



Appeal Decision

Site visit made on 11 February 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 6 March 2025

Appeal Ref: APP/U2750/D/24/3355270

The Pinfold, Front Street, Topcliffe, North Yorkshire YO7 3RJ

- 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 Mr & Mrs N & L Atkinson against the decision of North Yorkshire Council.
 - The application Ref is ZB24/01592/FUL.
 - The development proposed is the addition of 1 no. dormer window to front north elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the National Planning Policy Framework (the Framework) has been updated. I am satisfied there are no changes of any consequence for the main issue in this appeal.
3. The above description of development is taken from the decision notice. During the application process the proposal was revised to remove 2 dormer windows to the bedrooms, and the front door canopy originally proposed. The Council based its decision on the amended plans and so I have determined the appeal on the same basis.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Topcliffe Conservation Area.

Reasons

5. As the appeal site is within a conservation area, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The Framework also requires great weight should be given to the conservation of heritage assets. These include conservation areas.
6. The conservation area focusses on the historic core of the settlement where significance is, in part, derived from the character and appearance of the buildings within it. Domestic buildings within the conservation area are constructed, predominantly, with red brick walls, pantile roofs and traditional forms of fenestration. Dormer windows are not a characteristic element of the conservation area.

7. In common with many buildings in the conservation area, the host dwelling has a plain, pantile roof. The front plane of the roof, while not facing Front Street, is clearly visible. It is seen running parallel to, and below, the roofline of buildings along Long Street, also within the conservation area.
8. The proposed dormer window would be a prominent feature that would dominate the front roof plane of the host dwelling. Notwithstanding the details of design, including matching materials, the proposal would introduce an incongruous feature to the area. This would disrupt the harmonious visual relationship with other buildings when seen together. The proposal, by nature of its form and location, would lead to less than substantial harm to the significance of the conservation area.
9. The appellant refers to the Council's Domestic Extensions Supplementary Planning Document with regards to the detailed design of the proposed dormer window. However, application of the design principles outlined makes no difference to my overall conclusion considering the harm identified above.
10. Paragraph 215 of the Framework states that less than substantial harm to the significance of a designated heritage asset (in this case the conservation area) should be weighed against the public benefits of the proposed development. I acknowledge the proposal would provide additional space and light, and improved ventilation to the bathroom that would benefit occupants of the dwelling. However, these are not public benefits of sufficient weight to justify the harm identified above.
11. Taking all the above into account, I find that the proposal would neither preserve nor enhance the character or appearance of the Topcliffe Conservation Area. It would fail to satisfy the Planning (Listed Buildings and Conservation Areas) Act 1990 in this regard and the historic environment policies of the Framework. I therefore find the appeal scheme conflicts with policies E1, E5 and S7 of the Hambleton Local Plan (2022). Together these seek to ensure that development proposals are of a high standard of design that respond positively to their context, and protect and conserve, and where possible enhance heritage assets.

Other Matters

12. I acknowledge the dormer window may not cause any amenity or privacy issues. However, these are not benefits of the proposed development but neutral points, so they make no difference to my overall conclusion.

Conclusion

13. For the reasons given above the appeal should be dismissed.

C Mayes

INSPECTOR