



Appeal Decision

Site visit made on 9 October 2025

by Helen Heward BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2025

Appeal Ref: APP/U2615/Y/25/3359024

Shaun's Family Butchers, 17 Northgate Street, GREAT YARMOUTH, NR30 1BA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Ms Mary Carberry against Great Yarmouth Borough Council.
 - The application reference is 06/24/0599/LB.
 - The works proposed are described as "*demolition of the whole building and clearance of the site*".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal was made against the Council's non-determination of the application. I undertook an unaccompanied site visit. I was able to observe the property from the public highway to the front. I could not access the interior of the LB.
3. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
4. Grade II Listed Building (List Entry No 1246011) covers No's 16, 16A, 16B, 17 Northgate Street and Post Office Northgate Street (the LB). They comprise two shop fronts with accommodation above and to the rear. Therefore, whilst the proposal is for the demolition of No 17 in its entirety, it is not for the complete demolition of the heritage asset covered by the Listing.

Main Issues

5. The main issues are whether the proposal would preserve the LB, and any of the features of special architectural or historic interest that it possesses, with particular regard to its main façade, and the extent to which it would preserve or enhance the character or appearance of the St Nicholas/Northgate Conservation Area (the CA).

Reasons

6. The CA covers an area encompassing St Nicholas' Church "The Minster" (Grade II*) graveyards, and remnants of the medieval town walls. Northgate Street leads to the site of a demolished North Gate a short distance from the appeal site. Development on the west side of Northgate Street in the locality of the appeal site

frames a space known as Whithorse Plain and faces the grounds of the Minster. The buildings are generally two to three storeys high and characterised by varying heights, materials, and designs, with a predominance of render, feature sash, and bay windows at first floor level, with shop frontages.

7. The significance of the CA, as far as it relates to this appeal, is primarily associated with the design and layout of the historic thoroughfares and the architectural detail of the flanking historic buildings within the town walls.
8. The LB is part of a terrace and row of properties on the west side of Northgate Street. The LB comprises a pair of shops with accommodation above. The List Entry informs me they are Mid C17, altered and re-roofed C17, refurbished early C18 and the facade re-worked late C18. No 16 and No 17 both have C20 shop fronts at ground floor. At first floor they are rendered and there are six 6/6 unhorned sash windows at irregular intervals with a gabled roof and 2 gabled dormers, one to each property.
9. The special interest of the LB, as far as it relates to this appeal, is primarily associated with the character and appearance of the front façade, and its contribution to the townscape of Northgate Street.
10. In June 2024, a fire started in a rear flat at No 16. The Council advise that the fire exposed the timber frame, and that a brick chimney and breast has been removed. The Appellant describes it as 'a devastating fire' and states that No 17 and all the listed features were destroyed. However, the Council argues that site visits suggest that features of historic significance remain. From my observations from the pavement, the front elevation of No 16 and No 17 appeared relatively intact.
11. The List Entry informs me that the Interior of No.17 had a "First floor front room with, amongst other things, early C18 large-framed panelling and a plain overmantel to the fire, 3-panelled cupboard doors right and left with cockshead hinges. Although unable to access the interior, from what I could see from the pavement it appeared possible that features of historic significance may remain to some extent in a first-floor front room to No17.
12. Whilst there are no floor plans, my observations also lead me to concur with the opinion of the Council that No 17 may have a flying freehold at first floor level over No 16. No details are provided about how the proposed demolition would affect the structural integrity and heritage significance of No 16.
13. Demolishing No 17 Northgate Street in its entirety, would result in the loss of one of the two shops with accommodation above that form part of the LB, and the loss of a significant part of the frontage to Northgate Street including sash windows and the re-worked late C18 façade. This would result in substantial harm to the significance of the LB and be harmful to the character and appearance of the CA.
14. Policy E5 of the Great Yarmouth Local Plan Part 2 (adopted 2021) requires that development proposals which have the potential to impact on Heritage Assets, or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise.
15. Paragraph 207 of the National Planning Policy Framework (Framework) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to

