

Item Number: 11
Application No: 14/01228/HOUSE
Parish: Helmsley Town Council
Appn. Type: Householder Application
Applicant: Mr And Mrs Sinclair
Proposal: Replacement of 10 no. timber windows with double glazed PVCU windows (5 no. sliding sash and 5 no. casement)
Location: Buckle Yeat Pottergate Helmsley YO62 5BY

Registration Date:
8/13 Wk Expiry Date: 14 January 2015
Overall Expiry Date: 31 December 2014
Case Officer: Rachel May **Ext:** 329

CONSULTATIONS:

Parish Council Object
Building Conservation Officer No views received to date

Neighbour responses: None

SITE:

Buckle Yeat is a residential dwelling situated down a track off Pottergate. As a result it is not readily visible from public viewpoints. The application site is located within Helmsley development limit and within the designated conservation area. It also has Article 4 status which is the reason why this proposal requires planning permission.

PROPOSAL:

Planning permission is sought for the replacement of 10 no. timber windows with double glazed PVCU windows (5 no. sliding sash and 5 no. casement).

Members are advised that this application has been referred to Planning Committee for determination because Helmsley Town Council has objected to the proposal raising material planning considerations.

POLICY:

Policy SP12 - Heritage
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

NPPF - National Planning Policy Framework
NPPG National Planning Policy Guidance

Planning (Listed Building and Conservation Areas) Act, 1990

HISTORY:

12/00671/HOUSE - Planning permission granted for the replacement of existing timber front, back and garage personal door with PVC-u doors.

APPRAISAL:

The main considerations to be taken into account are;

- a. Character and Form
- b. Impact upon the Conservation Area
- c. Impact upon the neighbouring occupiers
- d. Other Issues

a. Character and Form

The proposal seeks to replace the existing timber windows with PVC - u. The windows will be in exactly the same size and position of the existing timber windows. Usually the work could be done under 'permitted development', had the property not been within the designated Article 4 area.

The Article 4 direction came into effect in March 2007 and means that alterations to dwellings, including the replacement of windows now need planning permission.

It is considered however that the replacement windows are appropriate and sympathetic to the character of this modern dwelling which is situated in a 'backland' location. It is also considered that the proposal will restore some consistency to the appearance of the dwelling because the front door has already being replaced with PVC - U. The proposal is therefore considered to comply with SP16 Design of the Ryedale Plan - Local Plan Strategy.

b. Impact upon the Conservation Area

Under Section 72 of the Planning (Listed Building and Conservation Areas Act) 1990, the Local Planning Authority has a duty to preserve or enhance the character of the designated Conservation Area.

The Building Conservation Officer undertook a detailed site visit, and has no objections to the proposal.

The consultation response stated:

"No Objection- This modern single storey dwelling is not visible from any public points within the conservation area and is well screened on the majority of its elevations. Surrounding houses have PVC - U windows and this dwelling has PVC - U doors. In my opinion, by virtue of the fact that this is a modern designed property that is not visible from the road and neighbouring properties have PVC - U, I am of the opinion that this application preserves the character of the conservation area.

It should be noted that the Local Planning Authority has resisted PVC - U in Conservation Area locations on more prominent sites, or where the building is of vernacular tradition. However in this case it is accepted that this is a relatively concealed modern dwelling, which is considered to be an exception to the surrounding Conservation Area and designated Article 4 area. In this instance, the proposal is considered to comply with SP12 Heritage of the Ryedale Plan - Local Plan Strategy and also the Planning (Listed Building and Conservation Areas Act) 1990.

c. Impact upon the neighbouring occupiers

It is considered the proposal will have no adverse impact on the neighbouring properties. The replacement windows are proposed in the same position as existing, and therefore are considered to create no additional adverse impact in terms of overlooking or loss of privacy. Therefore it is considered the proposal complies with SP20 Generic Development Management Issues of the Ryedale Plan - Local Plan Strategy.

d. Other Issues

Helmsley Town Council have objected to the application, and state that the dwelling is within the Article 4 Conservation Area. Therefore there is a preference for wooden windows.

As set out above, the Building Conservation Officer has no objections and at the time of writing there have been no comments received from the neighbouring properties or as a result of the site notice. It should be noted that the consultation period runs until the 31st December 2014.

In light of the above assessment, it is considered the proposal complies with the primary legislation and SP12 Heritage, SP16 Design, SP19 Presumption in Favour of Sustainable Development and SP20 Generic Development Management Issues of the Ryedale Plan - Local Plan Strategy and also the National Planning Policy Framework. Therefore the recommendation is one of approval, subject to the following conditions.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Window Detailing - as scanned 25th November 2014

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

- Adopted Ryedale Local Plan 2002
- Local Plan Strategy 2013
- National Planning Policy Framework
- Responses from consultees and interested parties