

North York Moors National Park Authority

Parish: Aislaby

App No: NYM/2021/0016/LB

Proposal: Listed Building consent for installation of 7 no. replacement timber windows

Location: 2 Egton Road, Aislaby

Applicant: Mr Patrick Brady
Little Orchard , Back Lane, Sicklinghall, LS22 4BQ

Date for Decision: 10 March 2021

Consultations

Parish –

Site Notice/Advertisement Expiry Date – 08 March 2021

Others –

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Standard Three Year Commencement Date - Listed Building
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 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
Application Form		11 January 2021
Location Plan		13 January 2021
Heritage and Design and Access Statement		11 January 2021
Window drawings		11 January 2021
Elevational drawings		27 January 2021
Traditional Window Fastener		29 January 2021
Confirmation of window detail		10 February 2021

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

- 3 Trickle Vents Shall Not be incorporated into Windows
Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.

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Informative(s)

1 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(s) for Condition(s)

- 1 To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
- 2 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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

Rose Cottage is a Grade II Listed cottage located within the centre of the Aislaby Conservation Area, opposite St Margaret's Church. The property is believed to date to the late Eighteenth or early Nineteenth Century and is constructed of herringbone tooled sandstone under a clay pantile roof. The property has a traditional vernacular appearance, however the windows within the property are clearly modern with non-traditional slim double glazing units, 40mm wide glazing bars and storm proof casements to the rear.

The erection of a detached garage, conservatory, front porch, insertion of replacement windows and internal alterations were all granted planning permission prior to the listing of the property in 1985. The conservatory and front porch were replaced in 2003 and 2014 respectively.

This application now seeks Listed Building Consent for 7 no. replacement timber windows.

Main Issues**Statutory Duties**

Section 16, paragraph 193 of the National Planning Policy Framework 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 16, paragraph 194 of the National Planning Policy Framework 2019 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The Authority has a statutory duty to protect Listed Buildings within the Park as they form part of the significance of the built and cultural heritage of the North York Moors. These buildings represent a significant part of the history and culture of the National Park and their considerable importance, once lost, cannot be replaced.

The Authority has a general duty in respect of listed buildings in its exercising of planning functions as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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NYMNPA Policies

The most relevant policy contained within the North York Moors Local Plan to consider in relation to this application is Strategic Policy I (Historic Environment).

Strategic Policy I states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate enhancement of the historic environment.

Conclusion

The Authority's Building Conservation Officer has advised that the existing windows are not considered to contribute to the significance of the Listed Building and as such their total replacement is likely to enhance the character or appearance of Rose Cottage, provided the replacement windows are of traditional construction using appropriately sized frames and glazing bars.

The existing 4 no. vertically sliding timber sashes on the front (south) elevation of the property will be replaced with vertically sliding timber sashes incorporating a weights, cord and pulley system and the 2 no. stormproof casements within the property will be replaced with flush fitting, side hung timber casements. While traditional windows normally incorporate glazing bars of between 18-22mm the use of 26mm is considered acceptable in this instance, due to the poor constructional details of the existing windows which incorporate 40mm glazing bars and are a particularly discordant feature. Similarly, as the existing windows contain non-traditional double glazing units and the replacement windows would be more sympathetic to the character and appearance of the property, the use of 14mm double glazing units is considered to be acceptable in this instance. The applicant has confirmed that a traditional window fastener will be used on the casement windows.

As the proposed development would enhance the character and appearance of the Listed Building, it is considered to be in accordance with SPI and Section 16 of the NPPF.

For the reasons outlined above this application is recommended for approval.

Pre-commencement Conditions

N/A

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the use of a traditional window fastener, so as to deliver sustainable development.