

# North York Moors National Park Authority

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

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Application No. NYM/2020/0123/LB

**Proposal: Listed Building consent for internal alterations to basement accommodation**

**Location: York House, King Street, Robin Hoods Bay**

**Decision Date: 15 April 2020**

**Extended to:**

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## Consultations

**Parish** – No objections

**Site Notice/Advertisement Expiry Date** – 03 April 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 Plans/Specifications or Minor Variations**  
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.

### 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.

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**Background**

York House is a Grade II listed property located within the Robin Hoods Bay Conservation Area, which is protected by an Article 4 (2) Direction. The statutory listing description states that the property dates from circa 1840, however parts of the property appear to date to the Seventeenth or Eighteenth Centuries. York House is constructed of rendered stone under a Welsh slate roof.

In March 1991, Listed Building Consent was granted for the removal of a ship's stem post from the front elevation of the property. Listed Building Consent and Planning Permission were granted in August 1998 for external alterations and the erection of a first floor rear extension over an existing flat roof.

In June 2018 Listed Building Consent and Planning Permission were granted for internal alterations and external refurbishment works including the replacement of external doors and window frames and the rebuilding of the boundary wall.

This application now seeks Listed Building Consent for internal alterations to the basement accommodation in line with the principles of the Regulatory Reform (Fire Safety) Order 2005.

**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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**NYMNP A Policies**

The most relevant policy contained within the North York Moors Core Strategy and Development Policy Document to consider in relation to this application is Development Policy 5 (Listed Buildings).

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.

**Conclusion**

In order to better comply with the Regulatory Reform (Fire Safety) Order 2005 (RRO) this application proposes to relocate the kitchen into the existing bedroom in order to ensure that in the event of a fire, the only means of escape from the basement is not accessed via the kitchen.

The Authority's Building Conservation Officer has stated that while York House is a characterful property located in a prominent position within the Robin Hood's Bay Conservation Area, it is clear that it has been subject to internal modifications over the years which have negatively impacted upon the building's internal character. The Officer therefore concluded that they have no objections to the relocation of rooms and modern stud walls within the basement, but remarked that the development appeared to be a missed opportunity to better reveal the significance of the building and to reinstate more traditional materials such as lime plaster. The Officer judged that due to the existing modern finishes within the property the proposal would not have a negative impact upon the building.

The proposed works would have little impact upon the property's historic or architectural interest and therefore this application would not have an unacceptable impact upon the significance of the Listed Building. Whilst the proposed materials are not traditional; the existing stud walls and concrete floor within the property means that they are not considered to cause additional harm in this instance. This application is therefore considered to be in accordance with Development Policy 5.

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

**Draft Local Plan**

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 Draft Local Plan has not yet been adopted and therefore the policy referenced above is subject to change.

**Pre-commencement Conditions**

N/A

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**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.