



Appeal Decision

Site visit made on 25 January 2022

by M L Milliken BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2022

Appeal Ref: APP/Y2736/D/21/3289588

8 Undercliffe, Pickering YO18 7BB

- 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 Richard Pennock against the decision of Ryedale District Council.
 - The application Ref 21/01045/HOUSE, dated 15 July 2021, was refused by notice dated 13 October 2021.
 - The development proposed is described as *'Alterations to fenestration of existing rear, single storey extension including raising of the eaves level and addition of 4no roof windows together with the replacement of 8no window frames and 1no door and frame on the front (west) elevation.'*
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Decision

1. The appeal is dismissed insofar as it relates to the front replacement windows, door and frames.
2. The appeal is allowed insofar as it relates to the rear extension and planning permission is granted for alterations to fenestration of existing rear, single storey extension including raising of the eaves level and addition of 4no roof windows at 8 Undercliffe, Pickering YO18 7BB in accordance with the terms of the application, Ref 21/01045/HOUSE, dated 15 July 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions: 1) The development hereby permitted shall begin not later than three years from the date of this decision. 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2366: 13 Rev A - Elevations as Proposed (rear extension only) and 2366:12 - Floor Plans as Proposed (rear extension only).

Procedural Matter

3. For the reasons that follow, I find the proposed alterations to the rear extension to be acceptable and it is clearly severable both physically and functionally from the proposed front replacement windows, door and frames. Therefore, I intend to issue a split decision in this case and grant planning permission for the alterations to the rear extension.

Main Issue

4. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Pickering Conservation Area (the CA).

Reasons

5. The appeal property, identified by the Council as a non-designated heritage asset, is located on a route within close proximity to Pickering Railway Station, which forms part of the North York Moors Heritage Railway. It is a three storey detached house in an elevated position, constructed of smooth buff brick with classical architectural detailing, including decorative lintels and original wooden sash windows. The property makes a striking contrast to adjacent properties, that are largely constructed of stone. Due to its unique appearance, scale and location, the host property makes a positive contribution to the character and appearance of the CA.
6. The proposed alterations to the existing extension would involve reasonably minor works, both in terms of scale and materials, to the rear of the property. For this reason, I concur with the parties and find no harm with regards to character and appearance. I therefore consider this aspect of the proposal to be acceptable in planning terms.
7. The front replacement windows, door and frames would however be constructed of white wood grain effect UPVC material. Whilst I accept that the material would be of a high quality, I consider that the use of UPVC would detract from the classical features of the main façade of the host property, spoiling its appearance. For this reason, the proposed replacement windows, door and frames would result in less than substantial harm to the character and appearance of the CA. Paragraph 202 of the National Planning Policy Framework (the Framework) requires that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
8. The appellant asserts that the proposed materials are generally accepted to be appropriate for use in Conservation Areas elsewhere and has also drawn my attention to the use of UPVC windows at neighbouring properties. I noted during my site visit that UPVC material has been used on nearby properties, however I do not consider that the material proposed is appropriate for use at the host property, for the reasons given.
9. I understand the appellant's desire to improve their property and make it more energy efficient. Whilst I acknowledge that refurbishment of the existing windows would be a lengthier and less straight-forward process, there is little evidence before me that the option advanced by the appellant is the only solution to achieving these energy efficient aims.
10. Although I have had regard to benefits put forward by the appellant, I do not consider that, in overall terms, the public benefits proposed outweigh the scale of the harm to the CA that I have identified.
11. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The proposed front replacement windows, door and frames would fail to preserve the character and appearance of the CA and would have an adverse effect on the significance of a designated heritage asset.
12. The proposed front replacement windows, door and frames would be contrary to Policy SP12 of the Ryedale Plan – Local Plan Strategy (adopted September

2013), which seeks to ensure that designated historic assets and their settings will be conserved and, where appropriate, enhanced. They would also be contrary to the relevant sections of the Framework for the reasons cited.

Conclusion and Conditions

13. For the reasons given above, I conclude that the appeal should succeed in relation to the alterations to the existing rear extension.
14. However, in relation to the front replacement windows, door and frames, the appeal should be dismissed.
15. In respect of the alterations to the existing rear extension, I have attached the standard time limit condition and a plans condition as this provides certainty.

M L Milliken

INSPECTOR