



Appeal Decision

Site visit made on 2 September 2025 by A Morrison MTCP MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th January 2026

Appeal Ref: APP/U2750/D/25/3367708

15 Church Street, Scarborough YO11 1RL

- 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 Craig & Angeline Burnett against the decision of North Yorkshire Council.
 - The application Ref is ZF25/00303/HS.
 - The development proposed is alteration to existing rear dormer to create balcony.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and area, including whether it would preserve or enhance the character or appearance of the Scarborough Conservation Area (the CA).

Reasons for the Recommendation

5. The appeal site is an end terrace dwelling located on the lower side of Church Street, an elevated road on the castle hill within Scarborough's Old Town. In common with all dwellings across the short terrace, the property has a modestly sized flat roofed dormer to its rear roof slope, facing out onto South Bay harbour below. Although the individual width of these dormers varies across the building, their positioning, height and depth are broadly consistent. Owing to these shared proportions and their uniformly simple design, the dormers add to the overall rhythmical quality and traditional appearance of the terrace.

6. Located within the CA which covers a large part of Scarborough, the Old Town area is characterised by its tightly knit urban grain, a key component of which are historic residential terraces, often with well-preserved regular facades and roof forms. Insofar as it relates to the appeal, I find that the significance of the CA is associated with the architectural uniformity of many of the terraces, with particular regard to their frontages and roofscapes. As a constituent element of one such terrace, the appeal site positively contributes to the character and appearance of the locality and to the significance of the CA, particularly as its rear roof and gable end can be obliquely seen from adjacent Church Stairs Street.
7. The proposal would replace the existing dormer in order to create an inset deck, to be accessed through a replacement set of doors for the existing window. The deck would be enclosed by a three-sided glass balustrade, the bottom of which would adjoin a newly raised section of the house's main rear wall.
8. By virtue of the new dormer's different height and through the introduction of doors, the balustrade and a parapet wall as visually jarring features, the scheme would altogether result in an alien appearance harmfully at odds with the building's traditional form and fenestration. In addition, although the decked area would be relatively small, activity arising from its use would be incongruous to the character of the locality.
9. I appreciate that the new dormer and associated balustrade would be built on a similar alignment to the existing dormer, including to the same width. It would also reinstate the existing flat roof and glazed cheek features and incorporate the same materials. However, these features would not overcome the fundamental incompatibility of the proposal's contemporary overall design as contrasting with the traditional appearance and rhythm of the existing roofscape.
10. The plainly discordant double projection of the new dormer and balustrade would be visible from neighbouring properties and from the Church Stairs Street view noted above, despite not being highly prominent to public views. Taking into account the degree to which the proposal would be observed in its surroundings as disruptive to the harmonious traditional aesthetic of the terrace as a whole, I find that it would fail to preserve the character and appearance of the CA, thereby harming its significance as a designated heritage asset.
11. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Considering its nature and limited scale in the context of the extent of the CA, I find the harm that would arise from the proposal to be less than substantial, but nevertheless of considerable importance and weight in the planning balance of the appeal. Paragraph 215 of the Framework requires that less than substantial harm should be weighed against the public benefits of the development.
12. The appellant has expressed that the proposal would benefit the functionality of the property as a primary residence, whilst also resulting in an improvement to the house's energy efficiency through the incorporation of insulation to meet latest building regulations.
13. The ongoing residential use of the property is not dependant on the appeal scheme, whilst the use of the newly formed deck by would be a private benefit for its occupants. Given the relatively minor extent of the works, public benefits as

arising from an enhancement to the building's fabric as well as economic activity associated with the construction process would be only limited. Consequently, this is not sufficient to outweigh the less than substantial harm to the significance of the designated heritage asset I have identified, and the great weight I must apply to its conservation.

14. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the host building and area, including the Scarborough Conservation Area. It would therefore fail to satisfy the requirements of the Act and conflict with Policies DEC 1 and DEC 5 of the Scarborough Borough Local Plan – 2011/2032. These policies require, amongst other things, that development proposals are of a good design that responds positively to its local context including in terms of its scale, form and fenestration, conserve elements that contribute to the significance of designated heritage assets and preserve or enhance the character of conservation areas. Furthermore, the scheme would fail to comply with the Council's Residential Design Guide Supplementary Planning Document, which provides that dormer windows should be designed to reflect the character of the host property.

Other Matters

15. During my visit I looked at other dormer roof projections in the locality, including those referred to in the appellant's evidence. In all instances, due to significant differences in their individual design, size and positioning and the absence of an associated inset deck element, none these enlargements were directly comparable to the proposal before me. In addition, none were situated within a wider building displaying a consistent roofscape, and therefore all had a dissimilar context to the appeal site. Consequently, these other examples do not lead me to a different conclusion on the main issue in this appeal.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR