

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Fylingdales	App Num. NYM/2013/0243/FL
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Proposal: Installation of 1 no. replacement western gable landing window (retrospective) together with erection of gates and addition of charity collection plaque

Location: Beacholme, Covet Hill, Robin Hoods Bay

Applicant: Mr Graham Kemp, Beacholme, Covet Hill, Robin Hoods Bay, Whitby, North Yorkshire, YO22 4SN

Date for Decision: 21 June 2013

Grid Ref: NZ 495313 504836

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN02 Strict Accordance With the Plans/Specifications or Minor Variations
3. MATS00 Notwithstanding the details submitted, the timber gates hereby permitted shall include a pencil mould detail.

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 that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, 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 Development Policy 5 which seek to ensure that alterations to Listed Buildings do not have any unacceptable impact on the special architectural or historic interest of the building.

Consultations

Parish - Support is given to the replacement window and the erection of gates but objection is raised to the charity collection plaque and sink because it is on the highway.

Highways - No objections.

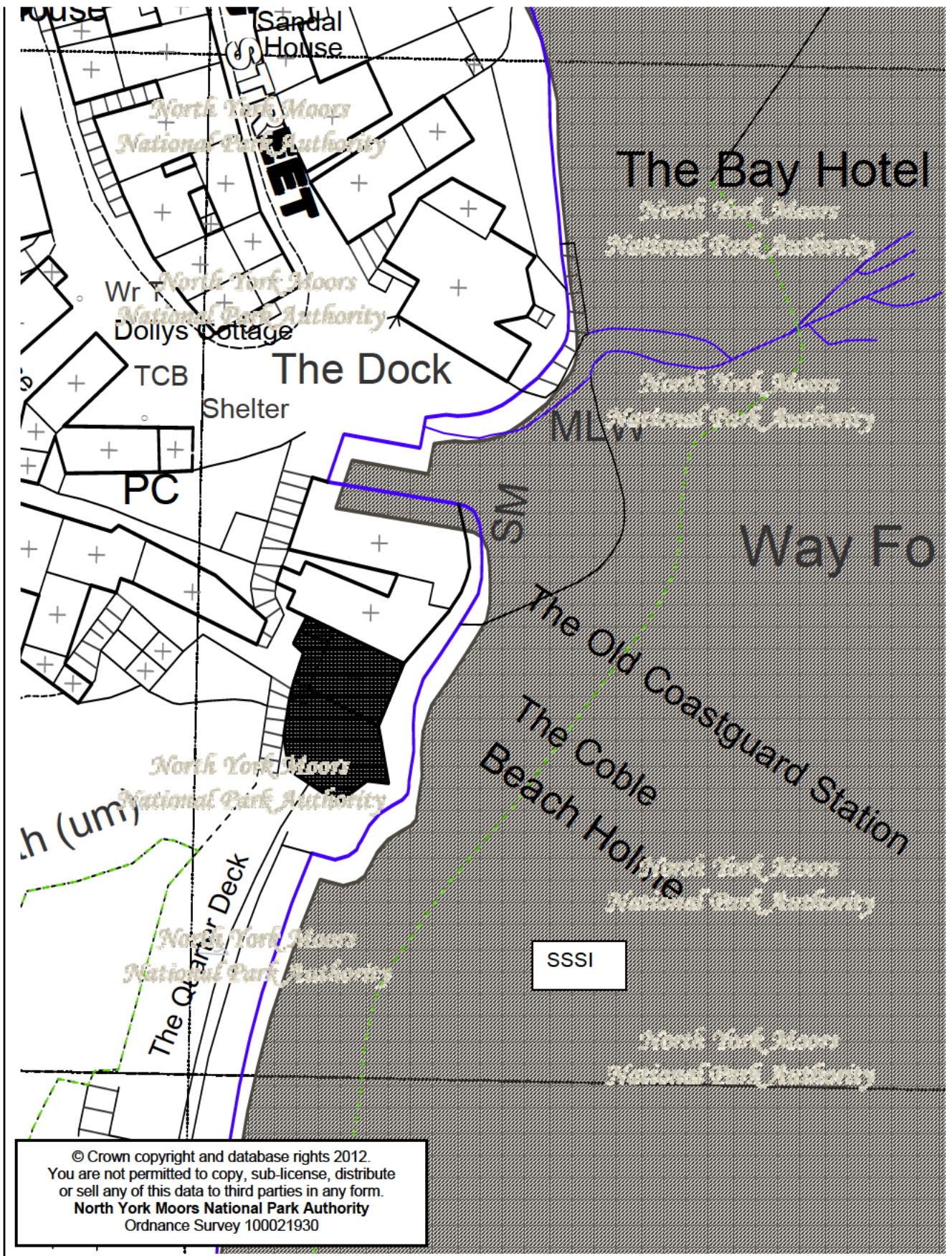
Fylingdales Villages Trust -

Natural England - No objection

Advertisement Expiry Date - 4 June 2013.

Others - Macks Solicitors on behalf of Mr & Mrs Mack owners of The Coble, Covet Hill, Robin Hoods Bay - **Object to the proposed gates for the following reasons:**

- They are unnecessary and would have a negative impact on the character and appearance of the Heritage Asset, including Beacholme, The Coble and the features which contribute to the charm of the Conservation Area;




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Scale: 1:512 



The Government Standard

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- The blocking off of the open space between The Coble and Beacholme would significantly detract from the character and charm of the area;
- The gates would not obscure the bins, coal bunker and ladders which are store in the space from the view of the passing public;
- The gates would have a significant negative impact on The Coble and detract from the enjoyment of the property as the bins would be sited in front of the landing window and the gates would partially block the view from and light into this window which is a significant feature of this Listed Building;
- The proposal would have the effect of blocking up the landing window to The Coble;
- The applicant can replace what he claims to be large ugly plastic bins with traditional plastic/aluminium bins;
- The applicant lives alone yet uses the largest bins available, which were inherited from the previous owner who used to let the property as a holiday cottage for parties of eight people;
- Agree that the current arrangements for storage of rubbish at Beacholme has a negative impact on the Heritage Assets as a whole but the solution is not the erection of gates that would block the view of and from, as well as light through a window of character on The Coble.

Mr Steven Thornley-Wilson of Scarborough Lodge, Scarborough, Driffield - Support the application and would like to commend the present owner for all his hard work and effort in restoring the Beacholme to its former glory. The new leaded windows are wonderful and make such a difference to the front of this cottage. The ugly waste bins would definitely benefit by the gates proposed. I also find it commendable that the owner is wanting to put something back into the community and letting the public use his tap and sink for the benefit of a charity.

Mrs Elizabeth Broughton of Beadle Cottage, New Road, Robin Hood's Bay - Support the proposals - the new owner has put so much time, effort and I presume finance into the restoration of a beautiful feature of the Bay. Even the garden is being lovingly tended. It would be beneficial to the aesthetics of the building for these plans to be approved, and I hope, as a proud resident of Robin Hood's Bay that the council are giving approval serious consideration.

Mr D Adsetts, 20 Livinia Grove, Woodhouse, Leeds - Supports the application and comments that restoration of Beacholme is a credit to the owner; the new windows look wonderful, in character with the house and replace modern monstrosities. The charity plaque is to be supported too as many people are happy to donate to worthwhile causes.

Background

Beacholme is an imposing three-storey townhouse of 18th century origins, built of coursed sandstone under a pantile roof with a brick porch and chimney stack. It occupies a prominent position above the Quarterdeck and beach to the south side of the village and the Cleveland Way, which starts in Robin Hoods Bay, passes immediately to the west of the property. It is a grade II Listed building and lies within the Robin Hoods Bay Conservation Area. The applicant has been working with the Authority to renovate the property including the removal of modern casement windows on the front elevation and their replacement with windows of a more traditional design to serve a net environmental improvement.

Planning permission is sought for a number of alterations to the west elevation of the property which fronts onto the Cleveland Way. Included in the application is a pair of 1.2 metre high timber gates immediately to the north of the porch to screen the bin storage area; a charity collection plaque adjacent to the tap and sink on the outbuilding to the south of the porch; and a replacement first floor window. The latter is retrospective as when the windows to the front elevation were being replaced (with the benefit of planning permission and a grant) the applicant felt it appropriate to replace the 1960s six-pane landing window at the same time to match however omitted to seek the necessary consent.

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Main Issues**Policy Context**

The relevant policies of the Local Development Framework are Development Policies 4, 5 and 19.

Development Policy 4 seeks to ensure that development within a Conservation Area preserves or enhances the character and appearance of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

Development Policy 5 requires that proposals for the alteration or extension of a Listed Building, or the construction of any structure within its curtilage, do not have an unacceptable impact on the special historic or architectural interest, or the setting, of the Listed Building.

Development Policy 19 is supportive of proposals for extensions or alterations to dwellings, or other development within the domestic curtilage, provided that the scale, height, form, position and design does not detract from the character and form of the original dwelling or its setting and it would not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

Chapter 12 'Conserving and enhancing the historic environment' of the National Planning Policy Framework is also relevant to the proposal. It advises that when considering the impact of a proposed development on the significance of a designated Heritage Asset, the Local Planning Authority should give great weight to the asset's conservation; the more important the asset, the greater the weight should be.

Impact on the Listed Building and Conservation Area

It is not considered that the proposed development would harm the significance of the Heritage Asset which includes the host dwelling, the adjoining property and the surrounding Conservation Area.

The space between the two properties, Beacholme and The Coble is a small area measuring 0.8 metres wide by 1.2 metres deep. It is not one of the historic ginnels or passageways so characteristic of Robin Hoods Bay and its closing off with a simple boarded gate at a height of 1.2 metres would not significantly change the relationship between the two properties or the character of the wider Conservation Area or important public views. The gates would be set back from the front elevation of the porch, with the support posts hidden behind the two cast iron downpipes (one attached to the applicants porch and the other to the adjacent property, The Coble). It is not considered that they would detract from the special historic or architectural interest or setting of either Listed Building.

With regard to the charity collection plaque this would be positioned adjacent to the tap and sink and be used to provide water for passing visitors for a small donation. Being made from hardwood and positioned at a low level on the outbuilding is not considered that the plaque would detract from the special historic or architectural interest of the listed building or the character and appearance of the wider Conservation Area. With regard to the Parish Council's objection to the sink being on the Highway, this has been referred to the Highway Authority for further comment and it is anticipated that Members will be updated at the meeting.

The replacement landing window has facilitated the removal of a modern casement window and now complements those replacement windows to the front elevation of the property which are all considered to enhance the character and appearance of the Listed Building and the wider Conservation Area.

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Impact on the Residential Amenities of Adjoining Neighbours

Adjoining Beacholme to the north is another Listed Building, The Coble, which has at ground floor a landing window which faces onto the small area between the two properties. Whilst Officers can appreciate the neighbour's objection to the siting of the bins in this area, regrettably this is not a matter which the Authority has any control over.

Furthermore given the nature of the site at Beacholme, access to the garden is via steep steps to the front of the property and as such the most accessible place for the storage of bins is in the area immediately to the side of the porch as proposed.

It is considered that the proposed gates, at a height of 1.2 metres, will not have a significantly detrimental impact on the amenities of the adjacent neighbours to warrant refusal of the application. The gates will be little higher than the bins they are designed to hide; these bins in turn are not much higher than the cill of the neighbour's landing window. Given that they will be sited to the west of this window and not immediately in front, it is not considered that they would cause any more overshadowing than the window already experiences by virtue of the orientation of the two properties which surround this window to the north, east and south.

Furthermore it is considered that refusing planning permission for the gates will not force the applicant to relocate them, rather it would leave them exposed to view from passing public.

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.

Reason for Approval

The Local Planning Authority considers that the proposed development would not have a detrimental impact on the special historic or architectural interest, or the setting, of this Grade II Listed Building and would preserve the character and appearance of the surrounding Conservation Area in accordance with Development Policies 4 and 5 of the NYM Local Development framework and the advice contained in the National Planning Policy Framework. Furthermore it is not considered that the proposed development would have a significant adverse impact on the residential amenity of neighbouring occupiers in accordance with Development Policy 19 of the NYM Local Development Framework.