

**Item Number:** 6  
**Application No:** 22/00113/FUL  
**Parish:** Kirkbymoorside Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr and Mrs McMahon  
**Proposal:** Installation of replacement front doors to 12, 14 and 16 Howe End and replacement attic window to front elevation of no.16.  
**Location:** 12, 14 And 16 Howe End Kirkbymoorside North Yorkshire YO62 6BD

**Registration Date:** 8 March 2022  
**8/13 Wk Expiry Date:** 3 May 2022  
**Overall Expiry Date:** 14 June 2022  
**Case Officer:** Lucy Toolan **Ext:**

#### **CONSULTATIONS:**

<b>Building Conservation Officer</b>	Objection
<b>Kirkbymoorside Town Council</b>	No Observations

**Representations:** Ms Norma Allan, Mr Michael Clarke,

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#### **SITE:**

12, 14 and 16 Howe End are a group of three cottages likely dating from the early 19<sup>th</sup> century, located within the Kirkbymoorside conservation area. The properties are located on a thoroughfare leading to the Market Place and form part of the historic core of the town. The properties are a terrace of traditional three storey stone and pantile cottages, with green timber doors and white timber windows, set directly on the back edge of the pavement giving clear and close views. They are located within the Article 4 direction area which covers only part of the conservation area and seeks to better preserve the architectural and historic character by removing certain permitted development rights including those which would permit changes to a building's fenestration. The Article 4 designation approved in 1994, was directly authorised by the Secretary of State for the Environment. It was noted in the submitted report and evidence base for this designation that traditional windows and doors make a significant contribution to the Kirkbymoorside conservation area and these features are desirable to preserve. The Article 4 area, is restricted to those areas which make the most significant contribution to the character of the conservation area and those which featured the highest levels of traditional features.

#### **PROPOSAL:**

Planning approval is sought for the installation of replacement front doors to numbers 12, 14 and 16 Howe End and the replacement attic window to front elevation of no.16. The proposed doors would be a Jacobean Rock composite door with a 3D border glass and white frames in the colour 'Chartwell Green/Cream'. The proposed window would be white composite PVC in a similar glazing bar style to the existing but in PVC rather than timber.

#### **HISTORY:**

No relevant planning history.

## **POLICIES:**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

Local Plan Strategy - Policy SP12 Heritage  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations  
National Planning Policy Framework  
National Planning Practice Guidance

Legislation  
Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990

## **REPRESENTATIONS**

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

Kirkbymoorside Town Council confirmed that they had no observations regarding the proposals.

An objection was received the 5th April 2022 from the Building Conservation Officer, raising the following concerns:

*"These properties lie in the Kirkbymoorside conservation area within the Article 4 designation which seeks to further preserve and enhance the conservation area. The doors proposed for removal make a very strong contribution to the character of the conservation area and their removal has not been justified. There is a presumption in favour of the retention of features within the Article 4 area which make a contribution to the character of the conservation area. In addition, the proposed door is manufactured from a composite material which will not be an adequate facsimile and not preserve or enhance the conservation area."*

A letter of support was received on the 14th June 2022 from the resident of Number 14 Howe End which read:

*"I rent my home on Howe End No. 14, Kirkbymoorside and have had problems with the door for about eight years. I have constantly has trouble with it sticking, and have had to bring my son who lives in Appleton-le-Moors, to come and let me out and the worst thing is when I can't get back in when its dark nights. So yes I would love another door but hopeful not wood"*

Another statement of support was received on the 16th June 2022 from a neighbour:

*"I am fully supportive of this application as the applicant will maintain the character and appearance within the conservation area and will comply with all policies within the appraisal and planning conditions relating to alterations."*

*Even though these buildings which are described as domestic vernacular having no fashion, style or influence of surrounding buildings it will still provide an attractive facade in keeping with the street."*

*It is good to see, like other authorities that materials used will ensure the residents will have better insulation and less maintenance in keeping with the Central Governments guidelines."*

## **APPRAISAL:**

### Heritage and Design

The property is located within the Kirkbymoorside Conservation Area. As such, Ryedale District Council has a statutory duty under Section 72 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 Conservation Area.

The NPPF (2021) states at paragraph 199 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

Paragraph 200 of the NPPF (2021) states that:

*"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."*

Policy SP12 (Heritage) of the Ryedale Local Plan - Local Plan Strategy states that:

*"Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced."*

And -

*"Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset"*

Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states that:

*"To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:.....*

*The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail"*

In addition, Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy state that:

*"New development will respect the character and context of the immediate locality.."*

*"Extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials (...)"*

The NPPF (paragraph 130) makes it clear that development should be sympathetic to local character and history, including the surrounding built environment.

The properties make a strong positive contribution to the character of the conservation area by virtue of their age, architectural features, and construction materials to include traditional vernacular elements such as timber joinery. The properties are simple in their detailing and lack ornamentation therefore giving emphasis to their construction details. Due to the strong positive contribution the properties make to the conservation area they can be identified as a Non Designated Heritage Assets.

