



Appeal Decision

Site visit made on 24 September 2019

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/H0724/W/19/3231726 70-71 The Front, Hartlepool TS25 1BU

- 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 Mr Jason Unwin against the decision of Hartlepool Borough Council.
 - The application Ref H/2018/0397, dated 24 September 2019, was refused by notice dated 7 January 2019.
 - The development proposed is resubmission of previous planning application (ref: H/2017/0522) for the removal of an existing projecting bay window and the installation of a new shop front (including the installation of new awnings) to the front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Seaton Carew Conservation Area (CA).

Reasons

3. The appeal site is situated on 'The Front' in Seaton Carew a relatively small seaside resort to the south east of Hartlepool. The appeal property is a tourism-related business located at the northern end of a row of similar premises behind which (to the east) is a car park with the seafront and beach beyond it. The row of commercial premises to which the appeal property belongs is part of the CA. To the north of the appeal property lies a derelict site which lies outside the CA.
4. The proposed development relates to the installation of a new larger timber shop front including a new canopy which would house aluminium roller shutters. This new shop front would extend across the full façade of the appeal premises and remove the existing bay window.
5. Paragraph 193 of the National Planning Policy Framework (the Framework) states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

6. Paragraph 194 of the Framework goes on to state that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”
7. In considering the significance of the CA, I have referred to the Seaton Carew Supplementary Planning Document 2015; the Seaton Carew Conservation Area Visual Assessment 2013; and the Seaton Carew Conservation Area Management Plan 2009. As pointed out by the appellant, the CA can be broadly divided into two distinct areas: one to the north of Station Road, the other being to the south of Station Road. The appeal site is within the area to the south of Station Road which largely has a commercial character with historical frontages to period properties constructed from traditional materials with an appropriate and complimentary design.
8. The CA is currently identified as being ‘at risk’ on the Historic England at Risk Register 2018. It was first identified as being at risk in 2012 due to the accumulation of minor alterations to doors and windows; the increasing use of modern materials; the replacement of traditional shop fronts and signage and the visual impact of a large vacant building on the CA boundary (the Longscar Building). The Longscar Building has now been demolished and its former plot is directly to the north of the appeal site. Whilst I acknowledge that the recent demolition of the Longscar Building (and the likely positive future regeneration of the site) would potentially reduce risk to the CA, the risk of inappropriate alterations to historical features on properties within the CA remains.
9. The appeal property contributes to the character (and significance) of the CA by virtue of its historical shopfront which includes the bay window on the frontage to no. 71 which displays characteristics that are reflective of the CA (such as its overall traditional design and style) even though it has been had minor alterations made to it in the past.
10. I note the point raised by the appellant that the proposed development would comply with the Council’s Shop Front and Commercial Frontages Design Guide Supplementary Planning Document 2014. However, the CA’s ‘at risk’ status in combination with; previous unsympathetic alterations to shop fronts; the increasing use of modern materials; and the fact that the existing bay window is the only traditional feature remaining on the appeal property, means that its removal would cause harm to the character of the building. Consequently, I consider that the appeal scheme would have a negative effect on the CA’s significance resulting in less than substantial harm to the character of the building and the CA as a whole.
11. Notwithstanding the fact that several previous development proposals have eroded the significance of the CA, this is not something that would lessen the less than substantial harm that would arise in this case, especially given the important contribution that the appeal property makes to the significance of the CA.
12. Having regard to paragraph 196 of the Framework, the appellant has cited a number of public benefits that the proposed development would provide. These include: investment in the local economy; allowing the business to operate more efficiently; and enhancing the current tired visual appearance of the building. Whilst I acknowledge that the proposed development would likely provide some economic investment to the area, this would be limited given the

size of the business. I recognise that the removal of the bay window would make it easier to sell ice-cream to customers without having to remove the central panel or tie back the flanking panels, and that the current state of slight disrepair of the building would be improved. However, these limited benefits would not outweigh the harm to the CA, to which I attach great weight, that I have identified above.

13. Consequently, a clear and convincing justification for the identified harm has not been given or demonstrated in accordance with paragraph 194 of the Framework. The proposal would, therefore, fail to sustain or enhance the setting, and thereby the significance of, the CA. Consequently, it would not preserve or enhance the character or appearance of the CA.
14. I therefore conclude that the proposed development would conflict with Policies HE1, HE3, HE6 and HE7 of the Hartlepool Local Plan (adopted May 2018) which aim to conserve or enhance heritage assets, protect assets at risk and retain historical shop fronts in specific locations. It would also conflict with paragraphs 193, 194 and 196 of the Framework which seek to conserve and enhance the historic environment.

Conclusion

15. For the reasons set out above I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR