

## North York Moors National Park Authority

<b>Scarborough Borough Council (North)</b> <b>Parish: Fylingdales</b>	<b>App Num. NYM/2011/0071/FL</b>
--------------------------------------------------------------------------	----------------------------------

**Proposal:** Change of use and extension to The Old Coastguard Lookout to form a studio dwelling

**Location:** The Old Coastguard Lookout, Robin Hoods Bay

**Applicant:** Mrs Sally Shaw, Windmill Farm, Robin Hoods Bay, Whitby, YO22 4QL

**Agent:** Victoria Wharton Architectural Design, 7 Red Scar Lane, Newby, Scarborough, YO12 5RH

**Date for Decision:** 06 June 2011

**Grid Ref:** NZ 495321 504851

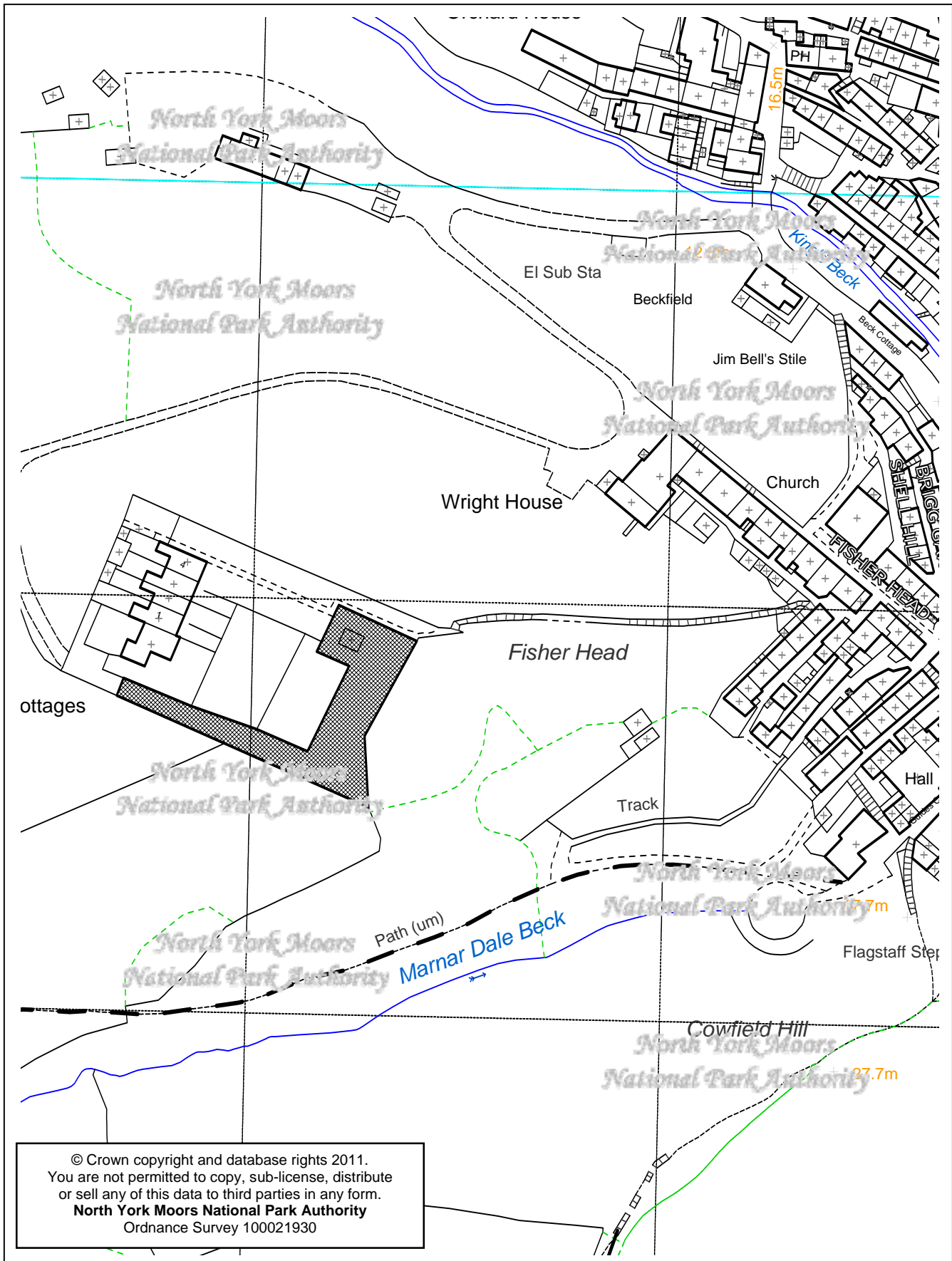
### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TL03 Standard three year commencement date
2. AP07 Strict accordance with plans/specifications or minor variation
3. PD01 Withdrawal of all PD Parts 1 & 2
4. RU13 Occupancy in accordance with Core Policy J
5. MT17 Natural Slate
6. MT47 Rooflight details to be submitted
7. MT72 Black coloured rainwater goods
8. MT00 Prior to the first occupation of the development hereby approved, details of the exterior treatment of the timber cladding shall be submitted to and approved in writing. The cladding shall thereafter be treated in accordance with the approved details within two months of first occupation of the dwelling and thereafter shall be so maintained.

#### Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy A and NYM Development Policy 3.
3. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Core Policy A and NYM Development Policy 3.
4. In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local need to live in the village.
- 5 & 8. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 6 & 7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.




© Crown copyright and database rights 2011.  
 You are not permitted to copy, sub-license, distribute  
 or sell any of this data to third parties in any form.  
**North York Moors National Park Authority**  
 Ordnance Survey 100021930



**North York Moors National Park Authority**  
 The Old Vicarage  
 Bondgate  
 Helmsley  
 York  
 YO62 5BP  
 Tel: 01439 770657

**Application No:**  
 NYM/2011/0071/FL

Scale: 1:1250 



---

**Application No:** NYM/2011/0071/FL

---

**Consultations**

**Parish** - No objections however would prefer it for local occupancy.

**Highways** - No objections.

**Yorkshire Water** - No comments required from Yorkshire Water.

**Environmental Health Officer** - No objections.

**Advertisement Expiry Date** - 23 May 2011.

**Others - Glynn Fletcher, 2 Coastguards Cottages, Robin Hoods Bay** - Object to the proposal as The Lookout is visible from all the hill-tops in the area and to have an extension will seem ridiculous. There is access to it over a common piece of land owned by all the Coastguard Cottages and this must not be blocked at any time. In the bad weather the owner of the Lookout would tend to block this access as there is only garden land to park on this property.

There are at the moment trees, belonging to neighbours of the Lookout, surrounding the building but if these trees were to be removed or even trimmed the Lookout and new extension would be visible from all five houses.

Finally, the applicant has applied for a septic tank for the property, this seems strange as a few years ago the sewerage system from the Coastguard Cottage complex was "tapped into", quite illegally, much to the displeasure of all the owners of the Coastguard Cottages.

**Mark Stannage, 1 Coastguard Cottages, Robin Hoods Bay** - I oppose this planning application for the following reasons.

- The building in question is one of the most visibly prominent in the area; being visible from the top of the bank, the north side of the village and from Fylingthorpe.
- It is outside the development area in Robin Hoods Bay and will spoil what is a well preserved Coastguard Station.
- Access and parking are also inadequate; all the land attached to the Lookout is waterlogged for six months of the year. How is the proposed septic tank to be emptied?
- The land is also unstable; a footpath adjacent to the Lookout has subsided over recent years.
- Disposal of household rubbish is also impossible without the agreement of the owners of 5 Coastguard Cottages; this should be resolved before planning is granted.
- After all the rubbish that has been burnt on this site, the land is certainly contaminated with copper and probably lead and dioxin as well.

I was surprised that the applicant has claimed no work had been done on this property as excavation for this work has been already done, velux rooflights have been installed and the property was connected to the main sewer 25 years ago.

**Dr SJM & Mrs LM Hartley, Ravenswood, Mount Pleasant North, Robin Hoods Bay** - Object for the following reasons:

- Surprised that a septic tank is proposed as thought there was a drain joining the sewage outlet at the bottom of our garden.
- There is a hedge of trees that runs along the border of the two properties and worried that the foundations could cause problems.

---

**Application No:** NYM/2011/0071/FL

---

**Dr SJM & Mrs LM Hartley, Ravenswood, Mount Pleasant North, Robin Hoods Bay (continued)**

- The Structural Report suggests that there is no evidence of instability but there is evidence of it just beyond the site of collapse on the side of the common path used by all the residents just before the gate and steps down to the village.
- Concerned that the property built so close to the boundary will result in more problems whilst there is ample room to extend sideways with better views.

**Elanor Stannage, 19 Kitchener Street, York and owner of 1 Coastguard Cottages - Object on the following grounds:**

- Access to the Lookout runs past the end of my garden, which is generally undisturbed and peaceful. Currently 99% of traffic of the residents is at the other side of the property where a parking area was designed. If the Lookout becomes a residential property there will almost certainly be car/s driving past my otherwise utterly peaceful garden on a daily basis. Severely impairing much of the attractiveness of the location and aspect of my property.
- The residential Coastguard Cottages share communal usage of an area for refuse collection and access for emergency vehicles to serve the five cottages. The applicant has not consulted with either residents or owners about provision of this for the Lookout and any provision would, again, interfere with the peaceful aspect of the five cottages.
- The applicant states that no preparation work has been done on the property however: the applicant has already fitted velux windows which do not appear on the plans; the applicant has connected the property to the sewage drainage system of the Cottages and therefore to the mains sewerage system and yet states that she would have a septic tank for the property; the applicant has begun groundwork for the extension by digging around the property, removing existing pathways ready for the extension. This, in conjunction with the lack of consultation with the current owners and residents, suggests a blatant disregard for the co-operative nature of the properties and unique location and lack of any intent to respect that, which will, in turn, lead to a lowering of the value of the five Coastguard Cottages as they become less private.
- The application states that this extension will not be visible to anyone but residents of the Coastguard Cottages. Although this may be true in summer when trees are in full leaf, I contend that it will be very visible from the south. As these properties are a very clear landmark on the landscape I believe it will change the nature of views to the property somewhat.

### **Background**

The Old Coastguard Lookout Station is located at the top of a steep winding private track that leads up from New Road at the bottom of Robin Hoods Bay, past the Fisherhead Outdoor Pursuit Centre and to the rear of Coastguard Cottages. It is accessed from the track and then through the field in which it is located. The site is outside but adjacent to the Robin Hoods Bay Conservation Area.

The building is constructed of red brick with a slate roof and a timber bay window at the front and reminiscent of much of the railway architecture found along this part of the coast. It has a domestic appearance despite its non residential former use. Whilst the building is very small, it is set in substantial grounds that are set immediately to the rear of the domestic gardens of the Coastguard Cottages.

The property has been well maintained and currently comprises a small lookout area and a small kitchen area.

This application seeks full planning permission to extend and convert the building to a local occupancy studio dwelling.

---

**Application No:** NYM/2011/0071/FL

---

**Background (continued)**

The proposed extension would be on the rear elevation and would be narrower and lower than the host building, measuring 4 metres wide by 3.3 metres deep with an eaves height of 2.4 metres and ridge height of 4.2 metres. The proposed extension would be clad in horizontal timber boarding with a slate roof to match. The extension would provide kitchen and bathroom facilities and the existing lookout area would provide a bed/sitting room.

No alterations are proposed to the access.

Supporting information has been submitted with the application including a letter from Environmental Health stating that although small the proposal would make a suitable studio type dwelling for a single person and a letter from North Yorkshire Building Control stating that they fully support the proposal but particular attention should be paid to insulating.

