

# North York Moors National Park Authority

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

Application No. NYM/2020/0184/FL

**Proposal:** erection of replacement boundary fence, hand rails and gate

**Location:** Shirley House, Sunny Place, Robin Hoods Bay

**Decision Date:** 11 May 2020

**Extended to:**

---

## Consultations

**Parish** – No objections.

**Natural England** – No objections.

**Site Notice/Advertisement Expiry Date** – 21 April 2020

**Others** -

## Director of Planning's Recommendation

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

1. **Standard Three Year Commencement Date**  
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 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.

---

Application Number: NYM/2020/0184/FL

---



---

**Application Number: NYM/2020/0184/FL**

---

**Background**

Shirley House is a Grade II listed, two storey dwelling with basement, constructed of stone under a pantile roof and with a dormer window on the front elevation. The property dates to the early Eighteenth Century, but is believed to contain an earlier core. The property is located within the Robin Hoods Bay Conservation Area which is protected by an Article 4 (2) Direction.

Planning Permission and Listed Building Consent were granted in February 2018 for the installation of replacement windows and doors, repair/refurbishment works and internal alterations.

This application now seeks planning permission for the erection of a replacement boundary fence, handrails and gate.

**Main Issues**

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 4 (Conservation Areas) 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 4 states that proposals for development within a Conservation Area will only be permitted where among other things they preserve or enhance the character and appearance or setting of the area and where the form, scale, proportions, design detailing and materials of the development respect the existing architectural and historic context.

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.

The Authority's Building Conservation Officer has stated that the existing boundary fence, gate and handrail is of relatively basic appearance and construction and clearly modern. The existing fence, gate and handrail is in a poor state of repair and the Officer supports the applicants proposal to erect a replacement of the same design and dimensions as the existing, whilst incorporating the details evidenced within the Victorian images of the property. The proposal is considered to enhance the significance of the Listed Building and would make a positive contribution to the local character and distinctiveness of the Conservation Area.

The proposed replacement gates would be set within an opening of the same width as the existing, however the opening would now hold double gates rather than one large gate. This alteration to the design of the gate is necessary as the existing gate obstructs the access to the sunken yard when open. In all other respects the design of the replacement fence, handrail and gate will match closely to the existing, except for the incorporation of more finely detailed newels to match those evidenced in the Victorian images of the site.

---

**Application Number: NYM/2020/0184/FL**

---

The proposed design of the development is considered to accord with DP3 and DP19 by being sympathetic to the character and form of the original dwelling and its setting in the landscape, as well as using traditional materials and designs that complement the local vernacular. As the proposal is considered to enhance the appearance of the Conservation Area, it accords completely with the principles found in DP4.

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

**Draft Local Plan**

Strategic Policy I within the Draft Local Plan 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 proposed development meets this objective by enhancing the significance of the Listed Building and Conservation Area.

Policy CO17 within the Draft Local Plan states that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will be permitted where among other things, the form position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. The proposed development is sympathetic to the character and form of the original dwelling and its setting within the Conservation Area and is therefore in line with the principle of this policy.

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.