
Appeal Decisions

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: 25th September 2026

Appeal A Ref: APP/U2750/Y/25/3373072

Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a failure to determine an application for Listed Building Consent within the prescribed period.
 - The appeal is made by Mr Paul Rummery against North Yorkshire Council.
 - The application Ref ZD25/00374/LBC is dated 15 July 2025.
 - The works proposed are the replacement of seven windows throughout North Elevation.
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Appeal B Ref: APP/U2750/Y/25/3373075

Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a failure to determine an application for Listed Building Consent within the prescribed period.
 - The appeal is made by Mr Paul Rummery against North Yorkshire Council.
 - The application Ref ZD25/00361/LBC is dated 27 June 2025.
 - The works proposed are the replacement of four windows to ground and first floor of East Elevation.
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Appeal C Ref: APP/U2750/Y/25/3373076

Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a failure to determine an application for Listed Building Consent within the prescribed period.
 - The appeal is made by Mr Paul Rummery against North Yorkshire Council.
 - The application Ref ZD25/00360/LBC is dated 27 June 2025.
 - The works proposed are the replacement of five windows to ground and first floor of South Elevation.
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Decisions

Appeal A Ref: APP/U2750/Y/25/3373072

1. The appeal is allowed and listed building consent is granted for the replacement of seven windows throughout North Elevation at Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS in accordance with the terms of the application Ref ZD25/00374/LBC and the plans submitted with it subject to the following conditions:

1/ The works authorised by this consent shall be begun not later than three years of the date of this consent.

2/ No works shall take place until the following details for the windows labelled G05, G06, G07, G08, SO1, FO6 and FO7 have been submitted to and approved in writing by the local planning authority - drawings at a scale of 1:5 showing section within the reveal, elevation and moulding/profile details, and details of the method of opening, materials, fittings/furniture, finish and colour. The works shall then be carried out in accordance with the approved details.

Appeal B Ref: APP/U2750/Y/25/3373075

2. The appeal is allowed and listed building consent is granted for the replacement of four windows to ground and first floor of East Elevation at Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS in accordance with the terms of the application Ref ZD25/00361/LBC and the plans submitted with it subject to the following conditions:

1/ The works authorised by this consent shall be begun not later than three years of the date of this consent.

2/ No works shall take place until the following details for the windows labelled G03, G04, FO4 and FO5 have been submitted to and approved in writing by the local planning authority - drawings at a scale of 1:5 showing section within the reveal, elevation and moulding/profile details, and details of the method of opening, materials, fittings/furniture, finish and colour. The works shall then be carried out in accordance with the approved details.

Appeal C Ref: APP/U2750/Y/25/3373076

3. The appeal is allowed and listed building consent is granted for the replacement of five windows to ground and first floor of South Elevation at Hill House, 24 Richmond Road, Skeeby, North Yorkshire DL10 5DS in accordance with the terms of the application Ref ZD25/00360/LBC and the plans submitted with it subject to the following conditions:

1/ The works authorised by this consent shall be begun not later than three years of the date of this consent.

2/ No works shall take place until the following details for the windows labelled G01, G02, FO1, FO2 and FO3 have been submitted to and approved in writing by the local planning authority - drawings at a scale of 1:5 showing section within the reveal, elevation and moulding/profile details, and details of the method of opening, materials, fittings/furniture, finish and colour. The works shall then be carried out in accordance with the approved details.

Procedural Matters

4. An application for costs is made by Mr Paul Rummary against North Yorkshire Council in relation to all three appeals. This is the subject of a separate Decision.
5. The Council failed to determine the applications that are the subject of these appeals and as such there are no putative reasons for refusal. As I understand it, had it been in a position to do so, the Council would have refused the applications on the grounds of insufficient information.
6. I have taken the description of the works proposed from the respective application forms, amended only as necessary to fit into the Header above.

7. The Richmond Civic Society and Skeeby Parish Council have no objection to the proposals. However, their representations are briefly stated and the reason(s) behind their respective positions is not expanded upon. Accordingly, I have not considered these representations further.
8. 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. The parties were offered the opportunity to comment on those policies insofar as relevant to the proposed works but neither party considered that the revised Framework affected consideration of these appeals. I have nonetheless determined these appeals having regard to the policies in the revised Framework.

Main issue

9. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Having regard 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 Hill House) or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Skeeby Conservation Area.

