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## Appeal Decision

Site visit made on 20 January 2026

**by N Teasdale BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 02 February 2026**

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**Appeal Ref: APP/U2750/D/25/3375754**

**17 Old Trough Way, Harrogate HG1 3DE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
  - The appeal is made by Mr Wilson against the decision of North Yorkshire Council.
  - The application Ref is 25/02207/FUL.
  - The development proposed is loft conversion including raising of roof height and rear dormer extension.
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### Decision

1. The appeal is allowed and planning permission is granted for loft conversion including raising of roof height and rear dormer extension at 17 Old Trough Way, Harrogate HG1 3DE in accordance with the terms of the application, Ref 25/02207/FUL, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan (scale 1:1250); Block Plan (scale 1:500); As proposed Drawing No O.T.W. (17) / 103 Rev A.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Main Issue

2. The main issue of the appeal is the effect of the proposed development on the character and appearance of the host property and surrounding area.

### Reasons

3. The appeal property relates to a detached two-storey dwellinghouse situated within Old Trough Way, Harrogate. It has a tiled roof and is finished in brick. The property has an attached two storey addition to the rear.
4. A planning appeal<sup>1</sup> relating to the property allowed a double storey extension to the rear of the property (retrospective) on 8 May 2025. Further, a certificate of lawful development for proposed loft conversion with rear dormer extension; installation of solar panels on front elevation roof slope was given 18 June 2025<sup>2</sup>.

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<sup>1</sup> APP/U2750/D/25/3361261

<sup>2</sup> 25/01646/CLOPUD

5. This appeal seeks planning permission for a loft conversion including raising of roof height and rear dormer extension. The dormer extends almost the full width and height of the rear roof slope with a flat roof design. However, the plans associated with the certificate of lawful development which is a material consideration already shows an equally large addition with a flat roof design to the rear of the property which could indeed be built under the issue of the certificate. It therefore represents a fallback position which I must consider.
6. While I appreciate that the proposed development would raise the roof height to provide more useable suitable headroom, the minimal difference in height would be no more harmful than what the certificate of lawful development allows for and would not dominate the roof any more than the fallback position nor be anymore incongruous. I noted at my site visit, that there is already a slight variation in ridge lines within the immediate area and thus the slight increase in height would not stand out as an anomaly in this area.
7. The certificate of lawful development showed the two-storey rear extension as currently built onsite which comprises a flat roof form. Nonetheless, the above-mentioned appeal allowed for the proposed hipped roof which again is a material consideration given that this appeal is extant and could indeed come forward. I do not consider the relationship between the hipped roof of the two-storey extension and the proposed dormer to be so contrived as to have a detrimental effect.
8. I conclude that, when viewed in the context of the extant planning appeal and issue of the certificate of lawful development, the proposed development would not appear as an unduly prominent addition and would not cause unacceptable harm to the host property or surrounding area. Accordingly, I find the proposed development to accord with Policies HP3 and HS8 of the Harrogate Local Plan 2014-2035, 2020 which together, amongst other matters, explain that extensions to dwellings will be supported provided that amongst others, there is no adverse impact to the character or appearance of the dwelling or the surrounding area. For the same reasons, the proposed development would also accord with Chapter 12 of the National Planning Policy Framework relating to achieving well-designed places and the Council's House Extensions and Garages Design Guide, 2005.

### **Other Matters**

9. There are some concerns from neighbouring residents regarding loss of privacy and outlook for those closest to the site. Whilst the dormer may result in some instances of overlooking and loss of privacy, there is an adequate separation distance between the dormer and the rear boundary and there are already windows at first floor level causing some overlooking at present. Such a relationship is not uncommon in residential settings. Further, I am satisfied that the minimal difference over and above that of the previous appeal and certificate of lawful development would not result in undue harm to the living conditions of neighbouring properties surrounding the site. Matters relating to house prices would not alter my findings nor is it a material consideration in the determination of this appeal.
10. Concerns have also been raised regarding traffic and parking. However, the Council's local highway authority has made no objections and based on the evidence before me and my own observations onsite, I have no reason to disagree. Additionally, the previous appeal and certificate of lawful development

already allow for a very similar scheme and thus the minimal changes proposed would be no more harmful.

11. I have determined this scheme based on what has been applied for. Any other works that has taken place at the property does not form part of this appeal and would be subject to its own assessment including building regulations.

### **Conditions**

12. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary in the interests of certainty. A condition relating to materials is also required in the interests of the satisfactory appearance of the development.

### **Conclusion**

13. For the reasons given above and having had regard to the development plan as a whole, the appeal is allowed.

*N Teasdale*

INSPECTOR