



Appeal Decision

Site visit made on 9 April 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2024

Appeal Ref: APP/C9499/W/23/3327303

Manor Hill, 2 Garrs Lane, Grassington, Skipton, North Yorkshire, BD23 5AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Alan Biggin (Bostocks Boyce Welch) against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is C/33/22A.
 - The development proposed is change of use of the 1st & 2nd floor salon & storage areas into a new serviced apartment.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposed development has already been completed. The appeal scheme has therefore been assessed on a retrospective basis.
3. During the planning application process the windows at the property were replaced including replacing the ground floor windows with timber windows of a different style and the first and second floor windows replaced in a different style with uPVC. Amended plans were provided and thus such changes formed part of the application. I have determined the appeal accordingly.
4. I understand that a separate decision has been granted by Yorkshire Dales National Park Authority during the course of the determination of this appeal under reference C/33/22C relating to the change of use of first and second floor salon and storage areas into a two-bedroom serviced apartment for holiday let/local occupancy and insertion of replacement windows and doors (Retrospective). It is understood that this consent was approved with new timber windows proposed to return the fenestration to its previous, historical configuration and character. Reinstating the traditional style timber-framed windows with slim integral glazing bars. The appeal I am considering relates to a separate scheme and whilst some detail is the same as that recently approved, they comprise two separate schemes/decisions. The council considered the application on this basis, and I shall deal with the appeal in the same manner. My main issue is however circulated around the Councils' reasoning for refusal.
5. As part of this appeal, a further Heritage Statement has been submitted. Given that the details do not materially alter the scheme and are not considered prejudicial to any party, then I have taken such information into account in reaching a decision.

Main Issue

6. The effect of the development on the character and appearance of the host building, including whether it would preserve or enhance the character or appearance of the Grassington Conservation Area (CA).

Reasons

7. The appeal property relates to a three-storey building which is located within the core retail area for Grassington, within the market square. It occupies a prominent position on the corner where Garrs Lane meets the Square and is highly visible from public vantage points.
8. The site falls within the CA. I therefore have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Moreover, the National Planning Policy Framework (the Framework) advises that great weight must be given to the conservation of designated heritage assets and any harm which is less than substantial should be weighed against the public benefits of the proposal.
9. The significance of the CA is derived from its architectural and historic interest. There are a number of distinctive shops/premises with timber windows in the vicinity and such distinctive traditional shop frontages form the prevailing character of the area which contributes to the overall character and appearance of the CA.
10. The development seeks to convert the first and second floor of the building into a dwelling for either local occupancy or a holiday let with the ground floor remaining as a retail unit along with external alterations. It is understood that the works to convert the first and second floor to a dwelling have been carried out and as referred to above, during the planning application process the windows at the property were replaced including replacing the ground floor windows with timber windows of a different style and the first and second floor windows replaced in a different style with uPVC. Amended plans were provided and thus such changes form part of the current appeal.
11. The submitted plans and images provided demonstrate that prior to the works that have taken place at the property, the windows to the front elevation were of three distinct styles across three floors including two large timber framed bow windows at ground floor level which is typical of a traditional shop front with a large number of smaller single glazed lights and narrow glazing bars. The front door also reflected this overall style and arrangement. Two timber framed windows, bowing slightly out with a large number of lights were also provided at first floor level and whilst likely of later date than the ground floor windows, they roughly mirrored the arrangements of the ground floor level windows and still comprised a traditional style and materials. At second floor level, windows appeared more modern but still comprised timber of a straightforward appearance providing a visual contrast with the more historical windows to the lower storeys. The previous windows and door complemented the host building and distinctive traditional shop frontages which form the prevailing character of the area and thus made a positive contribution to the character and appearance of the CA. I note the appellants' claims regarding the history of the frames on ground and first floor level with reference to faux

traditional. However, this does not undermine my assessment of the building's previous overall contribution to the CA.

12. The works that have taken place at the property have however resulted in the windows at ground floor level having much thicker timber frames and whilst still of timber materials and bowed, they comprise only 8 lights in each window which is significantly less than its former. As a result, this has eroded the more traditional character of the shop front. The smaller timber-framed 9-light window to the ground floor has also been replaced with a uPVC unit and although this is a less prominent feature than the flanking bow windows, and retains the number and size of lights, the use of non-traditional materials and trickle vents still contributes towards the erosion of the more traditional appearance. The front door also incorporates a lattice glazing arrangement which clashes with the square lights of the property. At first floor level, the windows have been replaced with uPVC double glazed units with bonded-on glazing bars and trickle vents. They no longer feature the distinctive bow and appear much more modern resulting in a further movement away from the traditional character of the property. Similarly, the use of uPVC and trickle vents at second floor level with bonded-on glazing bars has also resulted in a much more modern appearance despite the location at second floor level not being as prominent within the street scene given the height difference. Such changes fail to harmonise with the traditional character of the building, diminishing its overall character and contribution to the CA and does not correspond with the traditional detailing of other buildings in the area. Whilst the upper floor windows may relate to the more domestic character of the upper floors, it does not mean they are not harmful. I am also aware of the changes proposed to the gable (north) elevation although this is of lesser concern to me given the nature of the changes and its positioning on the gable elevation which is far less prominent in the street scene.
13. I appreciate that there are other examples of uPVC windows in the immediate vicinity of the site, and I have had due regard to the appellants' photographs submitted. I am however unaware of the planning history associated with these and in any event, the presence of other uPVC windows would not justify further development which would harm the character and appearance of the CA and I have determined this appeal based on its own merits. It is those of timber traditional construction and detailing more visible within the street scene such as the former front elevation of the appeal property that harmonises with the traditional character of the building and surrounding area contributing positively to the locality.
14. For the reasons given above, I conclude that the development unacceptably harms the character and appearance of the host building and thus fails to preserve the character or appearance of the CA. Given the nature of the proposals, the harm is localised and is therefore less than substantial within the meaning of the Framework. Paragraph 208 of the Framework explains that where a development proposal will 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 including, where appropriate, securing its optimum viable use.
15. The benefits associated with the scheme include the repair and continued use of the building and I note claims made regarding the social/economic benefit of holiday accommodation. However, I have no firm evidence that such

alterations were necessary or that there are no alternative means of achieving this that would be less harmful to the CA. Additionally, I note that the Council do not object to the use for holiday accommodation and I understand that a recent planning permission has been granted in this respect which is understood to have already been brought into use. The use of the building can therefore evolve to provide a new tourism use, without compromising the special character and appearance of the building. Overall, it has not been demonstrated that there are sufficient public benefits to outweigh the less than substantial harm to the CA that I have identified which I have attached great weight given the CA's conservation advised by the Framework.

16. The development is therefore contrary to Policy L1 of the Yorkshire Dales National Park Local Plan 2015-2030, 2016 which amongst other matters, explains that proposals that result in less than substantial harm to a designated heritage asset will only be permitted where it can be demonstrated that the public benefits of the proposal clearly outweigh the loss of significance. For the same reasons, the development is also contrary to guidance contained in the Framework relating to conserving and enhancing the historic environment and Section 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990.

Other Matters

17. The appeal property is not a listed building although this would not alter my findings above as the site is still located in the CA. A lack of harm in relation to neighbour amenity, highways or the viability of the retail centre are all neutral factors in my decision and do not outweigh the harm identified.
18. There are a number of listed buildings located within the vicinity of the site. As such, I have a duty under Section S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Given the nature of the works and separation distance from other such buildings, I am satisfied that the development does not harm listed buildings or their setting.

Conclusion

19. The development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination including the provisions of the Framework, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR