

RESTEK

3 Bloomswell, Robin Hoods Bay, Whitby, YO22 4RT

Grounds of Appeal

Appeal References: APP/W9500/W/20/3250668
and APP/W9500/Y/20/3250669

1. Introduction

1.1 This statement is submitted on behalf of Restek (“the Appellant”) in relation to the appeals against the decisions of North York Moors National Park Authority (“the NPA”) to refuse planning permission and listed building consent for works to 3 Bloomswell, Robin Hoods Bay, Whitby, YO22 4RT (“the Property”).

2. Grounds of Appeal

2.1 Firstly, it is noted that the NPA has set out matters of common ground at Section 7.0 of its statement including:

- Replacement rainwater goods and roof, and lamb’s wool insulation;
- Replacement windows; and
- Replacement of 2 internal floor boards

2.2 The ‘outstanding issues’ are detailed at paragraphs 6.3 and 6.4 of the NPA’s statement. With regards to the Planning Application this includes the replacement front door and surround (including their colour) and for the LBC Application, the replacement front door, surround, pink paint colour of the doors and removal of the internal porch. These matters have been dealt with in turn below.

Replacement Front Door and Surround

2.3 As stated above, prior to purchasing the Property, the Appellant had two surveys carried out which revealed decay in the external doors and windows and therefore both external doors were replaced including the front door surround.

2.4 The Appellant has commissioned Woodhall Planning and Conservation to carry out an assessment of the works and the NPA’s reasons for refusal. A copy of this report is enclosed at Appendix 1 (“the Heritage Report”). The report finds that it is likely that the replaced door was a re-used internal door imported from another building. Its use as an external door posed a security risk and the potential to cause further damage to the property and therefore its replacement was required.

2.5 The Heritage Report notes the variation of differences between the doors and their surrounds along the terrace including evidence of alteration. Whilst the door and surround at the Property have undergone a number of alterations, these were undertaken to protect the property from further damage. The replacement door surround and door reflect the overall proportions of that which they replaced. The

detailing of the pilasters differs slightly and takes reference from the detail of No.2 Bloomswell.

- 2.6 The deteriorating condition of the door is detailed in the Heritage Report and the works were carried out to protect the listed building from any further damage it is therefore considered that there is a “clear and convincing justification” for the works in accordance with Strategic Policy 1. The Appellant has further sought to reflect the overall proportions of the door and door surround which were replaced taking account of Policy ENV11(3).
- 2.7 The NPA’s reasons for refusal consider that the replacement door and surround are contrary to paragraph 196 of the NPPF which deals with proposals leading to less than substantial harm. However, it is considered that these works were required to avoid substantial damage to the property.
- 2.8 It is understood that some of the finer details differ slightly and therefore paragraph 1.75 of the Heritage Report sets out minor works which could be carried out (subject of a condition to any approval/consent) to rectify the concerns which the Council have.

Door Colour

- 2.9 The NPA consider that the colour of the door is contrary to Development Policy 5. The colour was chosen by Mr Knight’s daughter, who is autistic. This helps familiarize her with the property.
- 2.10 The Heritage Report notes a variety of coloured doors within the Bay and along the terrace. The NPA state that pink is not a traditional colour however, another pink door exists within the bay (just to the south of the Property) together with other bright colours on listed buildings and within the Conservation Area.
- 2.11 The Consultation Draft Conservation Area Appraisal considers brightly coloured doors an item of ‘Considerable Significance’ to the character and appearance of the designated area.
- 2.12 Policy ENV11 informs that development should conserve and enhance the special character and appearance of settlements and reinforce the distinctive qualities of settlements. With the existence of brightly coloured doors on various listed buildings in the Bay and in particular, along the Bloomswell Terrace, it is not considered that this alteration to the Property causes any harm given its location. It is therefore considered that the door colour is in keeping with the character and appearance of the Conservation Area and therefore complies with Policy ENV11.

Removal of the Internal Porch

- 2.13 The NPA consider that the removal of the internal porch is harmful to the historic, aesthetic and evidential value of the Property. The Heritage Report concludes that evidence suggests that the porch was a modern insertion.

- 2.14 The removal of the porch is not deemed to have any *“impact on the special historic or architectural interest of the building”* given that it is highly likely that it was a modern addition and is therefore not contrary to any Local Plan or national policy.

Proposed conditions

- 2.15 It is respectfully requested that planning permission and listed building consent are granted. If necessary and, if the Inspector considers necessary, consent is granted subject to conditions in relation to the lack of refinement of the mouldings and the position of the door knob.
- 2.16 The Appellant does not consider that condition nos. 2-8 (for listed building consent) and nos. 2-7 (for the planning permission) proposed by the NPA are appropriate.

