

North York Moors National Park Authority

District/Borough: Scarborough Borough Council (North) Parish: Fylingdales	Application No. NYM/2018/0016/FL
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Proposal: installation of replacement timber double glazed windows and timber door, installation of 4 no. rooflights together with erection of replacement decking

Location: Gallery Cottage, 2 Martins Row, Robin Hoods Bay

Decision Date: 03 April 2018

Consultations

Parish – Object to this application because the replacement windows and doors are not in keeping with the building and therefore take away its character, which is unacceptable in the Conservation Area.

Reconsultation comments - The proposals are a huge improvement and sympathetic to the original building. The Parish Council is pleased to note that the changes have been made and respect shown for a listed building.

Site Notice Expiry Date – 12 January 2018

Others -

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.												
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Plans and Elevations Proposed Rev F</td><td>2017.199</td><td>15 June 2018</td></tr><tr><td>Alterations to Existing Dwelling Window Schedule</td><td>2017.199</td><td>17 May 2019</td></tr><tr><td>Email Correspondence</td><td></td><td>16 May 2019</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Proposed Plans and Elevations Proposed Rev F	2017.199	15 June 2018	Alterations to Existing Dwelling Window Schedule	2017.199	17 May 2019	Email Correspondence		16 May 2019
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3.	MATS56	The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
4.	MATS00	The remodelling of the basement hereby approved shall re-use the existing WC door and thereafter be so maintained.

Informative(s)

1.	MISC INF06	Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.
2.	MISC INF01 Bats	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3 & 4.	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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Background

This application relates to Gallery Cottage, a grade II listed building located on Martins Row within Robin Hoods Bay Conservation Area. The property is constructed of large coursed sandstone with a pantiled roof and brick stacks.

This application seeks planning permission for the installation of replacement double glazed timber windows and timber door, installation of four rooflights together with the erection of replacement decking.

Listed building consent has also been sought for the above works (NYM/2017/0845/LB).

Main Issues

The main planning policies of consideration are Development Policy 4 (Conservation Areas), Development Policy 5 (Listed Buildings) and Development Policy 19 (Householder Applications).

Development Policy 4 of the Local Development Framework seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

Development Policy 5 of the Core Strategy and Development Policies Development only permits extensions or changes of use of a Listed Building, or the construction of any structure within its curtilage where such development will not have an unacceptable impact on the special historic or architectural interest, or the setting of the listed building.

Development Policy 19 is supportive of development within the domestic curtilage of dwellings which takes into account the special qualities of the National Park and architectural character of settlements. Amongst other things, development will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting.

The Authority's Building Conservation Officer was consulted on this application and provided detailed comments. These are summarised below:

Windows – No objections to the replacement of the modern window opening with double glazed replacements. This relates to the two openings to southern (front) elevation of lounge, the larger opening to the north (rear) elevation of ensuite at first floor level and the dormer only.

With regards to the two replacement windows to the lounge, it is suggested that these are replaced with traditional Yorkshire sliding sashes rather than vertical sliding sashes. Similarly

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the replacement window to the rear would be suited to a Yorkshire sliding sash and/or a pair of simple flush fitting side hung casements.

The architectural character and appearance of the property would be greatly enhanced if the former was reduced in size and set back from the front elevation of the property.

All the other windows on the property are considered to be historic and their replacement would be regrettable. Furthermore, the windows did not appear to be in poor condition therefore there is no justification for their replacement.

Door – Both front doors are extremely characterful and their replacement is unnecessary.

Balcony – No objections to the works proposed to the balcony.

Rooflights – The provision of four rooflights to serve the second bedroom is considered excessive and would detract from the architectural character of the property. All rooflights proposed should be of a style that replicates the traditional rooflight (i.e. top hung and of a size which does not detract from the character of the property).

Staircase – The staircases are both historic and reflect the traditional box winder staircase which is a characteristic of this type of property. As such, we would request that a repair approach is taken rather than a replacement.

After considering the relevant planning policies and the objections received, it was concluded that without amendments to this application, there would be a loss of character to the heritage asset which would be contrary to policy.

The comments were sent to the agent dealing with the application and amended drawings followed.

A summary of the main changes are summarised below:

- Existing doors to be retained on the front elevation
- Ground floor sliding sash window is to be repaired on the front elevation
- Main window to the kitchen to be repaired and renovated
- Windows to the lounge to be replaced with double glazed side opening casements
- Windows within the dormer are to be replaced with side hung casements
- Previously proposed rooflights reduced in size
- Sashes to the rear ground floor windows will be replaced with double glazed sashes
- Central larger window at the rear to be replaced with double glazed sashes

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- Existing sashes either side of the central larger window at the rear are to have thin conservation double glazing

Amended drawings were submitted in April 2018 and the following comments were made from Building Conservation:

The amended details go some way to address our concerns, and the retention and repair of some of the historic windows is welcomed. However, there is no justification provided for the replacement of the historic windows to the side of the front door and the two upper windows to the rear. They all appear to be in good condition and therefore their retention and repair is requested. No objections to the replacement of the modern window to the rear, however this should be a traditional flush fitting casement or Yorkshire sliding sash design and the double/glazed unit should be a maximum provide of 4-6-4. The window to the dormers should be flush fitting casement or Yorkshire sliding sash design and also a maximum double glazed unit of 4-6-4. This is a simple traditional fisherman's cottage and the use of vertical sliding sashes throughout is not considered to maintain the historic or architectural character of the building.

Again for the doors, they are historic and in good condition and therefore their replacement is not justified. It is noted that the basement door is hung on pintles and therefore will not be fully draught proof, but the proposal incorporates a new lobby which will be full weather and draught proof.

The amendments to the lobby and retention of the kitchen-side panel go some way to addressing out concerns however the loss of both doors weakens the floorplan and evidence of the former lobby is lost. If the scheme would incorporate timber panelling in the location of the existing lounge door, this would help to maintain evidence of a lobby and also provide a weather shield for users of the lounge when entering and exiting the property.

A selective approach to the repair of the staircase is acceptable and a condition should be added to any approval seeking further details to clarify the extent of replacement before any work is carried out.

Given the reduction in size of the rooflights we are minded to accept the number proposed if all the other amendments requested are incorporated. However, the use of Velux CK02 is not acceptable.

The applicant was made aware of these comments which resulted in further amended drawings being submitted (15/06/2018). The revised drawings were considered appropriate and the previous objections made by Building Conservation and the Parish Council were withdrawn.

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It is considered that the amended proposal respects the architectural character of the listed building and its setting and the proposed development would be carried out in accordance with Development 4, 5 and 19 of the Local Development Framework. In view of the above, planning permission is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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