
Appeal Decision

Site visit made on 3 October 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 18 October 2017

Appeal Ref: APP/E2734/W/17/3179363

17 and 18 York Place, Harrogate, HG1 1HL

- 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 James Tyreman against the decision of Harrogate Borough Council.
 - The application Ref 6.79.4311.B.FUL, dated 3 April 2017, was refused by notice dated 2 June 2017.
 - The development proposed is a retrospective application for the replacement of existing windows to new white uPVC windows.
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Decision

1. The appeal is allowed and permission granted for the retention of uPVC windows at 17 and 18 York Place, Harrogate, HG1 1HL in accordance with the terms of the application, Ref 6.79.4311.B.FUL, dated 3 April 2017 and the approved Location Plan Drawing No 1026/1.2 and Elevations Drawing No 1026/1.5.

Procedural Matter

2. The replacement windows which are the subject of this appeal have already been installed and the Council dealt with the application as being retrospective. I have used the Council's description of development in the formal decision as this more accurately reflects the retention of the windows. However, the reference in the description of the application to the proposal being retrospective is superfluous so I have left it out of my formal decision.

Main Issue

3. The main issue is whether the development preserves or enhances the character and appearance of the Harrogate Conservation Area.

Reasons

4. The appeal property comprises a substantial three storey bay fronted, stone built property that has been converted into flats and is located within the Harrogate Conservation Area. This part of the Conservation Area is characterised by predominantly terraced properties of similar scale mass and design style which provide a prominent and imposing frontage to York Place.

5. The application sought the retention of uPVC windows which appear to have been installed throughout the appeal property and are of a mock sash window style.
6. The Council indicates that many of the properties on York Place retain traditional timber sash windows. However, the appellant has provided a list of properties on York Place which have had replacement uPVC windows. I was able to see at the time of my site visit that a significant number of properties in the immediate building group in the vicinity of the appeal site, and fronting York Place, have mock sash uPVC windows.
7. In particular, the adjacent terraced blocks comprising Nos 13 – 16 to the west, Nos 22 and 23 to the east and the prominent five storey building comprising the Prince of Wales Mansions have uPVC windows of similar style to those installed in the appeal property. Although I have no evidence that would demonstrate whether these were granted planning permission or maybe unauthorised, it appears that uPVC windows are a common feature on this part of York Place and as such set part of the visual context for the consideration of the appeal scheme. I therefore consider that the replacement of the timber with uPVC windows, whilst regrettable, is now an established characteristic of this part of the Conservation Area.
8. At first glance not all these uPVC windows are immediately distinguishable from their timber counterparts, although on closer inspection their manufactured quality becomes apparent and sets them apart from the less harsh character of the corresponding wooden frames. Nonetheless, given the number of uPVC windows that have already been installed, it seems to me that it would not be sustainable to maintain the loss of a further set of timber windows.
9. In this context the replacement windows do not appear incongruous on the host property, or at odds with the character and appearance of other properties in the area. The white uPVC frames result in the property looking more like its neighbours, and consequently more inkeeping with the street scene. I am not convinced that the frames appear unduly heavy or different in proportion to the wooden frames that remain in the area and the standard profiling is similar to the other windows nearby.
10. On this basis, I am not persuaded that the uPVC windows detract from the appearance of the host property, nearby dwellings or the street scene which are all of significance to the area's heritage. I conclude that the proposed replacement windows would not be harmful to the character and appearance of the host property. They would thus preserve the character and appearance of the Harrogate Conservation Area, and cause no harm to the significance of this designated heritage asset.
11. For these reasons, the windows preserve the character and appearance of the Conservation Area as a whole in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would accord with paragraphs 131 and 132 of the National Planning Policy Framework. As such I see no conflict with Policies EQ2 and SG4 of the Harrogate Core Strategy (2009) or Saved Policies HD3 and HD20 of the Harrogate District Local Plan (2001). These policies, amongst other things, indicate that development having an adverse effect in the character and appearance of Conservation Areas will not be permitted and that fenestration should be well-proportioned and balanced and be sympathetic to adjoining buildings.

Conditions

12. The Council has not suggested any conditions. I have no evidence to suggest that the development has been carried out otherwise than in accordance with the submitted drawings. Consequently, I consider that no planning conditions are necessary.

Conclusion

13. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR