

Mr M. P. Whitmore  
Scarborough Borough Council  
Town Hall  
St Nicholas Street  
Scarborough  
North Yorkshire  
YO11 2HG

[REDACTED]  
Our ref: P01312010

4 December 2020

Dear Mr Whitmore

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**ST HELENS SQUARE, SCARBOROUGH, NORTH YORKSHIRE  
Application No. 20/02437/FL**

Thank you for your letter of 19 November 2020 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

St Helen's Square is formed by historic buildings of a range of types and styles. They are good examples from their periods and reflect the rich variety of architectural interest of this important seaside town. Whilst we support the ambition of the Council to invigorate spaces by improving the public realm, we do not feel that this should come at the expense of demolishing historic buildings that contribute to the character and appearance of this conservation area, which is currently at risk.

We object to the demolition of 1-3 St Helen's Square. This irreversible loss would be damaging to the conservation area and the setting of the Grade II listed Market Hall. We strongly urge that the proposal is amended to retain more of the historic character of the site. We have drawn up an alternative design for an enhanced public space, retaining and making the most of the distinctive character of the historic buildings.

**Historic England Advice**

*Significance of heritage assets affected*

St Helen's Square formed part of Scarborough's New Borough, laid out in the second half of the 1100s. It has never been a large or expansive space by modern standards. The properties along the west side of the square are almost certain to occupy plots which originated in the later medieval period.



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**1 St Helen's Square**, while mainly dating from c.1816, contains evidence of a late 17th century structure, as indicated by the 1680 date stone. Its prominent position preserves the only remaining element of the original stepped plan form of this side of the square, an alignment that was established by at least 1747. It has a landmark quality that punctuates the corner. This could be enhanced with modest restoration works. The earlier chimney is an external expression of historic character and fabric, hinting at the earlier origins of the building.

**2 to 3 St Helen's Square**, The Shakespeare Hotel dates from 1927 and is in an attractive Tudor style. No. 2 St was formerly a separate shop and residence, and no. 3 appears to have become an inn or public house between 1828 and 1841, acquiring the 'hotel' name in the 1860s. The existing Shakespeare Hotel was built for Scarborough and Whitby Breweries Limited, when both nos 2 and 3 were completely demolished, although the cellars were incorporated into the new building. The scale and height of the 1920's hotel, together with the double-gables on the street frontage, and its position between the much taller no. 1 and nos 4 to 6 St Helen's Square, provide an easily understandable and surely deliberate reminder of the scale and character of the earlier buildings which would have occupied these plots.

The Heritage Statement notes the contribution nos 1 to 3 St Helen's Square make to the understanding of the development of the street frontage in this part of the historic town core and the conservation area, suggesting that they might therefore be considered to be non-designated heritage assets. We agree with this assessment.

**No. 49 Newborough and the adjacent public conveniences (formerly no. 48)** were built as a single two storey structure in the 1910s, replacing a three storey house of probable late 17th or early 18th century date which appears to have been damaged by fire. We accept that they appear to be of modest interest, although this should be tested by further archaeological and architectural investigation to ensure that no earlier hidden fabric survives.

#### *Impact on significance*

The conservation area is at risk due to the gradual loss of historic buildings slipping into disrepair and being demolished, eroding its distinctive character. We agree with the Heritage Statement's assessment that the demolition of the historic buildings would have an adverse impact on the conservation area, harming its significance.

#### *Heritage policies*

When considering the harm to a conservation area, 'great weight' should be given to the asset's conservation. This is irrespective of whether the harm would be substantial, less than substantial or total loss (para. 193 of the National Planning Policy Framework (NPPF)). Any harm to, or loss of, the significance of a heritage asset should require a 'clear and convincing' justification (para 194 of the NPPF).



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In addition to the harm to the conservation area, the total loss of the historic buildings that could be considered non-designated heritage assets should be taken into account. Para 197 of the NPPF states that 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

#### *Historic England Position*

The proposed public realm scheme would not be an enhancement to the conservation area which would outweigh the harm caused by the permanent loss of the historic buildings and the erosion of the character and appearance of the conservation area. We believe that the potential public benefits of an improved public space could be delivered in a less harmful way. We have drawn up a design for an enhanced public space, retaining and making the most of the distinctive character of the historic buildings, which we enclose.

We urge that the proposal be amended to retain 1 to 3 St Helen's Square. Subject to further assessment of 48 to 49 Newborough, their replacement with well-designed public realm could have a neutral or positive impact on the conservation area and so be acceptable. High quality public realm could enhance the landmark quality of the Georgian corner building and its contribution to the wider area.

#### **Recommendation**

Historic England objects to the application on heritage grounds because the harm caused by the demolition of non-designated heritage assets would not be outweighed by any preservation or enhancement of the conservation area as currently proposed. Alternative approaches could enhance the area without demolition of the buildings.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 127, 184, 193, 194, 196 and 200.

In determining this application, you should bear in mind the statutory duties of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1) requires you to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72(1) requires you to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In addition, please bear in mind your statutory duties of section 38(6) of the Planning and Compulsory Purchase Act 2004. It requires you to determine planning applications in accordance with the development plan unless material considerations indicate



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otherwise.

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Please contact me if we can be of further assistance.

Yours sincerely

**Kerry Babington**

Inspector of Historic Buildings and Areas

E-mail: [REDACTED]

cc: Mr R Robeson, WSP UK Limited (via email)

enc: Image showing alternative option for revitalising St Helen's Square