
Appeal Decisions

Site visit made on 11 November 2019

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 26th November 2019

Appeal A Ref: APP/J4423/W/19/3232301

Old County Court House, 56 Bank Street, Sheffield, S1 2DS

- 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 The Trustees of Meadow Estates SSAS against the decision of Sheffield City Council.
 - The application Ref [18/03912/FUL, dated 11 October 2018, was refused by notice dated 21 January 2019.
 - The development proposed is the removal of existing tiled and lead pitched roofs and replacement with 2 storey flat roof extension to create 6 self-contained dwellings.
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Appeal B Ref: APP/J4423/Y/19/3232303

Old County Court House, 56 Bank Street, Sheffield, S1 2DS

- 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 The Trustees of Meadow Estates SSAS against the decision of Sheffield City Council.
 - The application Ref 18/03913/LBC, dated 11 October 2018, was refused by notice dated 21 January 2019.
 - The works proposed are the removal of existing tiled and lead pitched roofs and replacement with 2 storey flat roof extension to create 6 self-contained dwellings.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Procedural Matter

3. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.

Main Issue

4. The main issue is whether the proposed works and development would preserve the grade II listed building or any features of special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the character and appearance of the Sheffield City Centre Conservation Area.

Reasons

5. Dating from 1854, the Old County Court House is a 2-storey grade II listed building of stone Ashlar construction with a slated hipped roof. Designed by Charles Reeves, it is of an Italianate design with dentilled cornices, quoins, and arched and pedimented window surrounds.
6. The property fronts onto Bank Street, with flank and rear elevations facing out onto New Street and Scargill Croft. These roads link Bank Street to West Bar. There are also topographical differences with Bank Street being elevated in comparison to West Bar to the rear.
7. The building was extended in the 1930's, based upon survey plans as reproduced in the appellant's Heritage Statement. The building has also been later altered and extended to the side and rear, with these works possibly dating from the 1970's-1980's and comprising of red brick extensions. At some point, the Old Court House was converted into 2 separate units, broadly following the original Court House as one unit, and the later extensions (referred to as the Scargill Croft building) as the other unit. Today the property as a whole is derelict and is in a very poor condition both internally and externally.
8. The site is located within the City Centre Conservation Area (CA). This area includes numerous commercial and civic buildings which form the essence of the City Centre, and reflect the prosperity and growth during the 19th Century. The varied topography of the area also adds interest.
9. Based on the above, the significance of the grade II listed building relates to its architectural and historic interest as a purpose built Victorian Court House which was designed to convey authority and prosperity. The later additions form part of its historic development, illustrative of the need for further courts to serve the growing judicial functions and needs of the City during the 20th Century. The late 20th Century works also illustrate this, although the architectural qualities of these additions are much poorer. As a 19th Century Civic building, the Old Court House makes a positive contribution to the character and appearance of the CA.
10. Planning and listed building consent were granted in 2018¹ for the change of use of the site to 21 apartments, along with alterations and extensions to the Old Court House, including a single storey flat roof extension to the Scargill Croft building. The current proposals before me relate to a 2-storey roof extension to the Scargill Croft building in order to create 6 units. Effectively this would create an additional storey on top of the approved roof extension and would generate a net addition of 3 units to the extant proposals. This would be set back from the existing walls and would be clad in zinc. The conversion of the remainder of the building, including the 1854 Old Court House building has not been included as part of the current proposals.
11. While I accept that the principle of an upwards roof extension has been established at the site, as approved this has been designed so that it has a similar height and massing to the existing roof. The proposed double height roof extension would represent an increase of around 2.8m from the approved scheme with an overall height of 6.2m.

¹ 18/01349/FUL and 18/01350/LBC

12. As evidenced by the plans and the submitted images of the proposed development the addition of a further single storey upwards extension would be of a significant scale when compared to the more modest proportions of the original building. It would be taller than the eaves of the 1854 part of the site and would form an overbearing addition to the building as a whole. The proposed set back would do little to mitigate this effect.
13. I agree that the extant scheme would read as a sympathetic new addition, but the addition of a further storey to this would give an overall appearance of a distinctly bulky entity which is 'tacked on' with a poor relationship to the original building. There would be a large expanse of zinc cladding, particularly to the West Bar and Scargill Croft elevations and the extension would add considerable bulk to the roofscape of the building, particularly to the rear.
14. I accept that limited views of the works would be gauged from Bank Street and the main elevation of the listed building would be preserved. I saw that there is variety in the roofscape and that other buildings within and adjacent to the CA are of different heights. The varied topography also adds interest to the roofscape in this regard and gives the impression of further height and enclosure. The Scargill Croft building also contributes little to the architectural quality of the listed building and the wider townscape.
15. However, the lack of quality to the existing rear and the heights and enclosure experienced in this area would not justify further harmful works in this location. I consider that the proposal would represent an incongruous addition to the existing structure which would conflict with the architectural form and significance of the building as a whole, as well as causing harm to the character and appearance of the CA.
16. My attention has been drawn to other upward extensions in the vicinity of the appeal site, including at Wharncliffe House and the Crown House Building. Both examples use similar materials as proposed. However, Crown House is a modern student accommodation block and Wharncliffe House appears to have only a single storey upwards extension, similar to the approved scheme at the appeal site. In this regard these schemes are not comparable and would not justify the proposals before me.
17. The development and works fail to comply with paragraph 193 of the National Planning Policy Framework (the Framework) which states that great weight should be given to conserving a designated heritage asset's significance. The harm may be quantified as less than substantial in terms of paragraph 196 of the Framework. However, in terms of public benefits, many of those put forward by the appellant, including the removal of an existing poor quality roof, and construction and economic benefits are secured by the extant permissions.
18. It is considered by the appellant that the addition of a second floor would facilitate the conversion and new use to make the scheme more viable. I note that as a listed building, a balance in terms of the significance of the interior and the number of residential units has had to be struck in the approved schemes. However, no evidence has been presented in support of the viability claims and I am not persuaded that the addition of 3 further units is necessary to secure the redevelopment of the dilapidated listed building. Moreover, the appellant's suggestion of a condition that requires the conversion of the Old County Court House prior to the occupation of the additional units would not be enforceable as the extant scheme is independent to the current proposals.

19. Overall, I therefore find that there would be insufficient public benefit to offset the identified harm and the works do not accord with the Framework. I therefore conclude that the works fail to preserve the special architectural and historic interest of the grade II listed building and the wider character and appearance of the CA, which I am required to have special regard and pay special attention by the Planning (Listed Buildings and Conservation Areas) Act 1990. The development would also conflict with Policies BE16 and BE19 of the Sheffield Unitary Development Plan (1998) which seek to protect listed buildings and conservation areas.

Conclusion

20. For the reasons given above, and having regard to all other matters raised, I conclude that both of the appeals should be dismissed.

C Searson

INSPECTOR