

**From:**

**To:** [Planning](#)

**Subject:** Comments on NYM/2020/0092/LB - Case Officer Mrs J Bastow - Received from Fylingdales Parish Council at c/o Ms Stephanie Glasby, Gilders Holme , Raw, North Yorkshire , YO22 4PP, Via Email:

**Date:** 06 May 2020 16:34:29

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The Parish Council Object to this application.

Concerns have been raised over several different areas.

Parking at the building is to be 4 spaces, with 5 members of staff this would suggest there would be no parking available for those using the building for recording or any other purpose. The village already struggles without this added strain.

The Council feel that architecturally the proposed design does not fit in with the village.

The Council do not object to the purpose of the building but feel that more information is needed on how the community will be able to utilise the space.

As ever the Councils main priority is the safety of its parish members, several of the home owners from around the property have voiced concern as to how the parking and extra vehicles will possible make it harder for them to use the area safely when exiting their own properties.

Comments made by Fylingdales Parish Council of c/o Ms Stephanie Glasby  
Gilders Holme  
Raw  
North Yorkshire  
YO22 4PP

om

Preferred Method of Contact is: Email

Comment Type is Comment

Letter ID: 542777

**From:**

**To:** [Planning](#)

**Subject:** Comments on NYM/2020/0092/LB - Case Officer Mrs J Bastow - Received from Fylingdales and Hawsker Parish Councils at c/o Ms Stephanie Glasby, Gilders Holme , Raw, North Yorkshire , YO22 4PP, Via Email:

**Date:** 13 April 2020 16:48:33

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Comments made by Fylingdales and Hawsker Parish Councils of c/o Ms Stephanie Glasby  
Gilders Holme  
Raw  
North Yorkshire

Preferred Method of Contact is: Email

Comment Type is Object with comments  
Letter ID: 539905

**From:** [Building](#)  
**To:** [Planning](#)  
**Subject:** The Bay Tree NYM/2020/0087/FL & 0092/LB  
**Date:** 06 April 2020 10:03:23

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The Bay Tree forms an impressive L-shaped Grade II Listed Building located on a prominent position in Robin Hood's Bay (Bank Top) fronting onto Station Road with a side elevation facing onto an unadopted residential street, Prospect Field. The Bay Tree is also located opposite Thorpe Lane - one of the main roads through the village. It was built in 1764 by Issac Storm who's ancestry within the village dates back to 1540 and was built to signify his status within the village with its five-bay wide elevation constructed of tooled, squared stone of near-ashlar quality, raised above a basement. Internally, according to the Houses of the North York Moors, the building is well detailed with panelled wainscoting and carved details. Both ground and first floor rooms are fully panelled, classical chimney pieces and Doric surround to the staircase. Although not currently within the Conservation Area, the draft Appraisal has recommended that the architecture of Bay Top is worthy of consideration as an extension to the current RHB Conservation Area.

While the form and appearance of the principal building remains evident from the front, there are substantial extensions to the rear. A stone and pantile rear wing runs at right angles to the main building which was built following consents granted in 1983 and 1986 prior to the building being listed in 1988. Further permissions were granted in 1994 and 1995 for further extensions to this modern wing. Despite these alterations, the building retains a substantial amount of historical significance from its impressive appearance, quality of materials, symmetry, its traditional construction, traditional detailing and its architectural style. The property also has aesthetic value for its layout and sense of proportion of the internal rooms where they follow the original floor plan. As such the property retains its special architectural and historic interest and makes a positive contribution to the wider streetscene.

In policy terms, the relevant sections of the NPPF are:

- 193 – when considering the impact of a proposed development of the significance of a designated heritage asset, great weight shall be given to the assets conservation.
- 194 – any harm to, or loss of, significance of a designated heritage asset) from its alteration, destruction, or from development within its setting) should require clear and convincing justification.
- 200 – LPA's should look for opportunities or new development within Conservation Areas...and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that made a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- The definition of Setting is explained in Annex 2 of the NPPF and is described as the surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. In addition, Historic England provides extensive guidance - The Setting of Heritage Assets, December 2017.
- In terms of the Act (LB&CA Act) special regard should be had to the desirability

of preserving the building or its setting or any features of special architectural or historic interest in which it possesses.

The modern rear extensions, despite their scale, are relatively well proportioned and subservient in appearance but do lack some traditional detailing with the dormers, several monopitch projections and use of fascia boarding. As such they are considered to make a neutral contribution to the significance of the asset. Their removal will allow the original proportions and footprint of the listed building to become more evident and has the potential to enhance its significance in accordance with para.200 of the NPPF, however it is important that any new/replacement structure is informed by, and respects, the original listed building. HE guidance advises that conserving or enhancing heritage assets by taking their settings into account need not prevent change; indeed change may be positive, for instance where the setting has been compromised by poor development. Given the current extensions, it is considered that there is an opportunity here to make a positive change and therefore the principle of a new build structure within the curtilage is acceptable subject to scale, design and massing etc.

