



Appeal Decision

Site visit made on 19 May 2020

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 26 May 2020

Appeal Ref: APP/W9500/D/20/3244441

2 Mowbray Terrace, West End, Ampleforth YO62 4DZ

- 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 Stephen Demaine against the decision of North York Moors National Park.
- The application Ref NYM/2019/0718/FL, dated 22 October 2019, was refused by notice dated 18 December 2019.
- The development proposed was described as: *'1. Removal of conservatory and erection of single storey extension to rear of property; 2. Removal of two existing dormer windows and replacement 1 dormer window to rear; and New Amendment: Replacement of front lounge window and front bedroom window with new sash frames and DG units'*.

Decision

1. The appeal is allowed and planning permission is granted for removal of 2 no. dormer windows and demolition of conservatory to rear, construction of single storey extension and 1 no. dormer window and installation of 2 no. replacement windows and door to front elevation (revised scheme to NYM/2018/0546/FL) (part retrospective) at 2 Mowbray Terrace, West End, Ampleforth YO62 4DZ in accordance with the terms of the application, Ref NYM/2019/0718/FL, dated 22 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan; SD201806-2; New Joinery Sheet GF Lounge; New Joinery Sheet FF Bedroom and door / frame specifications (NYMNPA dated 23/10/2019).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The development description was originally described in the terms set out in the banner heading, above. As it made no reference to the replacement front door, which is specifically cited in the sole reason for reason I have determined the appeal on the subsequently adopted and re-worded development description, as set out in the Authority's decision notice, so as to include reference to the replacement door and windows. It is clear that that is the

basis upon which the Authority determined the application, and I have determined the appeal accordingly.

3. The appeal address as initially set out on the planning application form omitted the postcode. I have added the postcode as set out on the appellant's subsequent appeal form in the banner heading above.

Main Issue

4. The main issue is whether the development would preserve or enhance the character or appearance of the Ampleforth Conservation Area (CA).

Reasons

5. The Ampleforth 'Conservation Area Assessment and Management Plan' Supplementary Planning Document (SPD) recognises the contribution that smaller architectural details make to the character of the CA, beyond the prevailing use of stone for walling and roofs that is immediately noticeable within the CA. In terms of smaller architectural details, the retention of traditional door designs is noted by the SPD, as the tendency for doors to be painted solid timber, panelled, some with glazing within the door but typically with glazed fanlights above as a separate detail. An extract of the Authority's '*Extensions and Alterations to Dwellings*' Design Guide recognises the threat posed particularly by the replacement of traditional timber panelled doors with partially glazed, off the peg hardwood or plastic doors. It goes on to note that door rarely contain glazing and, if glazing is present, it is generally confined to fanlights.
6. The replacement door, which I saw at the time of my visit to the site to be in situ, largely follows these positive characteristics and avoids the threats identified by the SPD and the Design Guide. The door is timber and of panelled construction. It is not glazed but instead retains a slim glazed fanlight above the door frame. Indeed, the retention of a fanlight reflects the similarly proportioned fanlights of the adjoining two properties in this short, terraced block, and is noted as a common feature within the CA by the SPD. From my observations whilst wandering along West End such fanlights are indeed a typical detail and characteristic feature of this part Ampleforth.
7. The door's detailed design of three recessed vertical panels does, I accept, deviate from the prevailing 4- and 6- panelled door design which is a more typical feature of properties in the vicinity of No. 2. However, the SPD notes a broad homogeneity in building materials creating an overall harmony but, through subtle variations, with no sense of monotony. It goes on to note that the attractive variations in the smaller detail of the buildings provide interest and variation.
8. The replacement door's design does, in my judgement, just that. Whilst reflecting the broad principles noted in the SPD, the door's detailed design draws on the variety that is evident throughout West End and which provide exceptions that prove the rule in terms of solid timber panelled doors. The three panelled door design has a stronger vertical emphasis than the typical 4- and 6- panelled designs, but I do not consider this to be intrinsically harmful, nor is it entirely without precedent within Ampleforth.
9. Given the commentary and assessment provided by the SPD I find no direct imperative or policy or guidance support for direct like-for-like replacement. I

am, instead, satisfied that the appellant has demonstrated that the replacement door reflects the distinctive characteristics and description of smaller detailing across the CA, as described in the SPD and the Design Guide extract that I have been supplied with.

10. Rather, it reflects the broad characteristic style of door openings, and door styles and construction, present within the CA whilst providing sufficient subtle variety to contribute to the interest noted in the SPD's description of the CA. The door is not, in my judgement, an insensitive or harmful design. Nor is it harmful to the character of the host building or the surrounding area.
11. I saw during my visit that there were other examples of three panelled doors, in addition to the more varied photographic examples provided by the appellant, along West End and elsewhere within Ampleforth. There is no doubt that 4- and 6- panel doors prevail, but they are not uniform. The absence of monotony across the CA, contributed to by smaller detail features, is a key aspect of the CA identified by the SPD. The door design in this instance would avoid harm to the character and appearance of the host property and would not erode the prevailing character of properties in the surrounding area. There is therefore no conflict with Core Policy G or Development Policies 3, 4 or 19 of the North York Moors Core Strategy and Development Policies document (CSDP).
12. For these same reasons, I also conclude that the replacement door would avoid harm to the character or appearance of the CA and would have a neutral effect thereon. The statutory requirements established by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) establish that special attention be given to the desirability of preserving or enhancing the character or appearance of a Conservation Area. A neutral effect would preserve, and I am thus satisfied that the proposal would not fall foul of the Act's statutory requirements.

Other Matters

13. The replacement door was only one element of a broader range of works set out in the appeal proposal. I am also advised that planning permission was previously granted¹ for the works described in the appeal proposal², minus the replacement door and windows. The Council raise no objection to these other works, nor to the replacement windows. I have not been presented with any further submissions that would persuade me to reach a different conclusion. There would no conflict with CSDP Core Policy G or Development Policies 3, 4 or 19 with regard to these elements of the appeal scheme and, mindful of the Act's statutory requirements, these elements of the appeal scheme would also preserve the character and appearance of the CA.

Conditions

14. I have considered the conditions suggested by the Authority in the context of the Framework and Planning Practice Guidance. Although the replacement door is in-situ I agree that conditions regarding time limit, plans and materials are reasonable and necessary in order to cover the overall scope of the appeal

¹ LPA Ref No: NYM/2018/0546/FL

² 'Removal of 2 no. dormer windows and demolition of conservatory to rear and construction of single storey extension and 1 no. dormer window'

scheme. No other conditions have been suggested, and I have not been presented with any other reasons why further conditions should be attached.

Conclusion

15. For the reasons I have set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR