



Appeal Decision

Site visit made on 4 May 2023

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2023

Appeal Ref: APP/W9500/D/23/3317814

Bridgefoot House, Chestnut Avenue, Thornton Dale, Pickering, North Yorkshire YO18 7RR

- 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 & Mrs W Jackson against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2022/0612, dated 11 August 2022, was refused by notice dated 16 December 2022.
 - The development proposed is described in the application form as installation of replacement window frames to match those fitted to each elevation of house.
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Decision

1. The appeal is allowed and planning permission is granted for installation of replacement window frames to match those fitted to each elevation of house at Bridgefoot House, Chestnut Avenue, Thornton Dale, Pickering, North Yorkshire YO18 7RR in accordance with the terms of the application, Ref NYM/2022/0612, dated 11 August 2022, 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:
Site location plan March 2022; and
Drg. No. 02 Existing and Proposed Details June 2022 (except in respect of the four northernmost windows shown within the east-rear section).
 - 3) All new window frames in the development hereby approved shall be coloured white or off white within six months of the date of installation and shall be maintained in that condition in perpetuity.
 - 4) External trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter.
 - 5) The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity.

Preliminary Matters

2. I observed during my site visit that new uPVC vertical sliding sash windows have already been installed in the northern and western elevations of the appeal building, which the evidence indicates are not covered by the Article 4 Direction applicable to the southern and eastern elevations. Replacement

windows have also been installed in the southern elevation, pursuant to planning permission NYM/2022/0248, though the Authority contend that the use of uPVC was approved here in error. The appellant confirms that the proposed windows would match those already fitted elsewhere in the building.

3. Additionally, the Authority contend that four windows to the far east elevation have been replaced with uPVC alternatives without the relevant permissions and advise that these windows were not included or addressed in the application¹. The appellant maintains that planning permission was not required to install new windows to the northern part of the eastern elevation². Notwithstanding the plans before me, I have therefore considered the appeal on the basis that the four northernmost windows contained within this eastern elevation do not form part of the proposal.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Thornton le Dale Conservation Area (CA).

Reasons

5. The appeal site is located centrally within the CA. It is situated adjacent to the road bridge passing over Thornton Beck. To the east, alongside both the bridge and the beck are public footpaths from which views towards the appeal site, and particularly the first floor of the building, can be achieved. Ground floor windows are however somewhat screened by planting and high boundary walls.
6. The CA has a wealth of old buildings, many of which are set out in a linear arrangement along the main road, and along Thornton Beck as it weaves through the village. Near the appeal site, buildings are typically modest in scale, with one or two storeys, and predominantly clad in stone. Traditional window styles are common, including Yorkshire horizontal sliding sash and vertical sliding sash. These are often multi-paned with vertical and horizontal glazing bars. Timber is typical in older buildings and traditional windows, though some examples of uPVC can be observed. The significance of the CA however, in so far as it relates to this appeal, is derived from the traditional appearance of the buildings, their complementary forms and features, and the contribution this makes to the picturesque nature of the village.
7. The Design Guide Part 2: Extensions and Alterations to Dwellings Supplementary Planning Document (SPD) advises that window designs should be appropriate to the original period of the house. Where openings exist and windows which are not original have been inserted at a later date, the appearance of a property can be greatly enhanced by the re-introduction of windows of a more traditional style. Most windows in properties within the National Park were traditionally constructed from timber, and the SPD advises that the use of uPVC should be avoided. Larger houses which presented a public elevation or were of a higher status usually had vertical sash windows.
8. The proposal would replace the existing timber windows with uPVC windows in a Georgian style with a vertical sliding sash design. There is some uncertainty in the evidence however over the age of the original building. The Authority consider that the original window style would have been either a mullioned and

¹ North York Moors National Park Authority Delegated decision report

² Heritage Statement Development at Bridgefoot House, Thornton Dale

transomed window, or simpler mullioned windows, and four light cross windows would also be appropriate. The appellant contends however that the earliest documents available from the North Riding Register of Deeds dated the property to 1736, placing the building in the early Georgian period.

