

North York Moors National Park Authority

Ward: Scarborough Borough Council (North)
Parish: Fylingdales

App No. NYM/2020/0422/FL
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Proposal: installation of 1 no. first floor window to front elevation (W4) and erection of timber sauna building in rear yard

Location: Downhill Cottage, New Road, Robin Hoods Bay

Applicant: Mr J Kingham, 21The Oval, Doncaster, DN4 5LJ

Agent: BHD Partnership, fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB

Date for Decision: 18 August 2020

Grid Ref: 495280 504891

Consultations

Parish - No objection.

Advertisement Expiry Date - 06 August 2020.

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 **Standard Three Year Commencement Date**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. PLAN01 **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan & Block Plan	D11726-01 Rev A	23 June 2020
Existing & Proposed Elevations & Floor Plan	D11726-02 Rev E	23 June 2020
Existing & Proposed First Floor Plan	D11726-04 Rev A	23 June 2020
Proposed Free Standing Sauna	D11726-03 Rev A	23 June 2020
Email from Neil Duffield at 08:45 confirming use of single glazing		11 August 2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. GACS07 **External Lighting - Submit Details**
No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

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4. MATS40 **Detailed Plans of Window Frames Required**
 No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
5. MATS27 **External Timber Cladding to be Stained Dark Brown**
 The external timber cladding of the building hereby approved shall be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informatives

1. MISCINF01 **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.
2. MISCINF03 **Consent to be Approved Before any Works are Carried Out**
 The applicant is advised that this permission cannot be implemented until the associated Listed Building Consent has been approved by the Local Planning Authority.

Reasons for Conditions

1. TIME01 To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. PLAN00 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C which seek to conserve and enhance the special qualities of the NYM National Park.

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3. GACS00 In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
- 4 & 5. MATS00 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C 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

Downhill Cottage is a Grade II listed property located in lower Robin Hoods Bay, within the conservation area and Article 4(2) Direction. The property forms one of a pair of cottages of late 18 century construction which front directly onto New Road close to the Dock area. 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 historical 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.

Planning permission and Listed Building Consent have recently been granted to allow a scheme of refurbishment works (including replacement windows). The proposals were amended at the time following concerns raised by the Authority's Building Conservation Officer and the Parish Council.

In the determination of the previous applications, the Authority's Building Conservation Officer has identified that the building's 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.

Works have commenced on site in relation to the implementation of the earlier permissions. However, this application has been submitted requesting a replacement (rather than repair) of the right-hand upper floor window in the front elevation together with the erection of a small timber sauna building in the rear yard.

Main Issues

The relevant NYM Local Plan Policies to this application are Strategic Policy I (The Historic Environment), Policy ENV11 (Historic Settlements and Built Heritage) and Policy CO17 (Householder Development).

Strategic Policy I seeks to ensure that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance. Policy ENV11 seeks to ensure that development affecting the built heritage reinforces its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction.

Policy CO17 requires new development to be of an appropriate and subservient nature to the host property and respectful to neighbouring amenity. Having regard to new outbuildings; proposals must be for purposes incidental to the main house; subservient in size; and located in close proximity to existing buildings.

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The Authority's Building Conservation Officer has considered the detail of the application and advised that there is no objection to the replacement window in a style which matches the historical windows elsewhere in the building. However, the window should be single glazed to match the rest of the elevation which is in line with the advice provided by Historic England in their Guidance - "Traditional Windows, Their Care, Repair and Upgrading". This Guidance states that "where the aesthetic value of the building is high, then the impact on the whole of the relevant elevation should be considered, including the desirability of accurately matching other windows." As such, a single glazed window constructed in the traditional manner should be provided.

There are no objections to the sauna building which is to be located in the rear yard. The Authority's Building Conservation Officer has stated that on account of the topography of the surrounding land, this structure is unlikely to be visible from any public view and given its subservient scale and freestanding nature is unlikely to impact on the special interest of the host building or the character and appearance of the wider Robin Hood's Bay Conservation Area.

As proposed, the application details specify slimline double glazed units but in view of the Building Conservation Officer's advice and recommendations, a request to revise the glazing specification was made and an Email confirmation received from Neil Duffield 11 August 2020.

The proposed sauna building is not anticipated to have an unacceptable adverse impact upon the character or appearance of the wider conservation area. Although the structure and use are not consistent with the property's historical context or the former use of this rear service yard. The proposal is considered likely to lead to an improvement to the fabric and appearance of this neglected yard and the continued use in association with the property is likely to facilitate its long-term upkeep. Due to the very modest nature of the proposal and the layout of the site (which is fully enclosed), it is not anticipated that the use of the proposed sauna would result in any loss or undue negative impact upon neighbouring residential amenity.

The Parish Council has no objection to the scheme and no other representations have been made. In view of the above, the proposal is considered to comply with the above NYM Local Plan Policies and approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework