

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Fylingdales

Application No. NYM/2020/0077/LB

**Proposal: Listed Building consent for internal alterations, installation of replacement window and external waste/soil pipes**

**Location: Green Bank House, Fisherhead, Robin Hoods Bay**

**Decision Date: 06 April 2020**

**Extended to:**

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## Consultations

Parish -

**Site Notice/Advertisement Expiry Date** – 10 March 2020

Others -

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1. Standard Three Year Commencement Date - Listed Building  
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Strict Accordance With the Documentation Submitted or Minor Variations – Document No.s Specified

The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No	Date Received
Location Plan		03/02/2020
Plan view of loft room		03/02/2020
Plan view flush casement sashes		03/02/2020
Email from Gavin McDonald to Kelsey Blain re: window and pipe details		03/03/2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. Trickle Vents Shall Not be incorporated into Windows  
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.

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**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 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.

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**Background**

Green Bank House is a Grade II listed, Eighteenth Century terrace house. The property is rendered and constructed over two storeys with a dormer in the roof. Green Bank house has been characterised by the Authority's Conservation Officer as an excellent example of this type of property and retains many traditional features including an internal box winder stair and timber boarding/panelling.

Listed building consent was granted in December 2002 for alterations to the property including the reconstruction of an internal stair and the insertion of extractor fans.

This application seeks listed building consent for the creation of a top floor bathroom and the insertion of a bath within the main bedroom, as well as the replacement of the south east window within this room.

**Main Issues****Statutory Duties**

Section 16, paragraph 193 of the National Planning Policy Framework 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 16, paragraph 194 of the National Planning Policy Framework 2019 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The Authority has a statutory duty to protect Listed Buildings within the Park as they form part of the significance of the built and cultural heritage of the North York Moors. These buildings represent a significant part of the history and culture of the National Park and their considerable importance, once lost, cannot be replaced.

The Authority has a general duty in respect of listed buildings in its exercising of planning functions as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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**NYMNPA Policies**

The relevant policies contained within the North York Moors Core Strategy and Development Policy Document to consider in relation to this application are Development Policy 3 (Design), Development Policy 5 (Listed Buildings) and Development Policy 19 (Householder Development).

Development Policy 3 states that development will be permitted where among other things a high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular.

Development Policy 5 states that proposals for the alteration, extension or change of use of a Listed Building will only be permitted where they will not have an unacceptable impact on the special historic or architectural interest of the building.

Development Policy 19 supports proposals for development within the domestic curtilage of dwellings where among other things the form, position and design of the development does not detract from the character and form of the original dwelling or its setting in the landscape.

**Ensuite**

The Building Conservation Officer has advised that while previous applications at the site, whilst under different ownership, resisted ensuites due to the impact on panelling and boarding, this application seeks to locate the bath in the open room and the Officer feels that condensation would therefore be less of an issue. Furthermore, the boarding within this room is a later replacement and as such its significance mainly derives from its historical and aesthetic value rather than evidential. The Officer has stated that their primary concern related to the waste water pipes on the front elevation. The applicant has agreed that these pipes can be managed internally with a single discrete pipe connected to the existing main waste water pipe.

**Window**

The existing window is a modern replacement casement with single glazing. This application seeks to replace the window on a like for like basis. The applicant has confirmed that the window will be set in the current depth of reveal and will have a leaded rather than a projecting sill. Therefore the Building Conservation Officer has raised no objections to this proposal.

**Conclusion**

This application is not considered to constitute harm to the significance of the Listed Building. The casement window will be replaced on a like for like basis and will therefore not detract from the character and form of the original dwelling. The proposed ensuite will have minimal impact upon the boarding within the loft. As this boarding is a later replacement, no historic fabric will be lost. The stud walls required to create the ensuite will be boarded to complement the existing boarding and therefore this proposal is not considered to be detrimental to the special historic or architectural interest of the listed building.

For the reasons outlined above, this application is recommended for approval.

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**Draft Local Plan**

Strategic Policy C within the Draft Local Plan states that in order to maintain and enhance the distinctive character of the National Park, development will be permitted where among other things, the proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide. The proposed replacement window follows the principles found within the NYMNPA Design Guide by being set back into reveals from the building face, retaining the dimensions of the existing window and using traditional materials such as timber.

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. The replacement of the casement window and installation of the ensuite will have little impact upon the property's historic fabric and will be of a design and scale appropriate to the Listed Building. It is therefore felt that this development will conserve 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. Developments will be permitted where, among other things, the 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. As the casement window will be replaced on a like for like basis it will not detract from the character and form of the original dwelling or its setting in the landscape.

As the Draft Local Plan has not yet been adopted, the policies referenced above are subject to change.

**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.