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## Appeal Decision

Site visit made on 7 January 2014

**by Roger Catchpole BSc (Hons) PhD Dip Hort MCIEEM**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 January 2014

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**Appeal Ref: APP/H0738/D/13/2209813**  
**75 Hartburn Village, Stockton-on-Tees TS18 5DR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Andrew Edwards against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 13/1717/FUL, dated 8 July 2013, was refused by notice dated 6 September 2013.
  - The development proposed is two dormer windows to front, velux rooflight to rear and pitched-roof extension to rear.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. For reasons of clarity I have truncated the description to remove superfluous wording for the purposes of this appeal.
3. I note that the LPA raise no objection to the proposed rear extension and I have no reason to disagree with this view; accordingly I shall concentrate on the front dormer windows in this appeal.

### Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the Conservation Area (CA).

### Reasons

5. The host property is located on the main street of Hartburn village which forms the core of the Hartburn CA. This is described in the *Hartburn Conservation Area Appraisal* as "the most special view" along which most of the listed buildings are situated. Hartburn is a small CA containing dwellings dating from the 17<sup>th</sup> century. The main street is characterised by large, mature street trees and houses with a significant degree of set back. Many of the properties have long, narrow front gardens which form a distinctive feature of the village. The built environment is a mixture of detached, semi-detached and terraced properties dating from various periods which, together, contribute to an attractive, almost rural character.
6. The host property is near the end of a terrace on the southern side of the main street, Hartburn Village. It is one of 10 properties in the terrace which contains

a Grade II listed building dating from the 18<sup>th</sup> century, The Masham public house. The materials, pitch and height of the roof varies considerably between these properties with a pair of small, zinc-clad dormers, of historic origin, on the roof of the front elevation of No. 81.

7. With the exception of a single dormer at No. 41, I observe that no other properties have dormers on their front elevations that face into the village. Such structures are therefore not a characteristic feature of the prevailing street scene. Even though some screening would be afforded by the street trees, the shallow pitch of the main roof and dual-pitch design of the proposed dormers would nonetheless introduce a more prominent and incongruous feature in comparison to the dormers at No. 81. Additionally, it would also disrupt the common roofscape shared with No. 80. Consequently, I find that it would cause significant material harm to both the appearance of the host property and the heritage significance of the CA.
8. The Appellant has argued that a precedent has been set by the existing dormers. Whilst I recognise some apparent similarities, I have no evidence before me regarding the circumstances of those permissions which may predate current policy. Furthermore, the harmful impact of the existing dormers on the character and appearance of the CA does not justify the further harm that would arise from the appeal scheme. Whilst the harm to the significance of the CA is less than substantial, I have no evidence before me to suggest that any public benefit would outweigh that harm.
9. I therefore conclude that the development would fail to preserve the character and appearance of the host property and the wider CA contrary to policy CS3(8) of Stockton-on-Tees Borough Council Local Development Framework *Core Strategy DPD 2010* and policies EN24 and HO12 of Stockton-on-Tees *Local Plan 1997* that seek, among other things, to preserve important heritage assets and distinctive local character.
10. For the above reasons, and having regard to all other matters raised, including the heterogeneous roofscape and Velux windows near the end of the terrace, I conclude that the appeal should be dismissed.

*Roger Catchpole*

INSPECTOR