The existing doors are traditional timber four panelled doors with decorative moulding, ornate brass door furniture and white timber frames with a traditional paint finish. The doors to numbers 14 and 16 have distinctive bolection moulding giving a heavy ornate appearance which is a rare traditional feature and makes a strong contribution to the conservation area. The doorsets to number 12 and 16 feature a traditional narrow glazed overlight which adds to the distinctive architectural character the properties. The existing attic window on number 16 is a traditional timber window with single horizontal glazing bar.

The doors of 12, 14 and 16 Howe End are proposed to be replaced with a composite PVC doors in the colour Chartwell Green/Cream with 3D border glazing and the attic window on number 16 is proposed to be white UPVC. No further details other than 'white upvc' have been submitted regarding the window, however the applicant has stated they would be willing to install a white PVC in the same style as the existing.

A consultation response from the Building Conservation Officer has been received objecting to the proposals, which stated:

*"These properties lie in the Kirkbymoorside conservation area within the Article 4 designation which seeks to further preserve and enhance the conservation area. The doors proposed for removal make a very strong contribution to the character of the conservation area and their removal has not been justified. There is a presumption in favour of the retention of features within the Article 4 area which make a contribution to the character of the conservation area. In addition, the proposed door is manufactured from a composite material which will not be an adequate facsimile and not preserve or enhance the conservation area."*

The applicant was made aware of the objection and the applicant has confirmed that they do not wish to revise the scheme further to address the concerns with the proposed replacements, such as using timber and replicating the form and architectural details of the door. They would like the application to be determined as it stands.

The timber doors make a significant contribution to the character of the conservation area by virtue of their traditional material, detailing and design. Due to their location on the back edge of the pavement clear and close views are possible. The detail of the bolection moulding on No. 14 and 16 is a rare feature which give a striking visual presence and makes a strong positive contribution to the character of the conservation area. The proposed replacement front doors are of a composite material in a 4 panel design. It is considered that the proposed front doors would not adequately replicate the, bold bolection moulding and characterful detailing of the existing timber doors. The construction methods and materials will be inauthentic and harm the architectural character of the heritage asset and conservation area. It is not considered that this material or design is reflective of the existing doors and windows, and would therefore not be appropriate nor sympathetic at this location within the Conservation Area. The cumulative impact of the loss of 3 traditional timber doors would have a significant negative impact on the character of the conservation area and cause harm.

It is noted that the applicant has submitted examples of more modern, composite doors which they argue are present in the Conservation Area and at Howe End. It is acknowledged that there may be instances where unsympathetic alterations have been already undertaken, possibly without planning consent. Each proposal is considered on its own merits, and this proposal is concerned with the loss of historic fabric and the insertion of modern and unsympathetic replacements.

Due to the lack of detail regarding the upvc window it is difficult to adequately assess the impact of the proposal. Notwithstanding that however, it is considered that the insertion of a standard upvc window is not likely to adequately replicate the timber appearance of the existing windows and would be harmful to the architectural character of the building and heritage asset.

The issues raised regarding problems with the operation of the existing doors is noted. However, replacement timber doors and fenestration would be supported in principle, and there are other interventions which can be undertaken to reduce drafts and to assist in situations where sticking is occurring.

It is considered for the reasons outlined by the Building Conservation Officer, the proposal would result in harm to the Conservation Area. Alternatives exist which would allow for the doors to be replaced without harm to the conservation area. It is considered that the harm to the conservation area is not outweighed by public benefit of the proposals. The scheme is therefore considered to conflict with Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy.

#### Impact on neighbouring amenity

Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan - Local Plan Strategy states:

*"New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence"*

Given that the proposals are for the replacement of the existing doors and window, it is considered that the proposals would not have an adverse impact on the amenity or privacy of the occupants of neighbouring properties.

#### Other matters including consultation responses

Kirkbymoorside Parish Council have no observations.

#### Conclusion

In conclusion, the form and materials of the proposals is considered to have a significant harmful impact on the character and appearance of the Kirkbymoorside Conservation Area. Having regard to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990; the conflict with Policies SP12 (Heritage) and SP16 (Design) of the Local Plan Strategy and conflict with national policy, the recommendation is one of refusal.

**RECOMMENDATION:** Refusal for the following reasons:

- 1 The proposed replacement doors and window, by virtue of their design and material are considered to be unsympathetic additions to the existing dwellings which will result in unacceptable harm to the character and appearance of these buildings which are considered to be Non Designated Heritage Assets and unacceptable harm to the character and appearance of the Kirkbymoorside Conservation Area. The proposals do not preserve or enhance the character or appearance of the Conservation Area and the resulting harm is not considered to be outweighed by public benefits of the proposal. The application is therefore considered to be contrary to the requirements of Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy and contrary to Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

- 2 The proposed replacement doors and window by virtue of their design and material are considered to be inappropriate and harmful to the traditional character and appearance of the existing dwelling houses. The development is therefore contrary to the requirements of Policies SP16 (Design) and SP 20 (Generic Development Management Issues) of the Ryedale Local Plan - Local Plan Strategy and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework