



Appeal Decisions

Site visit made on 22 June 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2023

Appeal A Ref: APP/H2733/W/22/3306732

7 Bridlington Street, Hunmanby, Filey, North Yorkshire YO14 0JR

- 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 Harry Fell against the decision of Scarborough Borough Council.
 - The application Ref 22/00628/HS, dated 15 March 2022, was refused by notice dated 22 June 2022.
 - The development proposed is erection of a single storey rear extension.
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Appeal B Ref: APP/H2733/Y/22/3306733

7 Bridlington Street, Hunmanby, Filey, North Yorkshire YO14 0JR

- 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 Mr Harry Fell against the decision of Scarborough Borough Council.
 - The application Ref 22/00809/LB, dated 15 March 2022, was refused by notice dated 24 June 2022.
 - The works proposed are erection of single storey rear extension and paving rear garden.
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Decision

1. **Appeal A:** The appeal is dismissed.
2. **Appeal B:** The appeal is dismissed.

Preliminary Matters

3. The descriptions in the banner headings above are taken from the decision notices which accurately and succinctly describe the proposals. These decisions address both planning and listed building consent appeals for the same site and the same single storey rear extension. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter.
4. The paving, which only forms part of Appeal B, is in situ, and I am consequently dealing with that appeal in part retrospectively. The Council raised no concerns regarding the paving and from the evidence before me and my observations on site, I have no reason to take a different view. It has a neutral impact on the special interest and significance of the Listed Building and the Conservation Area. I have therefore focused my considerations of the appeals on the proposed rear extension.
5. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

6. The main issues are whether the proposal would preserve a Grade II listed building, known as Mill Farmhouse, 7 Bridlington Street, and any features of special architectural or historic interest which it possesses and the extent to which it would preserve or enhance the character or appearance of the Hunmanby Conservation Area.

Reasons

Special interest and significance

7. Mill Farmhouse, 7 Bridlington Street is a Grade II listed building dating to the mid-to-late 18th century and sits in a prominent position centrally within Hunmanby. With its steep roof, end chimney stacks, balanced formal frontage and careful mix of white-washed squared chalk and use of brickwork at, amongst other things, the quoined surrounds, and eaves course, it is an elegant building in the street. The rear and side gable by the entrance have a more rustic charm resulting from its more informal window pattern and mix of brickwork and chalk, which includes tumbled in brickwork. This reflects the differentiation in status from the front elevation.
8. From the evidence before me, the special interest and significance of the listed building, insofar as it relates to these appeals, is largely derived from its historic and architectural interests as a mid-to-late 18th century farmhouse which forms an integral element of the historic townscape in this part of Hunmanby. The dwelling's age, traditional materials, and construction techniques, combined with its elegant frontage make important contributions to the special interest and significance of the listed building.
9. Hunmanby Conservation Area (CA) extends around the appeal site along Bridlington Street and incorporates the historic core of the village. Its character and appearance are largely derived from the surviving elements of its historic layout, open spaces, and street pattern, combined with the architectural richness of its historic buildings. These comprise landmark structures such as the All-Saints Church as well as modest domestic properties fronting onto the green and war memorial at Cross Hill. Buildings are built from a range of materials including, amongst other things, exposed and whitewashed brick and chalk. The heritage interest and value of the historic residential properties within this part of the CA, including the appeal premises, positively contribute to its character and appearance as a whole, and thereby to its significance as a designated heritage asset.

Effects of the proposal

10. A small opening would be created in the rear façade, resulting in a small loss of the chalk and brickwork detail, and the removal of a window, and door. This would result in the irrevocable loss of historic fabric however small. Moreover, the loss would be compounded by the internalisation of a portion of the rear façade, which would be subsumed by the extension. As set down in paragraph 205 of the National Planning Policy Framework (the Framework) (2021) the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. In this regard, the suggested recording condition would not mitigate the harm from the loss of historic fabric.