## **Main Issues**

### **Policy Context**

Development Policy 8 of the NYM Local Development Framework seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group, for an employment use, short term self catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy, where the building is of architectural or historic importance and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not require changes to the buildings curtilage or new vehicular access or parking areas.

Planning Policy Statement 5 defines heritage assets as being "A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets (as defined in this PPS including Listed Buildings) and assets identified by the Local Planning Authority during the process of decision-making or through the plan-making process (non designated heritage assets)".

Policies HE10 and HE11 of PPS5 relate to heritage assets and state that when considering applications for development that affect the setting of a heritage asset, Local Planning Authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. It is also stated that Local Planning Authorities should assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the disbenefits of departing from the development plan or from national policies, taking into account amongst other criteria, whether:

- It will materially harm the significance of the heritage asset or its setting.
- It will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation.
- The level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests.

In this case, the Authority's Building Conservation Officer is strongly of the view the building should be regarded as a 'non-designated heritage asset' and that there would be significant heritage benefits from finding an appropriate beneficial re-use which would be likely to result in its proper repair and maintenance.

---

**Application No:** NYM/2011/0071/FL

---

**Conservation Area**

The site is located just outside the Conservation Area. It is considered that the proposed use and modest well designed extension would not detract from the character of the building or its setting and would not detract from the character of the Conservation Area.

**Impact on Character of the Building**

It is considered that the building contributes significantly to the cultural and landscape significance of the National Park given its association with the Coastguard Cottages (part of an architectural entity), function as a lookout, quality of build and design. The building is considered to be an 'undesignated heritage asset' as defined by PPS5 as it is a distinctive Victorian coastguard building within the context of complementary and similarly aged Victorian coastguard cottages.

The building is of architectural quality and in this case the proposed extension is considered to be at the limit of extension size possible whilst preserving the compact architectural form of the original building. The proposed extension is on the only elevation (rear) that could take an extension if the character of the host building is to be preserved. Furthermore, the extension really comprises a timber shed on the back of the building and it is considered that this has an honest functional form and material that does not detract from the distinctive host building.

**Suitability for Conversion**

The building is structurally sound and in good condition and is considered to be of a quality worthy of retaining in the landscape.

**Impact on Neighbouring Properties**

In view of the distance of the proposed extension from the rear of the Coastguard Cottages and the level of activity that is likely to arise from the use of the building as a studio dwelling, it is considered unlikely that the proposal would have a detrimental impact on neighbouring amenities.

Concerns have been expressed regarding vehicular access to the property across common land, however, this is a civil, not a planning issue. There is ample space within the site for the parking of vehicles.

**Other Considerations**

It is considered that the proposal complies with the majority of the requirements set out in Development Policy 8 as it is located adjacent an existing group of dwellings and the building is worthy of retention. However, it is not in the same ownership as any of the Coastguard Cottages and would remain in the ownership of the applicant who lives in Fylingdales, so does not fall within the long term letting element Core Policy J. However, within the Authority's adopted Housing Supplementary Planning Document (SPD) dated April 2010, paragraph 6.3 sets out that a 'local occupancy' for sale type condition will be imposed where an application is approved contrary to the Local Development Framework policies because of special/exceptional circumstances.

It is considered that this proposal would provide a viable use in a low-key manner which would provide a modest dwelling for a local person whilst safeguarding the future conservation of this non-designated heritage asset and would therefore be in accordance with the requirements of PPS5.

**Recommendation**

In view of the above considerations, approval is recommended.

---

**Application No:** NYM/2011/0071/FL

---

**Reason for Approval**

The proposal is considered to be in accordance with the aims of Planning Policy Statement 5 and although not in full accordance with Development Policy 8 and Core Policy J of the NYM Local Development Framework it would not harm the objectives of these policies as it will enable the retention and viability of this undesignated heritage asset without detriment to the buildings character, the amenities of the occupier of adjacent dwellings or the wider area.