



Appeal Decision

Site visit made on 16 September 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/V2635/W/24/3357420

Browsea, 44 Beach Road, Holme-Next-The-Sea, Norfolk PE36 6LG

- 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 N Williamson against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 22/01970/F.
 - The development proposed is replacement dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is situated within the Holme Next-The-Sea Conservation Area (CA). I have therefore born in mind the statutory requirements placed upon decision-makers by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issue is the effect of the proposed development on the character and appearance of the Holme-Next-The-Sea CA, including its effect on the significance of a non-designated heritage asset (NDHA).

Reasons

4. The boundary of the CA encapsulates the appeal site, along with the principal route through the small linear settlement. The significance of this part of the CA is partly informed by the quality and variety of buildings that together, with traditional materials, historic boundary treatments, plot layouts, land uses and associations, reveal its evolution over many centuries. Significance is also derived from the CA's connection to the countryside and coastal areas that surround it.
5. The appeal relates to a large detached two-storey building, with single storey elements, set within a substantial rectangular plot fronting Beach Road. The site is bordered on its north, east and southern boundaries by well-established trees and vegetation. Browsea is highly visible within the streetscene due to the appeal site's wide and open frontage. The site's verdant character and the untypical design of the dwelling is a distinctive feature of this part of the streetscene that contributes positively to the historic interest of the CA.

6. The Holme-Next-The-Sea Village Green (designated as a Local Green Space) lies immediately opposite Brownsea. I observed Beach Road to be a well-used thoroughfare, for both vehicles and pedestrians, leading to the beach, which lies a short distance away from the appeal site.
7. For the purposes of the Council's Holme-Next-The-Sea Conservation Area Draft Character Statement (CACS), the appeal site falls within one of the 7 identified character areas of the CA. The existing property is not identified as a 'significant historic building' within the CA in either the CACS or the Holme-Next-The-Sea Neighbourhood Plan 2016-2036 (NP). Brownsea has been presented by interested parties as a NDHA during the processing of the application.
8. The Planning Practice Guidance (PPG) sets out that NDHAs are buildings, monuments, sites, places or landscapes identified as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.
9. There are a number of processes which NDHAs may be identified, including the local and neighbourhood plan-making process and conservation area appraisals. However, the PPG sets out that in some cases NDHAs may be identified as part of the decision-making process on planning applications.
10. The evidence suggests Brownsea to have been the work of Shirley Harrison, the son of Stockdale Harrison, a well-known architect in the Leicester area. The architectural practice is responsible for various listed buildings in Leicester and beyond.
11. The architecture of Brownsea takes its cues from Arts and Crafts designs with a Spanish Colonial influence that illustrates the evolution of development within this rural settlement. The building's significance includes its age, materials, appearance and the strong association with Charles Bennion and his family and the architectural practices of Stockdale Harrison & Sons.
12. Furthermore, the existing building is considered to have group value with other nearby properties¹. Whilst the properties may not be visible within the same streetscene view the evidence indicates that these properties share characteristics, including their distinctiveness and similarities in design, their use and their links to Charles Bennion, and his family, and Stockdale Harrison & Sons. Accordingly, for these reasons it is reasonable to consider Brownsea as a NDHA having regard to its aesthetic, historical, evidential and communal value.
13. Policy HNTS 12 of the NP, insofar as it refers to a map identifying NDHAs, does not apply to the proposal. However, the remainder of the policy includes impacts on the CA as a whole. In any event the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy 2011 (CS), the Site Allocations and Development Management Policies Plan 2016 (SADMPP) and the National Planning Policy Framework (the Framework) provide their own provisions for the consideration of NDHAs.
14. The appeal scheme proposes the replacement of the existing property with a detached dwelling. The appellant does not dispute that there would be a loss of some significance.

