

## North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
Parish: Fylingdales

Application No. NYM/2017/0654/FL

**Proposal:** construction of 2 no. dormer windows to front elevation and detached single garage

**Location:** Cross Keld, Raw Pasture Bank, Robin Hoods Bay

**Decision Date:** 10 November 2017

### Consultations

Parish - No objections

Highways - No objections

Site Notice Expiry Date – 31 October 2017

### Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.												
2.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location and Block Plan</td><td>D11229-01 Rev A</td><td>14 September 2017</td></tr><tr><td>Proposed Plans and Elevations</td><td>D-11229-03 Rev E</td><td>24 November 2017</td></tr><tr><td>Proposed Garage Block and Ground Floor Plan and Elevations</td><td>D11229-04 Rev C</td><td>14 September 2017</td></tr></tbody></table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Location and Block Plan	D11229-01 Rev A	14 September 2017	Proposed Plans and Elevations	D-11229-03 Rev E	24 November 2017	Proposed Garage Block and Ground Floor Plan and Elevations	D11229-04 Rev C	14 September 2017
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3.	MATS13	The roof tiles utilised in carrying out the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.												
4.	MATS41	All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.												

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5.	MATS00	No work shall commence on the construction of the roof of the garage hereby permitted until details of the roof material, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof material used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6.	RSUO03	The development hereby permitted shall be used for domestic storage incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.

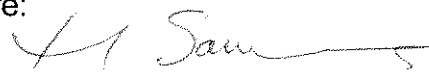
**Informative****MISC INF01 Bats**

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 for Conditions**

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 Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	MATS01	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.
4 & 5.	MATS02	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.
6.	RSUO03	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.

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### Background

Cross Keld is located to the north of Robin Hood's Bay on the B1447. The property benefits from having an elevated position with far distant views of the coast. Cross Keld is a detached two storey rendered property with a pantile roof, external porch and a large wrap-around garden. To the rear of the property there is a concrete yard which can be accessed from the driveway located to the west of the property.

Planning permission is sought for the construction of 2 no. dormer windows to the front elevation, reinstatement of a single window to the west elevation and construction of a single garage.

Due to the prominent position of the property, concerns were raised over the size of the proposed dormer windows. A suggestion was made to the applicant to reduce the width of the windows by half and to replace the proposed gable roof with a catslide dormer window. Revised plans were subsequently submitted on 24<sup>th</sup> November 2017 showing a reduction in window size.

### Main Issues

The relevant policies of the Core Strategy and Development Policies Document are Development Policy 3 (Design) and Development Policy 19 (Householder Development).

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development is appropriate and helps to preserve or enhance the character of the area.

DP19 is supportive of development within the domestic curtilage of dwellings which takes into account the special qualities of the National Park and architectural character of settlements. Amongst other things, development will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting.

The proposed single garage will measure 5.8 metres by 3.2 metres and will have an eaves height of 3.5 metres. The garage is proposed to be located within the enclosed yard to the rear which is screened from the road by the property. Despite the property to the west overlooking the yard, it is considered that the proposed development would not detract from the character of the adjacent property as the garage is of an appropriate scale and is set back from western boundary.

The revised dormer windows are believed to be more in keeping with the character of the property and will be less noticeable when approaching the property from the centre of Robin Hood's Bay.

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The proposed window to be reinstated on the western elevation is high level; therefore it does not pose a privacy issue to the neighbouring property in terms of overlooking.

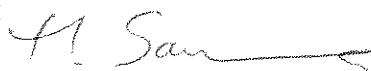
As such, the proposed development is thought to be in accordance with the above policies and approval is recommended.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The Local Planning Authority made a suggestion to the applicant to reduce the size of the dormer windows. The amendment allowed the proposed development to accord with Development Policy 3 and approval is now subsequently recommended.

Signature:



Date:

29/10/17.