



Appeal Decision

Site visit made on 8 March 2022

by Richard Newsome BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 April 2022

Appeal Ref: APP/X1355/D/21/3289426

66 West End, Wolsingham DL13 3AP

- 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 Judith Elliott against the decision of Durham County Council.
 - The application Ref DM/21/02327/FPA, dated 28 June 2021, was refused by notice dated 26 November 2021.
 - The development proposed is replacement doors and windows with UPVC.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue to be considered is the effect of the proposal on the character or appearance of the host dwelling and the area, with particular regard to the heritage significance of the Wolsingham Conservation Area (the CA) and the setting of Cherry Tree House.

Reasons

3. The National Planning Policy Framework (the Framework) states at paragraph 199 that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation.
4. The appeal site is located within the CA and adjacent to the Grade II listed Cherry Tree House. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA and the impact of the proposal on the special architectural and historic interest of the listed building including its setting.
5. The CA has a quiet character with a mix of residential, community and commercial uses. The CA has a variety of grains of development including being more open along main roads and in public spaces, and a finer grain along narrow streets. It also includes green spaces within, and countryside around the settlement which also contribute to its significance.
6. The appearance of the CA is predominantly 2-storey terraced stone buildings with slate roofs and traditional sash style or upper and lower casement windows to look like traditional sash windows. These window designs are important features of the CA. They contribute to the overall character and appearance of the CA and its significance as a designated heritage asset.

7. Whilst the doors and windows in the CA are of a mix of materials, those of timber construction add value to the significance of the CA due to their traditional materiality. The terrace in which the appeal property is located includes good examples of properties where traditional materials have been retained to frontages in the CA.
8. The appeal property is a 2-storey terraced stone-built dwelling, with a slate roof, timber sash windows, and a timber door to the front elevation. It is located towards the western edge of the CA. It contributes positively to the character and appearance of the CA and its significance being reflective of the wider CA due to its style and traditional palette of materials, including the windows and door in the front elevation. An Article 4 Direction covers the appeal property removing permitted development rights to its frontages to the highway suggesting its appearance is important to the area, including the CA.
9. From my review of the official list entry for the 2-storey Cherry Tree House and observations on my site visit I consider that its special architectural and historic interest relates to its stone elevations, Welsh slate roof, central frieze and pedimented cornice above the door, and tripartite sash windows with glazing bars with wide splayed stone lintels and projecting stone sills. The immediate setting of the listed building is comprised of the 2-storey terrace in which it sits. Overall, the appeal property makes a positive contribution to the setting of Cherry Tree House which is predominantly experienced from the main road to the front of the terrace.
10. I acknowledge that the existing windows to the frontage of the appeal property are not original, are an incongruous colour compared to other windows in the CA, and that there is compelling evidence that they are beyond repair. However, these matters, taken either individually or collectively, do not justify that the replacement windows and door need to be UPVC and composite solutions respectively which would reduce the presence of traditional materials in the CA and erode its significance.
11. I appreciate that the proposed replacement windows would be of an acceptable heritage style, design, and colour, and that it would be difficult to tell the difference between them and timber windows unless up close. The proposed replacement door would also be of an acceptable design and colour. However, the loss of traditional materials, which are well represented in the immediate context which includes the adjacent listed building, would neither preserve nor enhance the character or appearance of the CA and would detract from the setting of Cherry Tree House. It would result in less than substantial harm to the significance of the CA and Cherry Tree House.
12. Paragraph 202 of the Framework requires that where a proposal would result in less than substantial harm to the significance of a designated heritage asset that the harm should be weighed against the public benefits of the proposal. Whilst I recognise that there would be benefits to the proposal including improved security, high thermal efficiency, and low maintenance requirements these are predominantly more private than public benefits. Therefore, the public benefits of the proposal would be minimal and would not outweigh the less than substantial harm it would cause to the CA and the adjacent listed building.
13. I note that the Council also identifies the appeal property as being a non-designated heritage asset. However, whether or not the proposal harms a non-

designated heritage asset, I have found harm to the significance of the higher-level designated assets.

14. My attention has been drawn to examples of planning permissions for similar proposals in the CA. However, I do not have full details of the proposals in question, or the circumstances associated with them, and so cannot be sure that they are directly comparable to the scheme before me. Notwithstanding this, each proposal must be considered on its own merits. The presence of any other examples of approved UPVC windows and non-timber doors in the CA would not justify the proposal in itself.
15. Consequently, the proposal would fail to preserve or enhance the character or appearance of the host dwelling, the CA, and the setting of Cherry Tree House. It would be contrary to the design and historic environment policies contained within the Framework, along with the design and heritage protection aims of Policies 29 and 44 of the County Durham Plan (2020). Taken together these, amongst other things, include requirements for development proposals to contribute positively to an areas character, identity, heritage significance, and townscape and to sustain and seek to enhance and better reveal the significance of designated and non-designated heritage assets.

Other Matters

16. While of some age, the Article 4 Direction is in place, and it is not for me to comment on its status or ongoing validity.

Conclusion

17. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Richard Newsome

INSPECTOR