



Appeal Decision

Site visit made on 3 December 2021

by S Hunt BA (Hons) MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 13/12/2021

Appeal Ref: APP/H0724/W/21/3277432

33b The Cliff, Hartlepool TS25 1AU

- 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 Miss Elisha Robson against the decision of Hartlepool Borough Council.
 - The application Ref H/2021/0015, dated 11 January 2021, was refused by notice dated 29 March 2021.
 - The development proposed is described by the appellant as '1. Strip off full roof to main house and back extension; 2. Remove all rubbish; 3. Felt and Latt full roof with breathable membrane; 4. Fit binding gutters to both side of roof; 5. Slate full roof with eternitis slate; 6. Fit dry ridge tiles to full roof and extension at back; 7. Clean and seal gutters'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the significance of the locally listed building and the character and appearance of the Seaton Carew Conservation Area.

Reasons

3. The appeal site lies within Seaton Carew Conservation Area (CA). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
4. The appeal site is a three storey residential property, in use as apartments. It lies in the centre of a residential terrace of similar buildings. The terrace is situated in a prominent location on the back edge of the footpath and facing the sea front. The 2009 Seaton Carew Conservation Area Visual Assessment (CAVA) considers the CA in two distinct parts, divided by Station Lane, which forms the end of the terrace in which the appeal site is located.
5. The part of the CA in which the appeal site lies is primarily residential with a range of attractive two and three storey Victorian and Edwardian buildings faced in brick or pale coloured render. The vast majority of buildings in this part of the CA have slate roofs. This use of materials forms an important part of its significance.

6. The southern end of the Conservation Area contains a preponderance of commercial uses including amusement centres, shops and a range of food and drink uses. Inappropriate repairs, alterations and advertisements are specifically noted in the CAVA as reducing the quality of the CA. The CA is identified as being at risk by Historic England, although I acknowledge that the concerns primarily apply to the area south of Station Lane.
7. The terrace is formally identified by the Council as being locally listed¹. The design of the terrace differs from many of the other properties north of Station Lane and around The Green. It is more decorative, being part brick and part rendered with timber panelling details and gabled slate roofs. The host property has been altered in the past, including replacement windows and painting of the timber panelling. The existing slate roof is visible from a number of viewpoints due to long-range views along the seafront, and is made more prominent by the projecting roof gables.
8. The tiles with which the appellant proposes to utilise in re-roofing the building differ from the existing natural slates in a number of ways. They comprise a modern alternative which is manufactured from fibre cement and coated to achieve a slate colour. The finish is smoother, shinier and more uniform than natural slate, and the size of the individual tiles larger. The existing natural slates form an important part of the significance of the appeal building as a non-designated heritage asset. Alone, I find the scale of harm arising from the replacement roof tiles would be moderate. However when viewed in the context of the entire terrace, its wider effects would be more pronounced.
9. The majority of the dwellings within the terrace retain their natural slates, including those immediately adjoining the host property. As no.33 is situated central within the terrace, the proposed tiles would disrupt the remaining roofscape of the terrace and appear discordant in the street scene. Consequently, this would result in harm to the significance and to the character and appearance of the Conservation Area as a whole.
10. 2 Station Lane at the end of the terrace has been re-roofed in similar modern tiles. I noted on site that whilst it is in a prominent location, the character of the area changes markedly at Station Lane, and the Conservation Area boundary ends immediately behind it. I also noted a number of other properties in the Conservation Area where similar roof alterations have been made. Whilst many of the alterations would have been carried out under permitted development rights, such actions do not justify unsympathetic additions where there is control.
11. There would be harm to the significance of the designated heritage asset, and I find this to be less than substantial. This is as a consequence of the long range views of the roofscape of the terrace which are available and the disruption to the continuity of use of traditional materials which would occur. In concluding this I give great weight to the at risk status of the Conservation Area, notwithstanding that this primarily applies to the area south of Station Lane.
12. In accordance with paragraph 202 of the National Planning Policy Framework (the Framework), the harm should be weighed against the public benefits of the proposal. I do not doubt that the roof is in need of repair work, and to do so would prevent further water ingress and associated damage to the top floor

¹ Seaton Carew Locally Listed Buildings: 31-34 The Cliff and 2 Station Lane

apartment. Repairs would also prevent any slipped slates from endangering the public on the footpath below. These are public benefits to which I give moderate weight.

13. However, there is a lack of evidence before me to suggest that the required repairs cannot be carried out by re-using and, where necessary, supplementing the existing natural slates. It has not been demonstrated that natural slates are the least durable option in the local climate, indeed I find that the material is successfully used on numerous other seafront properties.
14. In conclusion, the less than substantial harm to the significance of both the non-designated and designated heritage assets that I have identified is not outweighed by the public benefits of the proposed development. The proposed development is contrary to Policies HE1 and HE3 of the Hartlepool Local Plan (2018) which seek to preserve and/or enhance the special character, distinctiveness and setting of heritage assets. In turn, it also conflicts with national policy on heritage matters set out in section 15 of the Framework.

Conclusion

15. For the reasons set out above, the appeal is dismissed.

Susan Hunt

Inspector