
Appeal Decisions

Site visit made on 7 February 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 March 2017

Appeal A: APP/G2713/W/16/3160020 **56 West Green, Stokesley TS9 5BD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Heather Harding against the decision of Hambleton District Council.
 - The application Ref: 16/00993/FUL, dated 28 April 2016, was refused by notice dated 12 September 2016.
 - The development proposed is a single storey rear extension.
-

Appeal B: APP/G2713/Y/16/3160060 **56 West Green, Stokesley TS9 5BD**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Heather Harding against the decision of Hambleton District Council.
 - The application Ref: 16/00994/LBC, dated 28 April 2016, was refused by notice dated 12 September 2016.
 - The works proposed comprises a single storey rear extension.
-

Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed and listed building consent is refused for a single storey rear extension.

Preliminary Matters

3. As the proposal is in a Conservation Area and affects a Listed Building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The Council have concluded that the proposal would not adversely affect the character or appearance of the Stokesley Conservation Area. Nonetheless, I have had special regard to the desirability of preserving or enhancing its character or appearance. As the proposal would not be seen from the public domain I am satisfied that it would preserve those interests and not be detrimental to the historic significance of this heritage asset.

5. The Council has modified the description of the development in its decision notice. As this description has also been used by the appellant on the appeal form and more accurately reflects the proposal I have used it for the purposes of this appeal.
6. The proposal was modified prior to determination and reduced in scope to only include a single storey, rear extension and the retention of a low, coursed sandstone wall or plinth at the base of the rear elevation. I am consequently satisfied that no interested party would be prejudiced. This is the basis upon which this appeal has been determined.

Main Issue

7. The main issue is whether the proposal would preserve a Grade II listed building, 56 West Green, and any of the features of special architectural or historic interest that it possesses.

Reasons

8. The appeal building is a town house that faces onto a public green space near the centre of the historic market town of Stokesley. The proposal comprises a small, single storey rear extension with a pitched roof that would extend across an existing rear entrance and ground floor window. A first floor window opening, directly above, would be reduced in size. Whilst not shown on the plans, a low sandstone plinth, under the existing ground floor window, would be retained.
9. 56 West Green was listed in 1966 and dates from the 18th century with a mid-19th century upper floor addition. It is constructed from handmade brick on a massive sandstone plinth with a Welsh slate roof. The plinth is clearly legible and forms a prominent part of the front and rear elevation of the building. The building has an irregular, three storey layout with modification of the rear elevation apparent from the re-arrangement of its openings. The doorway and windows of this elevation are of recent origin with the exception of the first floor which has a horned, two over two, sash window with a moulded wooden architrave and plain window cill.
10. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily related to the first floor sash window and how this elevation indicates the historic layering and evolution of the building over time.
11. I observe from the plans and my site visit that the proposal would lead to the loss of the first floor sash window because the height of the ridge of the proposed extension would require a reduction in the height of the opening. Whilst some historic modification to this elevation has occurred, as is apparent from three openings that have been filled with larger bricks, the loss of the window and modification of its opening would be wholly unacceptable and lack sympathy with the historic fabric and features of the listed building. This would also be the case for the loss of the ground floor openings even though the door and window are in and of themselves of no architectural or historic merit. Moreover, the retention of the plinth as an isolated feature would remove it from its historic context and create a fragmented feature that would erode its association with the former industrial origins of the building as a tannery.

12. Overall, I find that the proposal is poorly conceived, lacking in an appreciation of the historic significance of the building and poorly designed. Given the above, I find that it would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
13. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Given the scope of the proposal and the fact that it would affect an elevation that has been subject to change, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
14. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because it is a modest proposal that would transform a 'rather small kitchen'. However, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
15. Given the above and in the absence of any substantiated public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with policies CP16 and CP17 of the Hambleton District Council LDF Core Strategy DPD 2007 and policies DP28 and DP32 of the Hambleton District Council LDF Development Policies DPD 2008 that seek, among other things, to ensure a high standard of design, the preservation of 'man-made' assets and listed buildings as well as respect for the historical context of development sites. As a result the proposal would not be in accordance with the development plan.

Conclusion

16. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

Roger Catchpole

INSPECTOR