the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

16. The Appellant's Heritage Statement submitted at appeal is unsigned. There is no evidence that it was prepared by a suitably accredited specialist, and it appears to be a revision of a statement prepared for a previous, and different, proposal on the same site. It advises that No 17 is a mid C17 shop, and that whilst much altered due diligence is required in respect of a number of features described in the Listing. A single sentence refers to the proposed demolition before me. It reads "*All these features are lost due to the fire*". Otherwise, the Heritage Statement provides no evaluation of how much historic fabric of significance remains within the building and how that might be preserved.
17. The appeal is accompanied by a Condition Report comprising a short, signed letter from a Chartered Surveyor. It states that the main issue is the loss of roof protection and that the main wall between No 17 and No 18 is severely damaged and structurally unstable which may cause No's 18-20 to collapse. Supporting evidence comprises just five interior photographs, and one drone photograph of the fire damaged building from above and no detailed condition survey. The Chartered Surveyor who prepared the Condition Report is an RICS Registered Valuer. There is nothing to say that they are either a structural surveyor or specialist in historic buildings. Save for references to the walls and roof, there is no evidence in respect of the condition of other features, and no reports from a competent expert with relevant expertise.
18. The Valuation Surveyor recommends that the site is cleared for public safety and that the buildings are "*rebuilt from the foundations upwards in a sympathetic historic manner*". The Appellant refers to a replacement building with a frontage, in keeping with the area and maintaining the street scene, but that "*there is no point in building a fake replica, which again, is unviable due to costs*". Whatever plans there maybe, there are no proposals before me.
19. The Council waived the need for a fully detailed heritage impact assessment and to enable the timely determination of the application in the interests of not extending the fire-damaged building's impact on the townscape or in respect of any latent health and safety concerns. The Council further considered that as no express benefits had been proposed, and no redevelopment options put forward, it would be unreasonable to require a Heritage Impact Assessment when planning policy and the Framework require that applications provide sufficient public benefit to outweigh the impact of the demolition, and should not be permitted without being able to ensure that new development would proceed after the loss had occurred.
20. However, Historic England (HE) is a statutory consultee for applications involving the demolition of a principal listed building. HE advised the Council that the application provided insufficient information for the proposals to justify the demolition of No 17. HE stated that as a minimum a Heritage Statement is needed to indicate how much historic fabric/significance remains within the building and to assess what can be repaired and/or salvaged. HE added that the impact of proposals on Nos 16 and 16a also needed to be considered.

21. I find that whilst there is a need for proportionality in assessments, the complexity of this case is such that a Heritage Impact Assessment needs to be prepared by a suitably accredited specialist to indicate how much historic fabric/significance remains within the building, to assess if the frontage can be reasonably repaired and/or salvaged, and what, if anything can reasonably be repaired and/or salvaged from the interior. As well as to assess the impact of the remaining parts of the LB, particularly the ground floor at No 16 which it would appear could potentially have part of its roof demolished.
22. Framework Paragraph 212 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. Paragraph 213 adds 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. Substantial harm to, or loss of, grade II listed buildings should be exceptional.
23. Given that part of the terrace would remain, I find the harm to be at the upper end of less than substantial in this instance but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
24. The Appellant claims that the building is destroyed, that there is no point in trying to repair it, too much is lost, and building a replica building at great cost, which would have a final value of 20% of the build cost, estimated in excess of £1,000,000, is not an option. The Appellant further argues that this area and Great Yarmouth suffer from low property values, with many listed buildings falling into decay or are derelict due to their value being substantially less than the cost of restoring them. They claim that there are many unkept, abandoned, and derelict buildings in the area, including at least 3 burnt out listed buildings. There is scant evidence to substantiate the claims.
25. Only a cursory assessment has been undertaken to determine the potential heritage harm that would arise from the demolition of No 17 and consequences for No 16. Without an ability to assess the scale of the harm to the significance of the assets that would arise, it is not possible to assess the proposal against the tests set at Framework paragraph 215.
26. Demolishing No 17 in its entirety, would result in the loss of one of the two shops with accommodation above that form part of the LB, the loss of a significant part of the frontage to Northgate Street including sash windows and the re-worked late C18 façade. This would result in substantial harm to the significance of the LB and would fail to preserve or enhance the character and appearance of the CA.
27. I conclude that there is insufficient evidence to determine the extent and condition of any surviving fabric, contrary to Framework paragraph 207 and insufficient to justify demolition of No 17. Insofar as relevant, the proposal also fails to satisfy requirements of Policy E5 of the Great Yarmouth Local Plan Part 2 (adopted 2021), which states that development proposals which have the potential to impact on

Heritage Assets, or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise.

Other Matters

28. Comments relating to delays in validating the application carry no weight. The responsibility to provide evidence about the condition of the building to justify a proposal rests with an applicant. Comments about the Council's approach to other cases are not material to my considerations.
29. I have noted that the proposal is not without some support, and at appeal one supporter comments that they support the proposals because of the building being badly damaged and listed features gone.

Conclusion

30. Given the above and considering all other matters raised, the appeal should be dismissed.

Helen Heward

INSPECTOR