
Appeal Decision

Site visit made on 19 January 2023

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2023

Appeal Ref: APP/G2713/D/22/3313245
Hazelhurst, Sandhutton, Thirsk YO7 4RW

- 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 Ms Sally Palin against the decision of Hambleton District Council.
 - The application Ref:22/01357/FUL dated 24 May 2022, was refused by notice dated 18 November 2022.
 - The development proposed is a loft conversion, rear dormer window extension and installation of velux windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Sandhutton Conservation Area.

Reasons

3. The appeal property comprises a semi-detached house. It is of a modern design and is one of 4 such properties that are located on this side of the road, the A167. To the rear, there are redundant agricultural buildings and there are also buildings of an agricultural design opposite.
4. The appeal site lies within the Sandhutton Conservation Area. The boundary of this designated heritage asset lies just north of the site. The conservation area is of a pleasing rural character. It is centred on open wide verges along nearby Sandhutton Lane, with well-proportioned rural properties and smaller cottages that are set back. Nearer the site, the traditional agricultural design of some of the buildings maintains the rural character. There is also an element of more modern infill, as with the appeal property.
5. Flat roofed dormer window extensions are not a common characteristic of the conservation area. Whilst I have been referred to one such example that is located in a more prominent position than would be the proposed dormer, this has not altered the overall character to a significant degree. It does not change my conclusion.
6. The proposed dormer would near extend across the width of the rear roof plane and would only be positioned small distances up from the roof eaves and down from the main roof pitch. As a result, it would dominate the rear roof plane

and so be a disproportionate and bulky addition to the existing dwelling. In addition, such an extension would be incongruous with regard to the prevailing character of the conservation area.

7. There would be some likely visibility of the side wall of the proposed rear dormer from public vantage points to the north along the A167 because of its elevated position and the alignment of the road, even though the semi-detached neighbour and vegetation would provide some screening. The Council's Domestic Extensions Supplementary Planning Document (SPD) cautions against this type of dormer in such a location because it would exceed more than one third of the width of the host roof slope and incorporate a flat roof.
8. Nor does the lack of more wide ranging visibility of the proposed rear dormer address that it would be out of character with the conservation area. It would fail to conserve the asset appropriate to its significance. That the appeal property itself is of a more modern design does not lessen the associated strong level of protection that is afforded by its location in a conservation area. Similarly, that the proposed rooflights on the front elevation would not have a significant visual impact does not overcome the harm that would be caused by the proposed rear dormer.
9. I conclude that the proposal would not preserve or enhance the character or appearance of the conservation area. As such, it would not comply with Policies S7 and E1 of the Council's Hambleton Local Plan (2022) (Local Plan) where they concern that heritage assets will be conserved in a manner appropriate to their significance, a high quality of design, a consideration of the historic environment and the local character, amongst other matters. It would also not comply with the SPD in relation to its design guidance on dormer extensions.
10. For the purposes of Policy E5 of the Local Plan and the National Planning Policy Framework (Framework) less than substantial harm would arise. This harm should be weighed against the public benefits. In this respect, the proposal would increase the quality and provision of the internal space for a family home, where more space is required by the occupiers. Whilst a largely personal benefit, it attracts some support under the Framework in providing housing for different groups, including families. An alternative dormer arrangement is also said not to offer the space which the family needs.
11. I am not unsympathetic in this regard. However, the Framework states 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. The public benefits would not outweigh the less than substantial harm to the designated heritage asset. The proposal would thus not comply with Policy E5 and the Framework.

Conclusion

12. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR