
Appeal Decision

Site visit held on 9 June 2026

by Paul Freer BA (Hons) LLM PhD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st September 2026

Appeal Ref: APP/U2750/Y/25/3374376

16 Langton Road, Norton, Malton YO17 9AD

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a refusal to grant Listed Building Consent.
 - The appeal is made by Mrs Nicola Bettley against the decision of North Yorkshire Council.
 - The application is Ref ZE25/00221/LBC.
 - The works proposed are the installation on 4no. double glazed sash windows to replace existing single glazed timber sash windows on the front elevation.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council's formal Decision Notice gives the address to which the application relates as 16-18 Langton Road. However, I am satisfied that the application only relates only to No 16 Langton Road.
3. I have taken the description of the proposed works in the header above from the Council's formal Decision Notice. This description more accurately reflects the works that are proposed than that on the application form.
4. The appellant considers that the determination of the application for Listed Building Consent was procedurally flawed, citing examples of what she perceives as being procedural unfairness and the omission of material evidence from the planning case file and officer's report. Whilst I note those concerns, I must determine this appeal on the evidence that is before me, including my own site visit.
5. On 17 August 2026, the Government published the revised National Planning Policy Framework (Framework). This includes policies relating to conserving and enhancing the historic environment as well as other matters relevant to this proposal. The parties were offered the opportunity to comment on those policies insofar as relevant to the proposed works. I have taken the comments received into account in determining this appeal.

Main issue

6. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act) states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of

special architectural or historic interest which it possesses. Similarly, Section 72(1) of the 1990 Act provides that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

7. Having regards to the duties imposed by the 1990 Act, I consider the main issue in this case is whether the works would i) preserve the Grade II listed building (known as Nos. 10-16 Langton Road) or any features of special architectural or historic interest which it possesses; ii) preserve or enhance the character or appearance of the Norton Conservation Area.

Reasons

Significance of the heritage assets

8. The appeal property is the southernmost end unit in a terrace of four houses dating from circa 1855. Amongst other things, the listing description refers to a terrace of 4 houses, with later alteration, featuring canted bays with 6 and 12-pane sashes to ground floor except to no 16 to left, which has later inserted 2-storey bay with single-pane sashes¹. The listing description goes on state that the remaining windows are 12-pane sashes with segmental arches and quoined jambs.
9. The significance of listed building as a whole derives, in part, from being a terrace of substantial dwellings likely designed to house the population associated with wealth afforded with the coming of the railway to the area. It is therefore indicative of the historical development of Norton as a settlement. This significance is enhanced by the retention of much of the historical fabric of the terrace as a whole, leading to a relatively uniform and harmonious group.
10. The significance of the appeal property lies partly in its imposing appearance as a result of its prominent position as the end unit of the terrace. It maintains its traditional appearance as a dwelling of some status. The remaining historic fabric and architectural features and openings, along with its use of traditional materials contribute to its significance. The windows make a strong contribution to the special interest of the listed building by virtue of their age, design, detailing and remaining historic fabric. Consequently, the listed building represents a good example of a 19th century property of its type, exhibiting retained historic fabric.
11. The imposing 2 storey bay window displays some glass featuring ripples and inclusions. These make a strong contribution to the quality of the window. The later date of the windows, being likely later 19th century and difference in design to the rest of the terrace, makes a strong contribution to the significance of the listed building and distinguish the appeal property from the other houses in the terrace. This is because the larger glass panes and double height canted bay demonstrate a campaign of alteration associated with the wealth of previous owners and the use of contemporary modern technologies. They are a physical expression of the aspirations of the former owners which adds to the narrative of the listed building in terms of illustrating the adoption and execution of contemporary design and technology.
12. As the Council's Conservation Officer points out, the existing windows are all of varying design and include different detailed elements that range from different

¹ List entry number: 1296128

historical eras. The variations include varying sash profiles, the presence of horns and glazing quality are likely to demonstrate the period of time of which the windows were installed. In my view, these differences in design contribute to the significance of the listed building in terms of understanding its historical origins and subsequent history.

13. The significance of the Norton Conservation Area derives, in part, from the historic buildings within it. Collectively, these historic buildings paint a picture of the development of Norton over time, particularly the expansion and wealth associated with the coming of the railway to the area.

Effect of the proposed works on the significance of the heritage assets

14. Policy HE5(2) of the Framework confirms that assessments of the potential effects of development proposals on the significance of heritage assets should identify whether they would be likely to: a. Have a positive effect; or b. Have no effect; or c. Result in harm (which includes substantial harm), the degree of which should be identified; or d. Cause the total loss of significance. In this case, the assessment at Policy HE5(2)(c) is the relevant assessment.
15. The application proposes to install 4 no. double glazed sash windows constructed using traditional methods and detailing. The proposal seeks to retain and repair the existing window frames and replace the four windows with large pane one over one timber, slim glazed double glazing hung on spiral balances.
16. The windows to the front elevation are a significant part of the architecture of the house and make a strong positive contribution to its imposing appearance. The qualities of reflection and rippled appearance of the glazing to the bay windows make a significant contribution to the historic interest of the listed building, insofar as they are an integral part of the design of older buildings. Moreover, significant components of the front windows at the appeal property are likely to date from an early campaign of alteration to the house. The windows make a strong contribution to the special interest of the listed building by virtue of their age, design, detailing and remaining historic fabric.
17. The Council explain that glazing containing slight irregularities is becoming increasingly rare in the former Ryedale area. The guidance produced by Historic England titled 'Traditional Windows, their care, repair and Upgrading' (2017) states that 'Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible.' The document goes on to state that evidential value reflects the potential of a building or its fabric to yield information about the past. Rarity adds to evidential value. If the fabric of the window is old it will probably have considerable evidential value. To my mind, this adds to the significance of the listed building at 16 Langton Road and establishes an imperative to retain the windows featuring those qualities if at all possible.
18. The appellant contends that the windows to be replaced have deteriorated and in some cases are non-original windows. In support of that position, the appellant commissioned a condition assessment dated 12 June 2025 by Ryedale Joinery, which revealed some underlying issues. The key findings are set out in the appellant's Statement of Case and are summarised as:
 - Structural vulnerability of mid-rails due to age and joint weakness

- Cracked panes of heritage glass that cannot be reused.
 - Risks to the integrity of the slim ground-floor sash if refurbishment were attempted.
19. I was able to inspect the windows at the appeal property at close quarters during my site visit, albeit I did not carry out an intrusive inspection of the window frames. There was clear evidence of deterioration in the condition of some of these windows. However, overall, the windows were in reasonable condition and did not appear to be beyond traditional joinery repair as detailed in the Historic England guidance. Consequently, having regard to the presumption in the guidance produced by Historic England that fenestration should be conserved and repaired whenever possible as well as the rarity of glazing containing slight irregularities in the local area, on balance I am not persuaded that the replacement of the windows at the appeal property is justified.
20. I noted the cracked panes of heritage glass and acknowledge that these panes cannot be reused in terms of being fitted into new windows frames. However, these are relatively minor cracks and there is no evidence before me to suggest that these cracked panes could not be retained in situ in their existing frames.
21. For the reasons set out above, I conclude that the significance of the listed building at 16 Langton Road would be harmed by the proposal to install 4 no. double glazed sash windows, notwithstanding that these windows would be constructed using traditional methods and detailing. Notwithstanding the presumption for retention of fenestration in the guidance produced by Historic England as well as the rarity of glazing containing slight irregularities in the local area, I assess that harm to be at a low level of harm.
22. Policy HE6(1) of the Framework indicates that substantial weight should be given to the asset's conservation. This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance. Policy HE6(3) indicates that any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of that policy.
23. Given that the significance of the Norton Conservation Area derives in part from the historic buildings within it, replacing the existing windows would fail to preserve or enhance character or appearance of the conservation area as a whole, which would be incrementally harmed. I again assess that harm to be at a low level of harm.

Balancing exercise

24. Policy HE6(4) of the Framework provides that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Policy HE6(4) of the Framework goes on to indicate that important public benefits can include enabling energy efficiency.
25. There is a public benefit to be gained in terms of improving the thermal performance of the building and reducing greenhouse gas emissions. This would accord with the objectives set out in Chapter 4 of the Framework as well as policy CC2(2) of the Framework, which amongst other things, indicates that substantial

weight should be given to the benefits of improving the energy efficiency of existing buildings. In this case, any public benefit arising from the installation of the replacement windows (as distinct from the private benefit accruing to the occupiers of the property) is not evidenced or quantified in any way. In these circumstances, I cannot afford any benefit arising from the proposal the substantial weight indicated in the Framework. Accordingly, on the evidence before me, I can only afford the public benefit arising from the proposal limited weight in this case.

26. In addition, a time-limited economic benefit would accrue from the construction and installation of the windows. However, in terms of a public benefit this is unlikely to be extensive and accordingly I afford it only limited weight.
27. The appellant maintains that the existing windows present clear safety risks because of cracked panes and structural weakness and also fail to keep the house warm/are not energy-efficient, which makes day-to-day living difficult. The appellant maintains that replacing the windows would greatly improve safety, comfort, and sustainability, ensuring that her home remains practical and viable now as well as for future generations.
28. However, whilst that is a benefit arising from the proposal, it is largely a private benefit accruing exclusively to the appellant and her family and is not a public benefit. Accordingly, I attach only minimal weight to that benefit.
29. The appellant explains that numerous (her words) properties within the Norton Conservation Area already feature unsympathetic uPVC window replacements that detract from the townscape. She points out that, by contrast, the application proposes traditional timber sashes which in her view preserve historic character where others have been lost.
30. The individual properties where this has occurred have not been pointed out to me and on my site visit I noted relatively few properties in the conservation area where this has occurred. Moreover, I am not aware whether those buildings are designated or non-designated heritage assets and, if so, what the individual history of those buildings is. It is possible that there were sound reasons why those windows had been replaced using unsympathetic uPVC materials that are not present in relation to the appeal property. For that reason, I attach limited weight to this as a material consideration.
31. I fully accept that not all of the existing windows are of equal significance. But that does not mean that the windows of lesser significance are not of historical value and importance in terms of illustrating the campaign of alteration of the building by previous owners. Moreover, even if the glass itself is not historic, the appellant has not demonstrated through evidence that the replacement of these windows would not result in the loss of or damage to the historic fabric of the building.
32. In weighing the balance required by policy HE6(4) of the Framework, I conclude that the public benefits arising from the proposal would outweigh the effect of the proposal on the designated heritage assets and their significance.

Other matters

33. The appellant refers to 'Parish Support' for the proposed works. No representations were received in relation to this appeal, but the Council's Delegated Planning Report mentions that the Parish Council raised no objection to the proposed works

at application stage. However, the Delegated Planning Report records that this was subject to taking account of the character of the properties and that any modification to or replacement of the windows is in keeping with the adjoining properties and keeps the same glazing bars as the existing windows. For the reasons set out above, I have found that not to be that case. The comments of the Parish Council must therefore be read in that context.

Conclusion

34. The proposed works would conflict with the requirements set out in sections 16(2) and 72(1) of the Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also not comply with Policy SP12 of the Ryedale Local Plan Strategy which, amongst other things, states that the distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced.
35. For the reasons set out above I conclude that the appeal should be dismissed.

Paul Freer
INSPECTOR