11. The proposed extension would project out from the rear elevation to a not insignificant degree, relative to the depth of the host property. It would have a wide low pitch and this, and the uniform finish of the brickwork, would appear as a discordant addition in stark contrast with the roof form and material finish of the dwelling. This would be exacerbated by the modern appearance of the picture windows and patio doors due to their proportions, position, and glazing pattern, which would confuse the legibility of the existing fenestration on the rear elevation. Overall, the proposed extension would not harmonise with the more rustic traditional appearance of the rear façade.
12. The absence of harm in respect of other elements of the scheme, including the paving, are neutral matters. However, for the reasons given, the proposal would adversely weaken the historic and architectural integrity of the building and would erode its identified special interest and significance.
13. The appellant advises that the design of the extension has been inspired by the outbuildings to the rear. However, they are detached from the farmhouse and their historical use, form, proportions, and appearance are distinct from the dwelling. In contrast, the proposal before me would be clearly seen as a physical extension to the listed house.
14. Change to a heritage asset does not automatically result in harm to its significance. It can also be positive or neutral and it only becomes harmful if the identified special interest is eroded. Also, conservation is an active process of managing change to heritage assets in ways that sustain, reveal, or reinforce their heritage interests. However, in this instance, the proposal would weaken the heritage interests of the listed building.
15. The change to the elevation would not be visible within the public realm along Bridlington Street. Even so, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views of the building can be gained.
16. The proposal would preserve key elements of the CA's character and appearance, such as the area's historic layout and the open spaces around Cross Hill. However, if the special interest of a listed building that contributes to the character, appearance and significance of a conservation area would be harmed, it follows that in those respects the conservation area as a whole can also be similarly incrementally harmed. In this case the proposal would be hidden from views from Bridlington Street and as such the attractive streetscape that forms this part of the CA would not be materially affected. Nevertheless, part of the character and significance of the CA is the high quality of the historic buildings it contains. Given my findings above, in relation to the special interest and significance of the listed building, I consider that the proposal would harm the character and significance of the CA. Consequently, whilst the magnitude of the harm of the proposal may be concluded to only be minor adverse in the context of the CA as a whole, it would nevertheless fail to preserve it.
17. Drawing the above together, the proposal would fail to preserve the special interest of the Grade II listed building, Mill Farmhouse, 7 Bridlington Street. It would also fail to preserve or enhance the character of the CA. As a result, the proposal would harm the significance of these designated heritage assets.

Public benefits and heritage balance

18. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
19. With reference to paragraphs 201 and 202 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the localised nature of the proposed development and works to the rear elevation of the listed building in the CA, I find the harm would be 'less than substantial' in this instance but, nevertheless, of great weight. Under such circumstances, paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
20. There would be some economic and social environmental benefits resulting from the construction works, the general investment into the property and improvements to the local housing stock. However, the nature and scale of associated public benefits that would flow from the scheme to the public at large would be minimal. Rather, the proposal would principally be of private benefit to any occupier of the property in providing additional space. As such, the associated public benefits carry little weight in favour of the appeals.
21. 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. In the absence of any substantiated evidence to the contrary neither would any public benefits accrue in relation to the CA.
22. Overall, the weight that I ascribe to the public benefits that would result from the proposed development/works, would not be sufficient to outweigh the great weight that I attach to the harm I have identified. As such, the proposed development/works would not comply with paragraph 202 of the Framework.
23. The proposal would fail to preserve the Grade II listed building known as Mill Farmhouse, 7 Bridlington Street, and the character of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act. It would also be contrary to the requirements of Policies DEC1 and DEC5 of the Council's Local Plan (2017). These say, amongst other things, that proposals affecting a designated heritage asset should conserve those elements which contribute to its significance.

Other Matters

24. I have been referred to a previous but expired permission for a rear extension. However, I do not have the full details of that extension before me and so can not be satisfied that the circumstances surrounding its acceptance are similar to the scheme before me in respect of its size, form and appearance. I have, in any case, considered the scheme on its own merits. Moreover, the possibility of whether, as a result of the proposed extension, future internal works may come forward are not matters for my consideration as part of these appeals.

25. The appellant has made changes to the scheme with a view to finding a solution. However, this and the principle of extending this or other listed buildings, do not change the merits or effects of the scheme before me.

Conclusion

26. **Appeal A:** The proposed development would conflict with the development plan as a whole and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, Appeal A is dismissed.

27. **Appeal B:** For the reasons given, Appeal B is dismissed.

Mr R Walker

INSPECTOR