposed is a replacement farmhouse and garage (self-build).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area, including whether the proposal would conserve and enhance the North Norfolk National Landscape; and
 - Whether the appeal site is a suitable location for the proposed development, with reference to the spatial strategy in the development plan.

Reasons

The effect on the character and appearance of the area

3. The appeal site encompasses the residential curtilage of the existing dwelling and the corner of the adjacent field. The field forms part of a network with its straight hedged boundaries being typical of the area. The hedges near to the appeal site are kept reasonably low and are generally devoid of trees. Indeed, trees tend to be found in small blocks of woodland rather than within or around fields. The topography incorporates gentle rolling hills. Levels within the site fall modestly towards the north. As such, there are extensive long-distance views that afford the area the sense of a large, expansive landscape.
4. There are relatively few buildings in this landscape, and this gives it a remote and tranquil character. The Landscape Character Assessment explains that sporadic farmhouses and clusters are a feature of the area. Given the extensive open character of the area, the handful of buildings that are present tend to be prominent and draw the eye. Where visible, those that sit below the horizon and reflect the earthy tones of the local vernacular, with clay tiled roofs, red brick and flint walls, sit more comfortably in the landscape.

5. The existing building at the appeal site is set back some distance from the nearest road and is approached along a straight driveway flanked by a hedge on one side and a row of immature trees on the other. It is possible to see the existing building from Ringstead Road. The white rendered finish does not reflect local building traditions and jars with the earthy pallet of materials exhibited elsewhere, including the houses to the north of the appeal site along Sussex Farm Lane. There is no objection to the demolition of the existing building when considering its appearance, condition and poor energy efficiency.
6. The appeal scheme is for the erection of a replacement dwelling. It would be located closer to Ringstead Road than the existing and outside the current residential curtilage. It would be on slightly higher land and forward of the neighbouring buildings. The new building would also be notably larger in width, depth and footprint. Site sections have not been provided to enable me to consider any increase in height, but there would certainly be a noticeable uplift in massing. Furthermore, a polite classical architecture would be employed, focussed on a crown post roof, stone portico and generous proportions. This would impart a sense of grandeur. The appellant has taken inspiration from the Georgian buildings within Burnham Market, but this settlement has a different context to the wide-open landscape the appeal site is located within.
7. The outcome of the combination of these factors would be a more prominent and assertive structure, which would have a meaningfully greater presence in the landscape, principally when viewed from Ringstead Road and along the access drive. This would harmfully erode the open and tranquil nature of the landscape and thus the character and appearance of the area. The appellant describes this impact as localised, but even if I agreed, it does not mean there would be no harmful impact.
8. There is some rationale to positioning the proposed dwelling as shown on the drawings, as it would create a view along the driveway to the countryside beyond. However, any positive effects achieved from doing this would be more than undone by the scale and presence the appeal scheme would have, including a very large, detached garage. As such, the proposal would not conserve or enhance the National Landscape, especially its tranquillity and remoteness. Its purposes would not be furthered¹, which in this context could have involved a less prominent building and one built to better reflect the local vernacular.
9. In isolation, the proposed building would be attractive as there has clearly be an attention to detail in the design, which is to be commended. In particular, the use of chimneys, timber sash windows and Flemish bond brickwork would afford integrity and quality to the elevations. However, the scheme would not reflect the local vernacular and would be large and prominent. The quality of the design would not fully mitigate the schemes harmful impact on the landscape. Planting could be used to soften the presence of the building and anchor it into the site. However, the extensive scale of the building would still be evident given the openness of the landscape. Planting would also take time to mature.
10. A large neo classical building has been erected some distance to the northwest of the appeal site, which I understand is called Sussex House. This was approved some time ago and replaced a large building that also had permission for extensive

¹ See Planning Practice Guide - Paragraph: 039 Reference ID: 8-039-20250129

enlargement. It also sits with a large block of woodland to the rear, which softens the visual impact. Notwithstanding this, its presence only goes to confirm my reservations regarding the undesirability of large prominent buildings in this open and deeply rural landscape. It does not justify the appeal scheme.

11. The appellant has referred to an appeal decision in Sedgeford (APP/V2635/W/20/3251252), but this is of limited weight and relevance because that scheme was located outside the National Landscape. Moreover, assessing the effect on the character and appearance of an area is contextual. In this respect, Sedgeford is a considerable distance from the appeal site.
12. In conclusion, the proposal would have a net adverse impact on the character and appearance of the area and therefore fail to conserve or enhance the National Landscape. Accordingly, it would be at odds with Policies CS06, CS08 and CS12 of the Core Strategy, which seeks to secure development that responds to local context, maintains local character, enhances local distinctiveness and protects the landscape as well as Policies DM5 and DM15 of the DMP², which have similar aims, including being of high quality design, sensitive to the local setting and reflective of the scale and character of the surroundings.
13. The Council has also referred to Policy 6 of the Burnham Market Neighbourhood Plan. But the appellant submits it is not relevant. Given my findings above, it has not been necessary to resolve this area of dispute.

The suitability of the location with reference to the spatial strategy

14. To ensure new housing is sustainably located, Policy CS02 of the CS and DM2 of the DMP seek to restrict the erection of new dwellings in the countryside. As an exception to this, Policy DM5 allows for replacement dwellings.
15. The appeal scheme would result in a new dwelling being erected in the corner of the field which is adjacent to the residential curtilage of the existing property. However, Policy DM5 does not state, as a gateway into the policy, that replacement dwellings must be on the same footprint or even within the same curtilage as the existing. Furthermore, the new dwelling would be sufficiently close to the existing, in the open context of the appeal site, for it to be viewed as a replacement. Thus, it would be appropriate to apply Policy DM5 because the proposal would have the characteristics of a replacement dwelling. In addition, the appeal scheme would be a replacement dwelling because the existing house would be demolished. Had the scheme been otherwise acceptable, a condition could have been imposed to secure the demolition of the existing house within a set timeframe and thus secure no increase in the number of residential 'units'.
16. In conclusion, the appeal scheme would be a replacement dwelling rather than an additional home in the countryside and therefore a conflict with the above policies, in so far as they relate to this main issue, would not occur.

Planning Balance and Conclusion

17. The appeal scheme would result in a new dwelling built to current standards. There would also be some short-term economic benefits from construction and the proposal could ultimately count towards the Council supply of self-build plots at a time when the appellant suggests the Council is not meeting its legal duty to

² Site Allocations and Development Management Policies Plan 2016

approve enough of them. However, the self-build nature of the scheme has not been secured through a planning obligation and consequently there is some uncertainty as to whether that would be the case. Notwithstanding this, even if I consider the proposal a self-build scheme, the cumulative benefits would carry no more than moderate weight as only a single home is proposed.

18. The National Planning Policy Framework (the 'Framework') explains that National Landscapes have the highest status of protection. Accordingly, great weight should be given to conserving or enhancing landscape and scenic beauty. The weight afforded to the collective benefits of the scheme would not be of sufficient force to outweigh the weight I give to the harm that would occur to the National Landscape. This provides a strong reason to refuse the scheme and, therefore, the 'tilted balance' in Paragraph 11d)ii of the Framework is not relevant in this instance.
19. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal does not succeed.

Graham Chamberlain
INSPECTOR