Reasons

Significance of the heritage assets

10. The appeal property is a detached house dating from the mid-late C18. Amongst other things, the listing description refers to a house constructed of coursed sandstone with concrete interlocking roof tiles¹. The listing description goes on to state that the openings have deep lintels and that the house features sash windows with glazing bars and projecting stone sills.
11. The significance of the listed building as a whole derives, in part, from its position as a larger detached house within the village of Skeeby. This is significant in demonstrating the likely wealth/status of the original owner, given the resources that enabled the design and construction.
12. As the appellant points out, the significance of the listed building also derives in part from the property being constructed in what may be described as an architecturally polite and understated style, reflecting the architectural fashion and proportions of the time, rather than as a local vernacular building. This includes the windows which are not only important elements in defining the appearance and significance of the building but are also important in establishing the period within which the building originates. These factors set the building apart from other buildings in the village, which reinforces its significance in terms of its likely status.
13. The significance of the Skeeby Conservation Area derives, in part, from its linear form. This reveals the expansion and development of the village along both sides of Richmond Road and is reflected by the boundaries of the conservation area being tightly drawn around the older and historic buildings. The conservation area contains ten listed buildings of outstanding individual quality, including The Manor

¹ List entry number: 1301438

House which is Grade II*, but the majority of buildings within the conservation area are of simple, robust vernacular style. Nonetheless, these are of considerable importance to the character of the village and in defining the character and appearance of the conservation area as a whole.

14. The appeal property is detached from other properties. This, together with its period design and the use of traditional materials, reveals the status of the building and provides some indication of the likely role that it played in the village. For these reasons, Hill House makes a positive contribution to the character and appearance of the Skeeby Conservation Area.

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

15. 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.
16. The applications propose the replacement of windows on the North, South and East elevations of the building. In relation to all three elevations, the appellant points out that most of the windows are not original, complete mid-Georgian windows but assemblages of repaired sections, replacements and new items. The appellant considers that this reduces their significance in the context of the building which retains a good amount of historic internal and external features of interest.
17. The appellant has provided a detailed assessment of each window that is proposed to be replaced, compiled by a suitably qualified person. I have used that as the basis for my assessment of the glass and timber of the windows of this building and the condition of those windows. I also used that detailed assessment as a reference when inspecting 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.
18. Based on that inspection, I am satisfied that the assessment provided by the appellant is accurate. In summary, the earliest glass present in the windows of this building pre-dates 1860 but is confined to three panes in total within two windows in the South elevation of the building. In addition, there are a total of three panes across windows in the North and South elevations that are likely to be hand-drawn glass dating from between 1860 and 1920. The remaining panes are a mixture of machine drawn glass dating to 1915-1950 and modern float glass dating to post 1950.
19. There was clear evidence of deterioration in the condition of the timber in some of these windows, including examples of advanced decay. It was also apparent that some elements of these windows have been replaced in their entirety. Where the historic fabric of the building is still present, in many cases this shows evidence of patched repairs and/or significant overpainting in an attempt to keep it functional.
20. 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.' Even though the windows that are proposed to be replaced retain only

limited amounts of historic glass, and the window frames are (in some cases) in very poor condition, the removal of these windows would still result in the loss of some historical fabric. This would be harmful to the significance of the listed building as a heritage asset. This would, by extension, be harmful to the significance of the Skeeby Conservation Area as a heritage asset.

