

Appeal Decision

Site visit made on 10 September 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/E2001/W/24/3344852

Manor Farm Cottages, Main Street, East Riding of Yorkshire, North Dalton YO25 9UX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Stuart Naylor of North Dalton Manor Holiday Cottages against the decision of East Riding of Yorkshire Council.
 - The application Ref is 23/02927/PLF.
 - The development proposed replacement windows to holiday cottages.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the North Dalton Conservation Area (CA).

Reasons

3. The appeal site is located within the North Dalton Conservation Area (CA) which covers the main built-up areas of North Dalton together with the area of land which stretches to the north and west. The North Dalton Conservation Area Appraisal (2006) (CAA) describes the village as a small settlement which is tightly knit and characterised by mature landscaping. The significance of the conservation area as a heritage asset is defined by its status as a historic rural village and the relationship between the buildings and landscaping.
4. Manor Farm cottages lies within the village core which includes the church and village pond. The linear row of brick-built cottages is visually prominent when approaching from the north, where it is seen as the backdrop to the long elevation of the Star Inn and the pond. The building is also prominent when entering the village from the south given its slightly elevated position on a raised grass verge adjacent to the main road. The properties, which are in use as holiday cottages, form a part of a larger range of buildings associated with the Manor House. Collectively, they contribute positively to the character and appearance of the CA through their traditional design, historical association with the Manor House and prominence within key views, including from the main route through the village.
5. A key component of the architectural character of the cottages is their fenestration. The existing windows comprise a mix of sizes and styles, but they are all constructed of timber and single glazed. The application seeks the removal of 34 timber windows and their replacement with modern PVCu windows. Fourteen of these windows would

be on gable ends visible from the road and the remaining 16 would face away from the road and as such would not be observable from the public domain.

6. The proposed replacement windows would be vertical sashes and they are described to be of "heritage design". The appellant points out that the new windows would use existing openings and their frames would be of the same white coloration with a wood grain surface finish. The opening functions would also match the windows to be replaced. The glazing bars would not be planted onto the outer surface of the glazing, rather they would act as a retaining element for the glass unit in the same manner as a traditional window would.
7. Notwithstanding the similar opening arrangement, it is evident from the brochures, photographs and plans that the appearance of the new windows would be clearly distinguishable from that of the existing timber windows. The frames and glazing bars would contain a large spacer strip between the glazing which would make them appear bulkier than the existing slim lines of the timber windows. In addition, the proposed windows would include a ventilation strip across the top of the pane, which is not a traditional feature.
8. Although there are examples of PVCu windows within the CA, they are in the minority and the prevailing character is one of buildings with timber windows. This is certainly the case for many of the prominent buildings along the main road including the Star Inn public house. The CAA explains that one of the main impediments to preserving the CA is the loss of traditional wood window frames and wooden doors. This can be effectively controlled on listed buildings, but the vast majority of structures within the CA are not subject to such controls. The CAA goes on to explain that if the CA designation is to have real effect it is imperative that the further erosion of the character of the older properties, in this way, be halted wherever statutory controls allow.
9. The proposal would introduce PVCu windows into a prominent building in the centre of the CA where the existing timber windows contribute positively to the character and appearance of the CA. The proposal for non-traditional materials in this location would detract from the CA.
10. The harm to the CA would be less than substantial for the purposes of the National Planning Policy Framework (2023) (the Framework). However, less than substantial harm does not equate to a less than substantial objection. Paragraph 205 of the Framework makes clear 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
11. Paragraph 206 of the Framework goes on to explain that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. This reinforces the duty, as set out in Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 for the decision-maker to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
12. The evidence indicates that PVCu windows are considerably less expensive than timber. An economic viability assessment sets out the costs of energy to heat the properties in relation to rental income and demonstrates marginal profit. The appellant contends that it would not be cost effective to try to repair the existing windows, which are in poor condition, as the cost would be the same as replacement with new timber windows. However, whilst PVCu windows may be an attractive financial proposition in the short to medium term, quality timber windows can have greater longevity.

13. The appellant suggests that PVCu windows would help to address the damp problems being caused by water ingress. There is some dispute between the parties on this matter and I am not persuaded that similar benefits could not be achieved using timber windows. Likewise, whilst I note the arguments put forward in relation to improving energy efficiency, there is little difference in the insulation properties of new timber glazed double glazed windows, which would maintain architectural integrity of the building, and PVCu windows. Moreover, there is no firm evidence to support to demonstrate that other forms of insulation to the walls roof and floors are not practical.
14. Paragraph 208 of the Framework advises that any harm to a designated heritage asset should be weighed against the public benefits of the proposal. Although the lower cost of installing PVCu windows is a private benefit for the appellant, I accept that it may be less burdensome on the holiday accommodation business relative to the higher initial outlay for timber windows. Even if I were to treat the latter as a public benefit, on the basis that tourism is important to the local rural economy the public benefits do not outweigh the harm to the CA.
15. Overall, I conclude that the proposal would fail to preserve or enhance the character or appearance of the North Dalton conservation area. There would be conflict with policies ENV1 and ENV3 of the East Riding Local Plan Strategy Document (2016) which amongst other things requires that the significance, views, setting, character, appearance and context of heritage assets should be conserved, especially the key features that contribute to the distinctive historic character including those elements that contribute to the special interest of conservation areas, including the landscape setting, open spaces, key views and vistas and to be of high quality design.

Other Matters

16. The appellant has brought to my attention a recent permission which has been granted for PVCu windows at the Old Methodist Chapel. I do not have the full details of this case before me but note that the proposal was for the installation of a smaller number of windows in a different conservation area. As such, it is not directly comparable to the appeal scheme.
17. I note that there are no public objections to the proposal and that North Dalton Parish Council submitted a representation of support. Whilst I have taken this into account, it is not sufficient to convince me that the proposal is acceptable. In my assessment, the planning merits are such that planning permission should be refused.
18. The appeal site is in proximity to several listed buildings. It lies adjacent to the Grade II listed gate piers to the Manor House, to the south-east of the Grade II listed dovecote and to the south-west of the Grade II* listed All Saints Church. The parties agree that the development would not affect the setting of these listed buildings and based on my site visit, I concur.

Conclusion

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR