



Appeal Decisions

Site visit made on 5 June 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 20th June 2017

Appeal A: APP/M2325/W/16/3162296

8 Bath Street, Lytham, Lancashire FY8 5ES

- 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 Mrs Katherine Wykes against the decision of Fylde Borough Council.
 - The application Ref 16/0298, dated 15 April 2016, was refused by notice dated 10 August 2016.
 - The development proposed is extension to existing property at ground & first floors.
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Appeal B: APP/M2325/Y/16/3162983

8 Bath Street, Lytham, Lancashire FY8 5ES

- 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 Mrs Katherine Wykes against the decision of Fylde Borough Council.
 - The application Ref 16/0299, dated 15 April 2016, was refused by notice dated 10 August 2016.
 - The works proposed are extension to existing property at ground & first floors.
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Decisions

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

Main Issue

3. 8 Bath Street forms part of a terrace of properties dating from 1830 (nos 2-10 Bath Street), which is a Grade II listed building. Accordingly, the main issue in this case is whether the proposal would preserve the special architectural or historic interest of the listed building and, linked to that, whether the proposal would preserve or enhance the character or appearance of the Lytham Town Centre Conservation Area.

Reasons

4. The starting point for the consideration of the proposal is Sections 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require that special regard is had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest it possesses. Section 72 (1) requires that with respect to any buildings or other land within a conservation area special attention shall be paid to the

desirability of preserving or enhancing the character or appearance of that area.

5. The appeal property, like the others in the terrace, is a modest two-storey, double-fronted house, with a formal but simply detailed symmetrical front elevation. The rear of the terrace is of a less formal composition and incorporates a variety of modestly proportioned outriggers, such that it is subservient to the front elevation. At the rear of No 8 is a low two-storey outrigger incorporating two gabled elements, and a single storey modern glazed extension. The property has a small rear garden and garage with access from Shepherd Street.
6. There is no assessment of the significance of the listed building before me. The list entry, on which the appellant seeks to rely, should not be regarded as a comprehensive statement of all the components of the listed building or an assessment of its significance. Notwithstanding this, the list description notes that there are 'various individual back extensions' and it seems to me that they form part of the character of the listed building and contribute to its significance which lies mainly in its age, its form and detailing.
7. The proposal seeks to alter and extend the property at the rear. Part of the existing two-storey outrigger would be removed and the remaining part increased in height. The replacement extension would feature an additional gable, to form two symmetrical projecting gables which would be linked by a flat roofed glazed central section some two storeys in height.
8. The proposal would result in the loss of an amount of historic fabric, including the narrow gabled part of the outrigger. That feature, which is replicated on other parts of the terrace, makes a positive contribution to the character of the listed building. The new gabled element would be considerably bulkier than that which would be lost and both gables would project well above the eaves line such that the extension as a whole would have an imposing impact on the rear elevation. The symmetrical composition of the upper floor would give the extension a sense of formality and its visual impact would be compounded by the modern first floor glazed link. Consequently the composition, scale and design of the proposed rear extension would be at odds with the informal character and subservient nature of the rear elevation of the listed building. Moreover, the extension would cover the entire rear wall of the property such that its original form and appearance would no longer be legible.
9. I acknowledge that the rear of the building is partially screened from view by existing buildings and vegetation. Nevertheless, even in early summer part of the first floor of the building and its roof were visible from Shepherd Street. Moreover, listed buildings are protected for their inherent qualities, irrespective of whether or not they are visible to the public.
10. I also acknowledge that the extension would, in itself, be well-proportioned and that matching brickwork would be used. Whilst the extension would unify the appearance of the rear of the building, symmetry does not form part of the character of the rear of the houses as it does at the front. Whilst there are modern properties nearby with strident gable features and bargeboard detailing in the vicinity, this does not persuade me that such a form of development is appropriate on this listed building.

11. My attention has been drawn to examples of planning permission for first floor extensions on other parts of the terrace. However, I do not have the details of these cases before me, or the context in which they were allowed, so cannot be sure they are directly comparable with the appeal proposal.
12. For the reasons set out above, the proposal would detract from the architectural and historic interest of the building. For the same reasons the proposal would neither preserve nor enhance the character or appearance of the conservation area. As such, it would not comply with the weighty statutory requirements of the Act, as set out above. Also, for the same reasons, the proposal would not comply with Policies HL5, EP3 and EP4 of the Fylde Local Plan 2005 which in various ways seek to ensure that new development is in keeping with its context and preserves heritage assets.
13. The approach in the National Planning Policy Framework is that where the harm to the significance of the building would be less than substantial, as in this case, it should be weighed against the public benefit of the proposal including securing its optimum viable use. Less than substantial harm does not equate to a less than substantial planning objection. I acknowledge that the proposal would be of benefit to the appellant in providing additional living space. However, I am not persuaded that this consideration equates to a public benefit including securing its optimum viable use, sufficient to outweigh the harm that I have identified.

Conclusion

14. Therefore, for the above reasons and taking all other matters raised into account, including the comments of a neighbouring resident, the appeals are dismissed.

S Ashworth

INSPECTOR