We do however have some initial concerns to the principle of the scheme, which are:

- The need for this studio, given that many are closing down elsewhere. The Heritage Statement says that a recording studio is a 'much needed resource for the area' – is there evidence of this need?
- The need for so many bedrooms given the number of B&B's, holiday cottages and hotels in the village?
- Its circular design - apparently this is the worse shape for a recording studio because they are so unpredictable as the sound is harder to manage. Has this shape been justified?
- The HS justifies the extension stating it will not be seen from the front of The Bay Tree. Development within the setting of a Listed Building needs to respect the principal building irrespective of the views or position and therefore the rear still has consideration. Design should still draw upon local patterns of development.

We acknowledge the improvements made to the scheme since the first pre-app discussions, but our concerns with the current scheme are, in brief:

- On plan form its footprint appears to be almost double that of the original dwelling and as such this is a concern in terms of setting and subservience as it covers the entire rear yard.
- The proposed structure would completely obscure the rear elevation. At present the extensions extend in a more traditional, linear form along the northern boundary of the site which enables the original dwelling to remain evident. This would be fully obscured by the new building and extensions. It is considered that a detached structure would better respect the host building (as indicated at pre-app) with possibly a single storey link off the gable of the original rear extension.
- The design of the north elevation is far too complicated. This in combination with the position draw the eye and detract from the host building and the neighbouring properties. The effect is to create a building that appears incongruous with its surroundings. I appreciate that the building has been set back since pre-app but the style of it still creates the effect to stand forward of

the line of development. Whilst the 1980 extension is of no merit the view shown on Figure 16 of the HS shows how the roofscape fits well with the host dwelling. A 'floating' roof with overhanging eaves and will not have the same effect. Further to that it re-orientates the building leaving the passer by confused. The current extension is clearly and 'add on' to the bay tree, this looks like an entirely separated building that is attached, but potentially not associated with it.

- The reception and main entrance are to the extension which reduces the use of the principal building in the experienced hierarchy of the site. The Heritage statement even describes the functions of the principal building as 'ancillary' functions.
- The second floor is primarily bedrooms which should not be required for a house this size. If this is essential to the studio, then perhaps this building is not suitable for this use. There is no shortage of local accommodation, with the closest B&B being next door.
- Its height which is a very generous two-storey and is not subservient.
- We have been made aware of a well within the site which would be truncated by a wall. There is no mention of it in the HS so there has been no assessment of its significance. Therefore, presumption in favour of retention.
- It is also proposed to remove the internal walls of the rear wing. These are mentioned as probably original in the Royal Commission files and as such we would have concerns about their removal.

#### Conclusions:

Although somewhat compromised with the concreted parking surface, the space to the rear of principal building still clearly reads as the former garden. Given the age, status and location of the building, it would have always enjoyed open space to the rear. The space to the rear should be regarded as making a positive contribution to the listed building and this should at the very least be maintained, if not enhanced. At present we do not feel that the site and its constraints have informed the scheme, but instead the proposal seeks to develop the garden as a plot of land irrespective of the listed building and maximising the space available. Any development would need to retain the relationship of this garden space to the listed building which is domestic in character; and read as a new addition within this domestic space rather than a separate development on a plot of land.

We would recommend that the scheme is reduced in scale and massing and amended so as to appear as a detached structure, potentially with a single storey link at ground floor. Consideration of whether the building could be re-orientated to enable the original proportions of the host building to remain evident would be appreciated. Omission of the bedroom spaces and the reception and lobby areas in order to make better use of the original dwelling would retain the use of the dwelling as the principal structure whilst also enabling a much smaller structure to accommodate the recording studio elements only. Also of consideration is that the windows to the rear elevation were always intended to look out onto an open space. To almost completely enclose this space would harm in intention of these windows.

Whilst we are happy with the modern interpretation, the design and form should draw inspiration from the host building allowing the space to inspire an idea. RHB has such a high standard of architecture with a wealth of features to draw upon. The use of a contrasting

handmade brick (rather than stone) is acceptable as brick is a characteristic of the surrounding streetscene which will help the new structure harmonise with its surroundings.

In terms of alterations to the principal building, these appear to be minimal. I do wonder however whether consideration could be given to removal of the rooflights to the front façade in particular, and also whether new windows are proposed to the main building which could be improved in terms of detailing and reinstating a painted finish. We would also like confirmation of the interior detailing of the dwelling, via a photographic survey, or full site visit once the current restrictions are lifted.



Historic England

Mrs Jill Bastow  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley, York  
YO62 5BP

Direct Dial:

Our ref: **W:** L01180290

28 February 2020

Dear Mrs Bastow

**Arrangements for Handling Heritage Applications Direction 2015**

**THE BAY TREE, STATION ROAD, ROBIN HOOD'S BAY, WHITBY, YO22 4RL**  
**Application No. NYM/2020/0092/LB**

Thank you for your letter of 26 February 2020 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

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