
Appeal Decision

Site visit made on 14 July 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/H0724/D/20/3252388
12, Meadowcroft Mews, Hartlepool TS26 0FS

- 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 Norman Jackson against the decision of Hartlepool Borough Council.
 - The application Ref H/2019/0496, dated 19 November 2019, was refused by notice dated 13 March 2020.
 - The development proposed is single storey pitched roof extension to incorporate a new garden room.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Park Conservation Area

Reasons

3. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving and enhancing the character or appearance of Conservation Areas (CA). Policies HE1, HE3, QP4 and HSG11 of the Hartlepool Local Plan 2018 (HLP) seek to, amongst other things promote good design that preserves or enhance conservation assets within the borough. Of particular note is Policy HE7 of the HLP which specifically relates to the Council's priority to retain, protect and enhance of heritage assets classified as 'at risk.' The Council submit that the Park Conservation Area has been considered to be at risk since 2016.
4. The appeal property is a modern two storey property set within the parkland associated with Meadowcroft/Meadowside, a Grade II Listed building and in the heart of The Park Conservation Area (CA).
5. The Council submits that the character of this part of the CA is derived from the large 19th Century houses set within large landscaped grounds that are divided by walls and railings. Of particular note is the sense of openness that exists around the built form and its connection to the surrounding landscape and woodland that is assisted by the use of open estate railings. The Council's

concern relates predominantly to the incremental loss of the open spaces that are characteristic of the CA.

6. The appeal proposal would see the construction of a brick built extension to the rear of the appeal property to form a sunroom. The extension be semi octagonal in shape and would occupy approximately half the width of the rear elevation, positioned off centre with a pitched roof and several window openings.
7. Whilst the projection of the proposed extension would be modest at around 2.8 metres I saw during my site visit that the rear garden is relatively shallow and consequently the proposed extension would occupy a relatively large proportion of it. Consequently, I consider that by virtue of its scale and bulk it would dominate the open area to the rear of the appeal property and the neighbouring properties by infilling part of the the open space that exists between the existing development and the woodland beyond. In the context of the character of the CA this disproportionate addition would compound the incremental loss of the parkland to development thus resulting in less than substantial harm to the character and appearance of the CA.
8. In the context of Paragraph 196 of the National Planning Policy Framework (the Framework) such harm must be weighed against any public benefits identified. Neither party has identified any public benefits arising from the proposal and there are none that I can identify.

Other matters

9. The appeal property is near to Meadowcroft/Meadowside, which is designated as a Grade II listed building. I have therefore had regard to the statutory duty referred to in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, acknowledging the physical relationship between the appeal site and the heritage asset and the distance between them, I consider that the setting would be preserved, and the development would not distract from it. Nevertheless, this does not overcome the harm I have identified in relation to the main issue.

Conclusion

10. Overall, the proposal would fail to preserve or enhance the character and appearance of the Conservation Area. It would also be contrary to heritage Policies HE1, HE3 and HE7 of the HLP as well as the more general design requirements of Policies QP4 and HSG11. Therefore, for the reasons set out above and taking into account all other matters raised, I conclude the appeal should be dismissed.

J Hunter

INSPECTOR