



Appeal Decision

Site visit made on 15 October 2015

by M Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20/10/2015

Appeal Ref: APP/Y2736/W/15/3129595

7 Pottergate, Helmsley, YO62 5BU

- 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 David Trousdale against the decision of Ryedale District Council.
 - The application Ref 15/00312/HOUSE, dated 17 March 2015, was refused by notice dated 13 May 2015.
 - The development is the replacement of 4no. existing timber single glazed Yorkshire sliding sash windows to the front elevation with 4no. timber double glazed Yorkshire sliding sash windows together with the replacement of existing four panel front door with part glazed four panel front door.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of the existing four panel front door with a part glazed four panel front door at 7 Pottergate, Helmsley, YO62 5BU in accordance with the terms of the application, Ref 15/00312/HOUSE, dated 17 March 2015.

Procedural Matter

2. The application, and as a consequence the appeal, have been made on a retrospective basis with all the indicated works having been completed.
3. In determining the planning application, the Council has issued a split decision, which in effect has approved the replacement double glazed timber sliding sash windows, but refused permission for the replacement of the part glazed four panel front door. In respect of the replacement double glazed timber sliding sash windows, on the basis of my observations at the site visit and taking into account all the evidence placed before me, I see no reason to disagree with the conclusions which have been reached by the Council on this element of the scheme. As a consequence, it is evident that the appeal is made solely against the element of the development that is disputed, namely the replacement part glazed four panel front door, and I have therefore focussed my determination of the appeal on this alone. Therefore, and for the avoidance of doubt, I have revised the description of the development to the following;

"the replacement of the existing four panel front door with a part glazed four panel front door"

Main Issue

4. The main issue in this case is whether the replacement door preserves or enhances the character or appearance of the Helmsley Conservation Area.

Reasons

5. The Council has indicated that the appeal property is located within an area which is the subject of an Article IV Direction, and whilst I have not been provided with any specific details related to the basis on which the Direction was made, it has in effect removed permitted development rights for the replacement of doors and windows. The Council has indicated that its concern centres on the use of fussy obscure glazing and over ornamented lead work within the replacement front door, which does not respond to the simple vernacular of the conservation area.
6. The Council has not provided any details of the conservation area in the form of a character appraisal or conservation area assessment or statement, and as a consequence my own assessment has been limited to my observations on the appeal site itself. In this respect, I note that there are a wide range of other glazing designs and approaches used on front doors elsewhere within the conservation area, although I am not persuaded that this alone would provide compelling support for the appeal scheme. However, I do not consider the comparatively limited scale and coverage of the glazing within the context of the overall elevation of the appeal property, or the specific detail of the design to be visually prominent within the street scene, and therefore resulting in the adverse impact contended by the Council. Whilst I accept that the glazing could be simpler in its approach with the omission of the lead work, I do not agree in this instance that its incorporation within the timber front door results in an adverse impact on the character or appearance of the conservation area.
7. On the basis of the submitted evidence and my observations on site, I conclude that the replacement front door preserves the character and appearance of the Helmsley Conservation Area. The proposal therefore accords with Policies SP12 and SP16 of the Ryedale Plan – Local Plan Strategy with Main Modifications and Additional Modifications (2013). These policies seek to ensure that the distinctive historic character and appearance of the market town is safeguarded, and that alterations to existing buildings are appropriate and sympathetic to the host building in terms of scale, form and use of materials. Furthermore, the development would accord with Section 12 of the National Planning Policy Framework which seeks to ensure the preservation or enhancement of heritage assets.

Conditions

8. The Council has not suggested any conditions in respect of the replacement front door were the appeal to be allowed, and given that the works have already taken place, I also do not consider any to be necessary.

Conclusion

9. For the reasons given above, the appeal should be allowed.

M Seaton

INSPECTOR