

From:
To: [Planning](#)
Subject: Fylingdales Parish Council
Date: 19 March 2020 12:00:55

Good Morning,

NYM/2020/0123/LB - No Objections

NYM/2020/0087/FL - The Parish Council Object to this application. Concerns have been raised over several different areas. Parking at the building is to be 4 spaces, with 5 members of staff this would suggest there would be no parking available for those using the building for recording or any other purpose. The village already struggles without this added strain.

The Council feel that architecturally the proposed design does not fit in with the village.

The Council do not object to the purpose of the building but feel that more information is needed on how the community will be able to utilise the space.

As ever the Councils main priority is the safety of its parish members, several of the home owners from around the property have voiced concern as to how the parking and extra vehicles will possible make it harder for them to use the area safely when exiting their own properties.

NYM/2019/0794/FL - The Parish Council object to the placement of a sauna, concerns were raised for the safety of neighbouring properties.

NYM/2019/0795/LB - No Objection

NYM/2020/0122/FL - The Parish Council object to this application, it would like to see a like for like replacement to retain the character of the property

NYM/2019/0802/FL - The Parish Council has no objections to this application, It would prefer the door to be repaired rather than replaced.

NYM/2020/0140/FL The Parish Council object to this planning application. As previously stated this property is in a conservation area and the Council feel strongly that each property's individuality should be respected. The application would change the street view.

NYM/2020/0139/FL - The Council has no objections to the application although they would like to see the garage tied to the house legally to prevent sale of the properties individually

NYM/2020/0141/LB - The Parish Council has no objections

NYM/2020/0061/LB - The Parish Council has no objections

Kind regards,
Steph Glasby

Clerk to Fylingdales Parish Council

From: [Building](#)
To: [Helen Webster](#); [Planning](#)
Subject: Downhill Cottage, Robin Hoods Bay - Amended Plans
Date: 16 March 2020 09:05:21

Thank you for re-consulting on the amended plans which I am pleased to say go a large way to addressing our initial concerns and welcome the proposed amendments to the application; namely the retention of the single glazed windows, use of a Whitby composite to W1. The application does however still proposed replacement windows throughout and therefore I still consider that the suggested conditions mentioned in my previous response are still applicable, particularly the need for a joiners report on the condition of the existing windows in order to justify any whole-sale replacement. Please therefore condition:

1. No work shall commence on the windows until a condition report has been submitted to and approved in writing by the LPA which assess the condition of windows W1, W2, W3 and W5 as indicated on the submitted plans including any evidence of historic glass. All work to these windows shall then be carried out in accordance with the agreed approach.
2. Sectional details of all new windows to be approved.
3. Notwithstanding the submitted details all pointing in the development hereby permitted shall accord with a specification which has been approved in writing by the Local Planning Authority. The mortar mix proposed should be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand) and include the method of application and finish. A sample area of pointing shall also be provided and approved by the Local Planning Authority.
4. No joints shall be raked out until a sample area which shall be at least 1m x 1m in size has been prepared on site for inspection and approved in writing by the Local Planning Authority. Joints in stonework should be carefully raked out utilising hand tools narrower than the width of the joint to a minimum depth of 1 ½ times the width of the joint or until sound mortar is reached. Power tools such a drills should not be used. The work shall continue in accordance with the approved sample.
5. No work shall commence on the construction of the floors to the kitchen and living room until cross-sectional details of the proposed floors have been approved in writing by the LPA.

From: [Building](#)
To: [Planning](#); [Helen Webster](#)
Subject: Comments on NYM/2019/0794/FL & NYM/2019/0795/LB
Date: 15 January 2020 11:19:24

Downhill Cottage forms one of a pair of cottages of late 18 century construction which front directly onto New Road in a prominent area of Robin Hood's Bay. It is constructed of high quality herringbone-tooled sandstone with a traditional pantile roof and 28-pane fixed light to the ground floor (left) and 24-pane horizontal sliding sash above. To the right is a traditional 16-pane vertical sliding sash at ground floor with a modern casement above. Internally the building retains few historic features; however it is believed that the plan form remains largely intact. Although the staircase is modern, it is considered to be in an appropriate location within the building and could therefore be in the location of an historic staircase. No inspection has been made at first floor; however the application indicates that a bedroom has been subdivided, probably at the same time the modern window (W4) was installed. The buildings significance lies in its traditional high quality construction and use of traditional materials and its simple plan form. The existence of such small multi-pane windows to the left hand side of the building also contributes significantly to its character and that of the wider architectural character of the Conservation Area.

Windows:

The conservation-led approach to windows, particularly where traditional/historic windows exist, is to seek a repair approach first. This is the approach Historic England advocate in their guidance "Traditional Windows, Their Care, Repair and Upgrading" revised in 2017 and represents the most up to date guidance endorsed by the Government on the subject of window replacement in buildings with heritage interest.

Downhill Cottage retains many traditional windows to both the front and rear elevations - the only modern window being the first floor right window and this is acknowledged in the application. Overhauling and improving draught seals etc. can provide a substantial improvement and should be the first option. The application does not contain an appraisal of the condition of the existing windows or seek to justify their replacement on the basis of poor condition. On a recent site visit I noticed that some windows undoubtedly needed repair but as a whole they remain characteristic and appropriate for the building. The existing windows could be upgraded by retro-fitting integrated draught seals, and appropriate curtains or by sensitive secondary glazing, measures which can achieve thermal efficiencies comparable to those to be attained by double glazing. I believe that some of the windows if not all would be capable of accommodating secondary glazing without affecting internal reveals, architraves or shutters. Only if repair is not justified (and evidence provided to show this) would we support replacement on a like for like basis. We would however support the replacement of the modern window (W4) as proposed but would require a joiners report to determine the condition of the traditional windows before we can support their replacement.

Double Glazing:

The application also proposes comprehensive replacement of single glazed windows with double glazing. Relevant extracts of the above guidance include: p.53 *"Modern single glazing is normally 4 to 6mm thick, but historic single glazing can be as thin as 2mm. In comparison, slim-profile IGUs at 10-16mm are significantly thicker, and the whole double-glazed unit can be many times heavier than single glazing. The function of IGUs depends on the seals that prevent air and moisture from entering the gap; when these fail, the units will become much less thermally effective and are also likely to fog because of internal condensation. The lifespan of current IGUs is estimated to be between 15 and 25 years."* P.54 *"If used in multi-paned windows, IGUs will generally be less efficient than secondary glazing since even the most efficient units will not*

overcome thermal bridging through the frame and glazing bars. This is particularly an issue when IGUs are added to steel windows. For this reason and for cost effectiveness, many replacement windows are made instead with a single IGU with timber glazing bars or leaded lights applied to the surface. This loss of historic fabric and detailing and change in appearance are likely to reduce the significance of the window and the host building.”

The current windows and their traditional single glazing contribute significantly to the special interest of the building, its integrity and authenticity as a listed building. Consequently, their replacement with new double glazed windows would harm the heritage significance of the listed building as a result of the loss of historic fabric and architectural character, and the incorporation of non-traditional modern double glazing.

The proposed works to the windows would not be in accordance with the statutory requirement to preserve the building or any features of special architectural or historic interest it possesses; nor with Historic England's guidance which advises that retention of historic material is fundamental to good conservation. The proposed double glazing would be clearly apparent in close and mid-range views of the building in which the black spaces within the units would be evident from the pavement as a shadow between the glazing bars and putty. It therefore does not reproduce the technology of the 18th century date of this listed building. I consider that the use of double glazing would appear incongruous and would detract from the architectural and historic character of the listed building.

With regards to the modern window (W4) Historic England advises that slim IGUs may be considered where new windows are of a more sympathetic design and the net impact on significance will be neutral or positive. However, the other four windows are of traditional construction and appearance and follow a historic pattern and therefore any selective replacement with double glazing would produce a 'patchwork' appearance which would undermine the architectural in this instance. I would request that W4 is fitted with single glazing to maintain the homogenous appearance of the building.

With regards to W1, I note that the opening has been enlarged however this was carried out some years ago as it appears to be the same in a photo taken in the 1930's (see photo below). The use of multiple small panes matches the horizontal sliding sash at first floor and is a particular characteristic of this building. As such I do have concerns with its loss and alteration to a pair of formal vertical sliding sashes with a central mullion. Although vertical sashes are characteristic of the area they are only evident in original openings and as such, a pair of sashes in a single opening is not characteristic. Therefore in this instance and given the historic alteration of this window proportion I consider a traditional Whitby composite window would be more appropriate thereby retaining the characteristic window pane arrangement which characterises this building.



