

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0095

**Development description:** installation of replacement uPVC windows

**Site address:** West House, Middlewood Lane, Fylingthorpe

**Parish:** Fylingdales

**Case officer:** Miss Lucy Gibson

**Applicant:** Jill Heaps

West House, Middlewood Lane, Fylingthorpe, Whitby, YO22 4TT

**Agent:** Conservatory Design

fao: Mr Craig Rowell, Popeshead Court Offices, Peter Lane, York, YO1 8SU,

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

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="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Application form</td> <td></td> <td>22 February 2022</td> </tr> <tr> <td>Proposed plans</td> <td>N/A</td> <td>22 February 2022</td> </tr> <tr> <td>Window constructional and sectional details</td> <td>N/A</td> <td>22 February 2022</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	Application form		22 February 2022	Proposed plans	N/A	22 February 2022	Window constructional and sectional details	N/A	22 February 2022
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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	MATS46	<p>Window Frames in Reveals to Match Existing</p> <p>The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>												

### Reason(s) for condition(s)

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	PLAN00	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	MATS00	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	MATS00	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.

## Consultation responses

### Parish

None received

### Third party responses

None received

### Publicity expiry

Advertisement/site notice expiry date: 31 March 2022



This photograph shows the front elevation of West House, Fylingthorpe

## Background

West House, Fylingthorpe is a traditional two storey, mid terrace dwelling of sandstone and pantile construction. It is located to the north of the Fylingthorpe Conservation Area, which is protected by an Article 4 (2) Direction.

There is no planning history for the site.

This application seeks planning permission for the installation of five 2 over 2 uPVC vertical sliding sash windows to the front elevation to replace single glazed, timber casement windows. The proposed plans submitted also detail proposed replacement uPVC windows to the rear, however these do not require planning consent.

## Main issues

### Local Plan

The most relevant policies contained within the NYM Local Plan to consider with this application are Strategic Policy C (Design), Strategic Policy I (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. For the reasons outlined above, this application is recommended for approval.

CO17 states that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will be permitted where among other things, the form position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape and does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

The existing timber casement windows at West House do not contribute positively to character of the host dwelling or Conservation Area due to their design.

The replacement windows would be uPVC 2 over 2 vertical sliding sashes with double glazed units and a white colour finish, from the 'heritage rose' range.

The agent has been informed that the West House would be eligible for the Authority's Conservation Area Enhancement Grant to help with costs to reinstate lost traditional timber windows, however, this was not utilised.

As outlined in Part 2 of the Authority's Design Guide, the Authority would normally resist the introduction of uPVC in a Conservation Area. However, in this case, the improvement in the design of the windows to a vertical sliding sash is considered to be a sufficient enhancement to allow uPVC frames to be acceptable.

As such, this application is considered to represent a modest enhancement and would therefore conserve the character and appearance of the host dwelling and surrounding Conservation Area. It is also considered that there will be no additional impact on neighbouring amenity. As such, the development is considered to comply with SPC, SPI 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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.