

**Parish: Borrowby**  
Ward: Bagby and Thorntons  
**3**

Committee Date : 16 March 2023  
Officer dealing : Mr Thomas Pilling  
Target Date: 13 March 2023  
Date of extension 17 March 2023  
of time (if agreed):

**23/00101/FUL**

**Construction of dormer window and porch and installation of gable window and rooflights.**

**At: Pinfold Cottage, Park Lane, Borrowby, Thirsk, YO7 4QN**  
**For: Mr & Mrs Nigel & Helen Laws.**

**This application is presented to the Planning Committee as the applicant is a HDC employee.**

## **1.0 Site, context and proposal**

- 1.1 Pinfold Cottage is a semi-detached two storey 19<sup>th</sup> century dwelling located within the centre of Borrowby and within the Borrowby Conservation Area. The property is within a predominately residential area, the Village Hall stands immediately to the north of the dwelling.
- 1.2 This application seeks planning consent for the construction of a dormer window and porch, along with the installation of gable window and 3 rooflights.

## **2.0 Relevant planning history**

- 2.1 11/02778/FUL - 03.02.2012 - Granted - Proposed alterations and single storey extensions to existing dwelling
- 2.2 2/99/017/0120C - 10.08.1999 - Granted - Extension to existing dwelling to include domestic stores to replace existing outbuilding
- 2.3 2/96/017/0120A - 19.02.1997 - Granted - Revised application for the construction of a domestic garage with store to replace existing garage

## **3.0 Relevant planning policies**

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Local Plan Policy E1: Design  
Local Plan Policy E2: Amenity  
Local Plan Policy E5: Development Affecting Heritage Assets  
Supplementary Planning Document - Domestic Extensions - Adopted October 2022  
Local Plan Policy S1: Sustainable Development Principles

Local Plan Policy S7: The Historic Environment  
National Planning Policy Framework

#### 4.0 Consultations

4.1 Borrowby Parish Council - 24/01/2023 - no objections

#### 5.0 Analysis

5.1 The main considerations are: i) whether this application has a harmful impact on the character, appearance or significance of the Conservation area , ii) the impact of the design on the form and character of the host dwelling, and iii) whether the development has an adverse impact on residential amenity.

Heritage and design matters

5.2 The National Planning Policy Framework requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building. Policy E5 of the Local Plan echoes this test of harm being weighed up against public benefit.

5.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

5.4 If any harm is identified to a designated heritage asset, planning permission can only be granted if sufficient public benefit is identified, whilst giving the identified harm great weight in the planning balance.

5.5 Policy S7; the Historic Environment and Policy E5; Development Affecting Heritage Assets state that proposed developments must protect and conserve the district's heritage assets and their settings. The conservation area is characterised by traditional narrow streets and compact rural domestic dwellings. Dwellings are generally vernacular in design, exposed stone and lime mortars, with a few white/cream rendered dwellings scattered throughout.

5.6 The village has a distinct feel with most roof materials being traditional clay roof tiles or slate. The roof-scape is uneven and cluttered, predominantly due to the topography of Borrowby with the north significantly higher than the south, with chimneys, dormer windows and gable windows all appearing in the existing roofscape adding textures and intricacy throughout, helping to create the character of Borrowby. The proposed works (dormer window, small open porch, gable window and rooflights) would not harm the historic character of the village and would be in keeping with the built heritage characteristics of the conservation area. As such this proposal complies with policies E5 and S7 and the requirements of the NPPF.

5.7 Policy E1 states that all development should be of a high quality, integrating successfully with its surroundings, reinforcing local distinctiveness and helping to create a strong sense of place. The village of Borrowby has a specific feel/character, as described above. Even though the property sits in a prominent,

elevated position in the heart of the village, facing onto one of the main access roads, the site is well screened with landscaping, fencing and walls and is set back by approximately 5m. The height difference from the narrow roadside to the roof top is significant, restricting the visibility of the proposed works, reducing the potential for impact on the host dwelling and its surroundings.

- The addition of the gable window and porch with its limited increase in size and location would not have a detrimental impact on the dwelling nor its surroundings.

- The dormer window would be in-keeping with the existing property in terms of scale, form and design, also would not dominate the roof. The neighbouring property, which shares a continuous roof top with Pinfold Cottage, already features dormer windows, as such the proposed works would integrate successfully with its surroundings. This proposal complies with Policy E1.

#### Amenity

- 5.8 Policy E2 and Hambleton District Council's guide on Domestic Extensions states; Development must make effective and efficient use of land, while protecting amenity, particularly regarding privacy. The dormer window, rooflights and gable window would have no significant impact on the amenities of neighbouring dwellings. The dormer window is a small addition and is an estimated 23 meters distance from the side window of Kipsinende (nearest neighbour). As such this proposal complies with Policy E2.

#### Permitted Development

- 5.9 Borrowby has a Conservation Area with no Article 4 Direction which essentially means that there are only limited restrictions on permitted development rights.
- 5.10 The proposed rooflights would be 'permitted development' under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015. The proposed porch would be 'permitted development' under Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) Order 2015. As such these elements of the proposals do not require Planning Permission but are shown on the application for completeness.

#### Planning Balance

- 5.11 It is considered that the proposed development results in no harm to the significance of the Borrowby Conservation Area nor to the character and appearance of the host dwelling. The proposals are considered to result in no harmful impact on residential amenity.
- 5.12 The proposed development is considered to be in compliance with all relevant requirements of Local Plan policy along with the tests set out in the NPPF.

### 6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on 235-01, 235-05 and 235-06 unless otherwise agreed in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) E1, E2, E5, S1, S7 and Hambleton's Domestic Extensions guide.