Pointing:

We whole heartedly support the repointing of this building with a traditional lime mortar mix. The building has been repointed in places using what appears to be a rich cement based mortar which will be harming the fabric of the stonework. Such work would be eligible for a grant. If the applicant is interested in this please ask him to contact the Building Conservation team.

Kitchen and Lounge floors:

Both floors retain no historic value and therefore in this instance we have no objection to the use of concrete particularly when used alongside a timber suspended floor. What is important however is that any concrete should not abut the traditional stone walls (outer and internal) as this is likely to push moisture into the walls and could over time cause harm to the buildings fabric.

Rear extension:

No objections to the principle of a rear extension however I am concerned with the use of a concrete finish to the rear retaining wall and the build-up of moisture. I would suggest that it would perhaps be a better option to build a new wall, leaving a small gap for moisture to evaporate and ensure any surface water can drain into the existing gully.

Other comments:

- **Could consideration be given to relocation of the gas pipe (?) internally as this would appear to represent an ideal time to carry out this work? I cannot find any application for this addition and therefore is unauthorised.**
- **In addition, while I appreciate the door is not proposed to be replaced; the use of a traditional 4-panel door or traditional boarded door would be an enhancement. This could also be grant eligible should the applicant be interested in this.**

Conclusions:

If the applicant would agree to amendments requested above, namely a) use a Whitby composite to W1, b) agree to remove the double glazing from the application and c) erection of an independent wall to the proposed utility (rather than tanking the existing retaining wall), I think sufficient conditions could be added in order to approve these applications. If that is the case, please condition:

1. No work shall commence on the windows until a condition report has been submitted to

and approved in writing by the LPA which assess the condition of windows W1, W2, W3 and W5 as indicated on the submitted plans. All work to these windows shall then be carried out in accordance with the agreed approach.

2. Sectional details of all new windows to be approved.
3. Notwithstanding the submitted details all pointing in the development hereby permitted shall accord with a specification which has been approved in writing by the Local Planning Authority. The mortar mix proposed should be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand) and include the method of application and finish. A sample area of pointing shall also be provided and approved by the Local Planning Authority.
4. No joints shall be raked out until a sample area which shall be at least 1m x 1m in size has been prepared on site for inspection and approved in writing by the Local Planning Authority. Joints in stonework should be carefully raked out utilising hand tools narrower than the width of the joint to a minimum depth of 1 ½ times the width of the joint or until sound mortar is reached. Power tools such as drills should not be used. The work shall continue in accordance with the approved sample.
5. No work shall commence on the construction of the floors to the kitchen and living room until cross-sectional details of the proposed floors have been approved in writing by the LPA.
6. Details of any covering or finish to the rear wall of the building (which will become the internal wall of the proposed utility room) shall be agreed in writing by the LPA. Any covering or finish shall then be installed in accordance with the approved details.

From: [Planning](#)
To: [Planning](#)
Subject: Comments on NYM/2019/0794/FL - Case Officer Miss Helen Webster - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP, via email:
Date: 15 January 2020 11:16:55

Please see email sent 15/01/2020

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

From:
To: [Planning](#)
Subject: Fylingdales Parish Council
Date: 19 December 2019 17:57:07

Good Afternoon,

Application number NYM/2019/ 0794/FL - No Objections

Kind regards,
Steph Glasby

Date: 06 December 2019
Our ref: 302412
Your ref: NYM/2019/0794/FL



Miss Helen Webster
Planning Officer
North York Moors National Park Authority
planning@northyorkmoors.org.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

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Dear Miss Webster

Planning consultation: Application for refurbishment works and construction of single storey rear extension

Location: Downhill Cottage, Robin Hoods Bay

Thank you for your consultation on the above dated 28 November 2019 which was received by Natural England on 28 November 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Protected Landscapes – North Yorkshire and Cleveland Heritage Coast

The proposed development is for a site within or close to a defined landscape namely North Yorkshire and Cleveland Heritage Coast. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 173 of the National Planning Policy Framework. It states:

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be

consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

The NPPF continues to state in a footnote (footnote 55) that *“For the purposes of paragraph 172 and 173, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”*

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to

Yours sincerely

Clare Foster
Consultations Team

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under [s28G of the Wildlife & Countryside Act 1981 \(as amended\)](#). [The National Planning Policy Framework \(paragraph 175c\) states that development likely to have an adverse effect on SSSIs should not normally be permitted.](#) Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#). Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of

new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.

Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).