



Appeal Decision

Site visit made on 8 April 2025

by **Sarah Colebourne MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2025

Appeal Ref: APP/V2635/D/24/3353716

Bernina, 22 Church Road, Wimbotsham, Norfolk, PE34 3QG

- 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 R & J Hurst against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/01380/F.
 - The development proposed is two storey rear and single storey extensions to side and rear of existing dwelling, following removal of existing extensions & alterations to existing vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for two storey rear and single storey extensions to side and rear of existing dwelling, following removal of existing extensions & alterations to existing vehicular access at Bernina, 22 Church Road, Wimbotsham, Norfolk, PE34 3QG in accordance with the terms of the application, Ref 24/01380/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 the following approved plans: 14774A; 14778A; 14779A; 14780A.
 - 3) No above ground works shall commence on site until samples of all external materials to be used on the roof and walls have first been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in strict accordance with the approved materials and details.
 - 4) Notwithstanding condition no 2, no above ground works shall commence on site until details of the brick piers on either side of the access have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Mr and Mrs R Hurst against King's Lynn and West Norfolk Borough Council and this is the subject of a separate Decision.

Preliminary Matters

3. It is clear to me from the description of the proposal and the submitted plans that the proposed development does not include a detached garage building which I noted at my site visit has been constructed and the appellant has said is permitted development and not included within this proposal. Whilst I have had regard to the presence of that garage as a material consideration, I have considered the appeal on the basis that the garage is not included in the proposal.
4. Since the Council's decision, the King's Lynn and West Norfolk Local Plan 2021-2040 has been adopted which replaces the policies in the Core Strategy and the Site Allocations and Development Management Policies Plan referred to in the decision notice. The parties have been given the opportunity to comment. The appellant considers that the new local plan reflects current government planning policy and guidance.

Main Issue

5. The main issue in this case is the effect of the proposed development on the character and appearance of the dwelling and the area and whether it would preserve or enhance the Wimbotsham Conservation Area (CA).

Reasons

6. The appeal dwelling lies within the centre of the CA and occupies a prominent position set above the road behind a lawned front garden. It lies within a row of four dwellings built in the C20th and opposite a cul-de-sac of C20th bungalows. From what I have seen at my visit and in the Wimbotsham Conservation Area Character Statement, the significance of the CA derives mainly from the early settlement area of the village to the west of Lynn Road and the areas around the village green and Tinkers Lane/Millers Lane to the north although views along Church Road in both directions contribute to its character and appearance.
7. Bernina is a detached two storey house built in the mid C20th of a hipped roof design and an L-shaped form. It has been previously extended to the rear with a single storey lean-to extension, a conservatory and twin flat roofed garages. The recently constructed garage building is detached, set back from the dwelling and has a hipped roof over the double width element to the front with a pitched roof over a wider single storey element to the rear that contains doors and windows. Whilst the spacious garden and particularly the gaps to either side between the dwelling and its neighbours contribute positively to the character and appearance of the CA, the dwelling itself has an unassuming and modest appearance and does not make a significant contribution to the character or appearance of the CA.
8. The proposed development includes a single storey extension across the rear elevation that would project beyond the side walls with a centrally positioned first floor element and a further single storey element projecting to the rear. The existing rear extensions and twin garages would be removed.
9. The resulting two storey element at the rear would have a half hipped roof which would be set below the height of the ridge of the main hipped roof with the same degree of pitch. It would be set in from the side elevations and would be similar in depth to the existing two storey projection to the front. As the appellants' artist's impression indicates, it would only be seen clearly from a short section of Church

Road immediately to the east. As such, it would not be unduly disproportionate to the scale of the existing dwelling and would not be perceived as overly dominant in the street scene.

10. Whilst the single storey side elements would be seen from the street, those would be set back significantly from the main front elevation and would be less than half of the width of the original dwelling with lean-to roofs. As such, they would be proportionate to the original dwelling and would not be unduly prominent when seen from Church Road.
11. Although the single storey rear projection would be similar in depth to that of the original dwelling, by removing the unsightly flat roofed garage block that detracts from the character of the dwelling and as it would not be seen from the street, it would be acceptable.
12. I find then that the proposed extensions would respect the form, scale and character of the existing dwelling when seen from the street and would appear as subordinate elements. Although the scale of the rear extensions would be more apparent when seen from the rear garden or from neighbouring rear gardens and would be seen in the same context as the new garage, given the large size of the rear garden and the removal of the garage block, they too would be acceptable.
13. I conclude, therefore, that the proposed development not cause significant harm to the character and appearance of the dwelling or the area and would preserve and enhance the Wimbotsham CA. It would accord with development plan policies LP18 and LP21 in the LP which together seek to ensure that new development is of a high quality design that conserves and enhances the historic environment and responds to the context and character of places in terms of scale and massing. It would also accord with the National Planning Policy Framework which seeks to ensure that great weight is given to the conservation of heritage assets and that new development makes a positive contribution to local character and distinctiveness.

Conditions

14. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, to provide certainty. A condition requiring further details of external materials is also necessary in the interests of the character and appearance of the CA because insufficient details were provided in the application. The proposal also includes the removal of the existing concrete wall splays at the access entrance and new brick piers either side of the access. No details have been provided of those and I have therefore included a condition for further details which is necessary in the interests of the character and appearance of the CA.

Conclusion

15. For the reasons given above, I conclude that the proposal would accord with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

INSPECTOR