9. The appeal property has nevertheless been subject to various alterations over time, including the erection of a large extension. Though designed to assimilate and appear as an integral part of the building, this is evident in visible changes in the age and appearance of the stone facade of the building.
10. Likewise, the style of windows within the building has evolved over time. An undated photograph has been provided demonstrating that some of the first-floor windows to which the appeal relates were, at some point, fitted with multi-paned designs. Though the image quality is poor, these appear similar to the Whitby composite style shown within the SPD. However, this also appears to pre-date alterations to the eaves height that gave these openings a more vertical emphasis. The appellant also notes that some of the windows already replaced in other parts of the building were extremely old Georgian frames.
11. The existing windows on the other hand are of a simpler four pane design, constructed in timber, and feature top-hung openable panes. The evidence indicates they have been in place since the 1960s. Though not original or historic, the Authority consider that these windows are close to the type that would be appropriate for the age of the building. I observed during my site visit however that this style of window is not a prevailing characteristic of the CA.
12. Even if I were to accept that the existing windows are appropriate to the original building in terms of their style, I do not consider that the proposed windows are of a style that would be inappropriate or harmful to the character and appearance of the appeal property or surrounding area, having regard to the evolution of the building over time. They would be in keeping with other windows installed to other elevations and so would improve the consistency in the building's fenestration. From the evidence before me, they are also similar in style to windows fitted in the past. Additionally, the proposed style of windows is in keeping with the surrounding area, with many examples of sliding sash and small-paned windows across the CA. The SPD also confirms that this style is common in the National Park.
13. In terms of materials, I recognise that there are generally perceptible differences between a timber and uPVC finish and detailing, and that the provision of uPVC windows in a historic setting is often inappropriate. I could see during my site visit however that the windows already installed are of a high quality with appropriate detailing. The frames and glazing bars do not appear particularly wide or clumsy, a concern highlighted in the SPD, and the material has a sympathetic woodgrain finish. The proposed windows would match these, and the submitted plans show they would be appropriately proportioned, including a sixteen-pane arrangement for larger openings, as illustrated in the SPD. This divergence from timber is therefore likely to be largely imperceptible from public vantage points and views across the CA.
14. Having regard to the specific circumstances of this case, I find that the divergence from timber windows in this instance would be counterbalanced by the enhanced uniformity in the external appearance of the building and the otherwise sympathetic and traditional styling and detailing of the proposed windows, which would be in keeping with others across the CA. I do not

consider that the proposal would detract from the building's contribution to the conservation area or the picturesque nature of the village.

15. On the basis of the evidence before me and my own observations, I therefore conclude that the proposal would have a neutral effect on the character and appearance of the CA. Accordingly, the proposal would preserve the character and appearance of the CA, the preservation and enhancement of which I apportion great weight to. It would therefore accord with the clear expectations of statute in this respect³.
16. The proposal would also comply with Strategic Policy C, Strategic Policy I, Policy ENV11 and Policy CO17 of the North York Moors National Park Authority Local Plan July 2020. These policies, among other provisions, seek to ensure proposals are of a high-quality design, complement the architectural character and form of the original dwelling or building and the local vernacular, and conserve heritage assets, built heritage and the historic environment.

Other Matters

17. I recognise there are wider environmental implications in respect of the introduction of new materials over the re-use or repair of the existing, particularly with respect to uPVC products. However, the appellant maintains the existing windows are of poor quality and beyond economic repair. This matter must also be balanced against environmental benefits of the proposal, including improved thermal efficiency. The Authority did not cite the wider environmental implications of the proposal in their reason for refusal, nor does the evidence point to any development plan conflict in respect of this matter. This does not therefore lead me to a different conclusion on the appeal.

Conditions

18. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. Conditions to control the colour of the windows, ensure the window reveals match those of the existing windows, and restrict the provision of external trickle vents, are also necessary in the interests of the character and appearance of the CA.

Conclusion

19. For the reasons given above I conclude that the appeal is allowed.

Ryan Cowley

INSPECTOR

³ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.