

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0370/FL

**Development description:** installation of replacement window to existing dormer

**Site address:** Beeston Cottage, Tommy Baxter Street, Robin Hood's Bay

**Parish:** Fylingdales

**Case officer:** Miss Kelsey Blain

**Applicant:** Dr Christine Kirk  
Golsons Cottage, Oulston, York, YO613RA

**Agent:**

## Director of Planning's Recommendation

Approval subject to the following:

### Conditions

Condition number	Condition code	Condition text												
1	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>												
2	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="0"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td></td> <td>15 June 2021</td> </tr> <tr> <td>Amended Plans</td> <td></td> <td>28 September 2021</td> </tr> <tr> <td>Glazing Bar Details</td> <td></td> <td>12 October 2021</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	Location Plan		15 June 2021	Amended Plans		28 September 2021	Glazing Bar Details		12 October 2021
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Location Plan		15 June 2021												
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3	MATS54	<p>Trickle Vents Shall Not be incorporated into Windows</p> <p>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.</p>												
4	MATS44	<p>Windows - Specify Details of Colour/Finish</p> <p>All new window frames in the development hereby approved shall be coloured white within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>												

### Reasons for conditions

Reason number	Reason code	Reason text
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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 Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3	MATS02	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.
4	MATS02	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.

### Informative

Informative number	Informative code	Informative text
1	MISCINF01	<p>Bats</p> <p>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.</p>

### Consultation responses

#### Parish

No objections.

#### Third party responses

None.

#### Publicity expiry

Advertisement/site notice expiry date: 23 July 2021

Photo showing existing dormer window at Beeston Cottage and neighbouring dormer window at Auburn Cottage.



## Background

Beeston Cottage is a mid-terrace stone and pantile dwelling dating to the early Nineteenth Century with an earlier Seventeenth Century core. The property is Grade II Listed and located to the east of the Robin Hoods Bay Conservation Area which is protected by an Article 4 (2) Direction.

The property has retained much of its traditional appearance with 8 over 8 pane timber vertically sliding sashes in the ground and first floor with historic front door surround.

This application seeks to replace the window within the dormer on the property's front elevation.

## Main issues

The relevant policies contained within the North York Moors Local Plan to consider in relation to this application are Strategic Policy C (Design), Strategic Policy I (The Historic Environment) and Policy CO17 (Householder Development).

Strategic Policy C seeks to maintain and enhance the distinctive character of the National Park by requiring that developments are of a high quality design and incorporate good quality materials and do not have an adverse impact upon the amenities of adjoining occupiers. Furthermore, the scale, height, massing and form of the proposal should be compatible with surrounding buildings.

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.

Policy CO17 states that development within the domestic curtilage of dwellings should take full account of the character of the local area and the special qualities of the National Park and will be permitted where among other things, the scale, height, form, position and design of the new development do not detract from the character and form of the original dwelling or its setting in the landscape.

The existing dormer window is non-traditional in appearance and style being a stormproof casement with thick glazing bars.

This application originally proposed to replace the existing window on a largely like for like basis, but with the use of slimline double glazing units and narrower glazing bars.

The Authority advised that in accordance with Historic England's guidance, as the existing windows are non-traditional, the use of slimline double glazing may be acceptable provided the replacement window could be considered an enhancement on the existing. As such, following negotiations with Officer's the application was amended to the use of a more traditional Yorkshire Sliding Sash window to mirror that in the adjacent property.

The proposed units would enhance the external appearance of the property by using a more traditional style of window with thinner glazing bars and would therefore have a positive impact on the surrounding Conservation Area. As such, the application is considered to accord with NYM Strategic Policy I, Strategic Policy C and Policy CO17.

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 Yorkshire Sliding Sash window, so as to deliver sustainable development.