21. However, that is just the starting point. As set out above, some of the windows that are proposed to be replaced feature only limited amounts of historic glass, or in some cases no historic glass at all. Some of the windows that are proposed to be replaced are in very poor condition and, in my assessment, are well beyond traditional joinery repair as detailed in the Historic England guidance. The removal of modern windows/glass would have no effect on the significance of the building. I am therefore satisfied that the appellant has through the submission of evidence made out his case that there is clear and convincing justification for the harm to the significance of the building. The question then turns to the effect of the proposed replacement windows on the significance of the heritage assets.
22. Across all three elevations, the replacement windows have been designed to accurately replicate as closely as possible the appearance of the existing windows in all respects other than in the introduction of the slim section double glazed units. Details of the existing older windows, such as the lack of horns to the sashes typical of the later Georgian period, would be replicated and the proportions of the glazed elements would be authentically reproduced. Throughout the building a consistent form, style and profile of glazing bars will be used to re-establish a uniformity across all elevations of the building.
23. I am satisfied that the use of a single form and style of glazing bar will maintain the unity of design present in the building. I am also satisfied that the use of a black spacer bar within the double-glazed units² will diminish the impact of this element and is in accordance with the guidance of Historic England on the use of slim section double glazing in historic buildings³.
24. It is a material consideration that on 30 January 2026 the Council granted re-submitted applications for Listed Building Consent for the replacement of windows in the North (Council Ref: ZD25/00627/LBC) and East (Council Ref: ZD25/00628/LBC) elevations of the appeal property. On 10 April 2026, the Council refused a re-submitted application for Listed Building Consent for the replacement of windows in the South elevation of the appeal property (Council Ref: ZD25/00629/LBC), maintaining its position that the replacement of windows on the principal (south) elevation containing the highest concentration of historic late nineteenth and early twentieth century glazing would result in the unjustified loss of historic fabric.
25. The corollary is that the appellant is entitled to replace the windows on the North and East elevations in accordance with those consents, with the result that some of the historic glass/fabric of the listed building would be lost. There would be some harm to the significance of the heritage assets as a result, which the Council implicitly accepts. Moreover, as it currently stands the implementation of those consents would result in the situation whereby the windows in the North and East elevations of the building would be different to those in the South elevation.

² As shown, for example, on the Proposed Replacement Profiles and General Arrangements drawing (Drawing No. 09/03/2025).

³ Section 4.3 of guidance produced by Historic England titled 'Traditional Windows, their care, repair and Upgrading' (2017)

26. Because of the design and style of the proposed replacement windows, those differences would not be significant. There would nonetheless be differences across those three elevations. The proposal to replace the windows in the North, South and East elevations would ensure the uniformity of the elevations.
27. For all these reasons, I conclude that the significance of the listed building known as Hill House would be harmed by the proposal to replace the windows in the North, South and East elevations of the building, notwithstanding that these windows would be constructed using slim section double glazed units. However, this would be low level of harm. 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.
28. Given that the significance of the Skeeby Conservation Area derives in part from the historic buildings within it, including the positive contribution made by Hill House, replacing the existing windows would fail to preserve or enhance the character or appearance of the conservation area as a whole, which would be incrementally harmed. This would again be low level of harm. Nevertheless, in accordance with Policy HE6(1) of the Framework, I attach substantial weight to the asset's conservation.

Balancing exercise

29. 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.
30. 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 addition, a time-limited economic benefit would accrue from the construction and fitting of the windows.
31. Moreover, given the extent of the decay of some of the windows, it is apparent to me that 'doing nothing' at this time is not an option. Policy HE4(1a) of the Framework indicates that development proposals which would affect the significance of heritage assets, including any contribution made by their setting, should maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets and the positive contribution they can make to local character and distinctiveness. The replacement of the windows would accord with policy and goes beyond just being a private benefit to the current owners of the property: it is a public benefit arising from the proposals and one to which I attach great weight.
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. For the avoidance of doubt, this applies to the windows in the North, South and East elevations of the building, there being an additional benefit arising from securing consistency and uniformity across all elevations of the building.

33. The works would conflict with the requirements set out in sections 16(2) and 72(1) of the 1990 Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. The Council refers to Policy CP12 (Conserving and Enhancing Environmental and Historic Assets) of the Richmondshire Local Plan Core Strategy 2014, this only in relation to conditions that it suggests ought to be imposed. This is the only policy referred to in the evidence before me, and I have not been provided with a copy of that policy. I am therefore not able to take it into account as a material consideration in this case. Consequently, all things considered, I conclude that the public benefits arising from the proposal outweigh the low level of harm to the significance of the designated heritage assets.

Conditions

34. In the interests of certainty and clarity, a condition is necessary specifying the time limit for commencement of the works. A condition specifying the approved plans is not generally required in Listed Building Consents and I see no reason to impose such a condition here. However, in the interests of preserving the special interest of the listed building as well as the character and appearance of the Skeeby Conservation Area, a condition requiring the submission and approval of plans at a scale of 1:5 is necessary to show the details associated with the replacement windows, including the materials and fixtures to be used.

Conclusion

35. For the reasons set out above I conclude that the appeals should be allowed subject to conditions.

Paul Freer
INSPECTOR