¹ Seagate House and Little Holme

15. Whilst evidence indicates that the existing property was hidden behind a mature hedge this was not *in situ* at the time of my visit. I therefore do not concur with the view that Brownsea is a recessive building that retreats into the site.
16. Changes to the building may have diminished some elements of its aesthetic heritage value. Nevertheless, I observed the building to retain its traditional character and appearance. Parties submit that the dwelling is dilapidated. However, there is no substantive evidence before me that the property is structurally unsound. As the whole building would be demolished the harm to the significance of the NDHA would be great.
17. The Framework recognises that heritage assets are an 'irreplaceable resource' and should be conserved 'in a manner appropriate to their significance'. Whilst conditions could be included on a permission to secure the recording of the heritage asset the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
18. The appellant advances that the existing dwelling could be adapted under the provisions of permitted development, presumably under the Town and Country Planning (General Permitted Development) (England) Order 2015. However, this is not justification for demolition. In any event, I have not been presented with a realistic fall-back position, and I therefore attribute this no more than very limited weight.
19. The latest iteration of the proposal has sought to reduce the bulk and mass of the replacement dwelling, along with re-positioning of the proposal on a similar position to the existing property. It would be constructed of external materials reflective of nearby properties and would not conflict with the predominate character and appearance of the CA in this regard. Whilst I do not concur with the Council that the proposal would represent poor design, in conflict with the design policies of the development plan, this would not overcome the harms identified.
20. Notwithstanding the positive merit to the design and siting of the proposal the appeal scheme as a whole would cause unacceptable harm to the significance of the NDHA through its demolition. Although the harm to the CA would be relatively localised the demolition would have a detrimental impact upon the varied character and appearance of the CA and the contribution the property makes to it. Given the scale of the impact of the proposals, the degree of harm to the significance of the CA would be at the lower spectrum of less than substantial.
21. Taking the above points together, and mindful of the duties arising from section 72(1) of the Act, the proposal would fail to preserve nor enhance the character or appearance of the CA and would not meet this duty, which sets out the desirability of preserving or enhancing the character or appearance of the CA. Whilst the harm to the heritage asset would be less than substantial, I must nonetheless give this considerable importance and weight in the context of a duty to favour preservation or enhancement.
22. Paragraph 215 of the Framework applies irrespective of the fact that the dwelling itself is a NDHA which would in other instances (i.e. where no harm to designated heritage assets is identified) be assessed against Paragraph 216.

Public benefits

23. The Framework advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
24. The proposal would deliver a dwelling of modern construction, adding to the choice of homes and supporting the Government's objective to boost the supply of housing. However, as a replacement dwelling the benefit to housing land supply would be very limited.
25. The appellant advances that the proposal would result in enhancements to landscaping and biodiversity. Whilst these would constitute environmental benefits these would be limited by the small-scale nature of the proposal and therefore carry only limited weight in favour of the scheme.
26. The appeal site lies in Flood Zone 3² and as such the proposed dwelling would be within an area with high probability of flooding. The construction of a replacement dwelling would allow suitable flood resistant and resilience measures to be incorporated into the design and could be conditioned for retention throughout the property's lifetime. This weighs positively in favour of the proposal. However, I am not convinced that this amounts to wider sustainability benefits to the community sufficient to outweigh the flood risk covering the site or outweighs the harm identified to the heritage assets.
27. The evidence indicates that mature vegetation, including trees, have recently been removed from site. This has resulted in the existing property being highly visible within the streetscene, which is a principal route leading to and from the coastline. It is not disputed that an appropriate landscaping scheme, secured by condition, would help assimilate the proposed development into its surroundings and to help restore the verdant character of this part of the street and CA, which has been identified as being important to the significance of the CA in the CACS.
28. Economic and employment benefits would arise from the construction and occupation phase. Whilst this represents a public benefit, it is limited given that the scheme delivers only a single unit and is a replacement dwelling.

Other Matters

29. I have had regard to the other comments made in the representations, including highway matters and ecology. Any issues arising from these matters could be controlled via suitably worded planning conditions should I have been minded to allow the appeal, and therefore do not provide any additional reasons for dismissing the appeal.
30. The appeal site lies within the Norfolk Coastal Area of Outstanding Natural Beauty (AONB)³. However, the Council did not cite conflict with this in their reason for refusal. As the scheme is unacceptable for other reasons there is no need for me to consider the implications upon the National Landscape.

² As identified on the Environment Agency Flood Map for Planning

³ On the 22 November 2023, all designated AONBs in England and Wales became National Landscapes (NL).

31. Policy HNTS 7 of the NP has been cited in the Council's reason for refusal. However, as this relates to natural capital and ecosystems services, I do not find it determinative to this main issue.

Heritage and Planning Balance

32. The Framework advises that any harm to the significance of a designated heritage asset should require clear and convincing justification. I have carefully considered the benefits identified by the appellant. On the other hand, the proposal would result in the total loss of a NDHA and therefore loss of its significance. I attach considerable importance and weight to the identified harm to the significance of the NDHA and subsequently the harm to the CA.
33. Even cumulatively, given the scale of the proposal the benefits would be limited, and I am not convinced that the public benefits of the proposal would be of sufficient magnitude to justify the total loss of the building.
34. The appellant has also referred to case law⁴ concerning the approach to NDHAs. However, for the reasons given above, I have found that harm would be caused to the designated heritage asset, that being the CA.
35. For the reasons stated above, the proposal would fail to preserve or enhance the character or appearance of the CA, including harm to the significance of Brownsea as an NDHA. This draws the proposal into conflict with the statutory presumptions under s72(1) of the Act. Conflict arises with Policies CS08 and CS12 of the CS, Policy DM15 of the SADMPP and Policies HNTS 2,12 and 16 of the NP insofar as they seek to protect and enhance the historic environment. It would also conflict with the similar aims of the Framework.

Conclusion

36. There are no material considerations that indicate that a decision should be made other than in accordance with the development plan⁵. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

R. Gee

INSPECTOR

⁴ Dorothy Bohm v SSCLG [2017] EWHC 3217 (Admin)

⁵ Section 38(6) of the Planning and Compulsory Purchase Act 2004