**3 BLOOMSWELL,
ROBIN HOOD'S BAY**

**APPEAL STATEMENT -
HERITAGE**

REFERENCES:

APP/W9500/W/20/3250668

APP/W9500/W/20/3250669

Woodhall Planning & Conservation,
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2495/2

July 2020

Introduction

- I.01 This Statement has been prepared in support of appeals against the refusal of applications for retrospective planning permission (NYM/2019/0704/FL) and listed building consent (NYM/2019/0706/LB) for works to the Grade II listed, 3 Bloomswell, Robin Hoods Bay. The building is situated within the Robin Hood's Bay Conservation Area.
- I.02 Woodhall has been commissioned to provide an independent assessment of the works undertaken and their impact upon the listed building and the Conservation Area. Woodhall was not involved in the works carried out or the preparation of retrospective applications for planning permission and listed building consent.
- I.03 Woodhall Planning & Conservation is a heritage consultancy with a specialised interest in listed buildings and historic places, architectural design and advice. The consultancy has extensive experience of building evaluations, conservation area appraisals and management plans, historical research, condition surveys, strategies for conservation and re-use, the design and management of repair and conversion projects and conservation legislation.
- I.04 The Statement has been prepared by Susan Amaku BSc DipArch MA RIBA SCA who is a RIBA accredited Specialist Conservation Architect and a Director of Woodhall Planning and Conservation.
- I.05 The preparation of this Statement has been delayed due to the Covid-19 pandemic and the associated movement restrictions and social distancing requirements, which prevented a site visit to the property. This assessment is based upon a visit to the site on 30 June 2020, together with a review of the applications, the Council's Appeal Statements and some photographs from the 2019 Sales Particulars. The photographs are included in a separate Appendix A.

Planning (Listed Buildings and Conservation Areas) Act 1990

- I.06 Section 16 (2) of the Act states that:

In considering whether to grant listed building consent for any works the local planning authority or 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.
- I.07 Section 66(1) of the same Act 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.

Local Development Plan Policies

- I.08 The North York Moors National Park Authority (NPA) adopted the North York Moors Local Plan on 27 July 2020.

- I.09 The relevant policies relating to the historic environment and built heritage are Strategic Policy I and Policy ENVI I.

Strategic Policy I - The Historic Environment

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. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:

1. Features that contribute to the wider historic landscape character of the North York Moors National Park such as the legacy of features associated with the area's industrial, farming, fishing and monastic past;
2. Archaeological sites and monuments, comprising both upstanding and below-ground assets, including Scheduled Monuments and regionally or locally important non-designated monuments such as the Neolithic barrows and Bronze Age cairns, tumuli and stone circles;
3. The vernacular building styles, materials and the form and layout of the historic built environment including Conservation Areas, Listed Buildings and regionally or locally important non-designated structures and buildings.

Applicants will be required to provide a Heritage Statement of sufficient detail to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).

Harm to an element which contributes to the significance of a designated heritage asset (or to non-designated archaeology of national importance) will require clear and convincing justification and will only be permitted where this is outweighed by the public benefits of the proposal. Substantial harm will only be permitted where it can be demonstrated that the proposal would bring substantial public benefits that outweigh the harm or there are other exceptional circumstances.

Where non-designated heritage assets are affected, a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the asset and other material considerations.

Policy ENVI I – Historic Settlements and Built Heritage

Development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features. Development proposals will only be permitted where they:

1. Conserve, enhance or better reveal elements which contribute to the significance of the heritage asset or its setting including key views, approaches and qualities of the immediate and wider environment that contribute to its value and significance;

2. Conserve or enhance the special character and appearance of settlements including buildings, open spaces, trees and other important features that contribute to visual, historical or architectural character;
3. Reinforce the distinctive qualities of settlements through the consideration of scale, height, massing, alignment; design detailing, materials and finishes;
4. Respect the integrity of the form of historic settlements including boundary and street patterns and spaces between buildings;
5. In the case of new uses, ensure the new use represents the optimum viable use of the asset which is compatible with its conservation;
6. In the case of adapting assets for climate change mitigation, the proposal is based on a proper understanding of the asset and its material properties and performance, and of the applicability and effectiveness of the proposal. Development should not harm the heritage value of any assets affected.

When a proposal affecting a heritage asset is acceptable in principle, the Authority will seek the preservation of historic fabric in situ.

When retention of the feature is not justified or the form and appreciation of a heritage asset is compromised through the proposal, the applicant will be required to undertake an appropriate programme of historic building recording (HBR) and analysis secured through an approved Written Scheme of Investigation (WSI).

National Planning Policy Framework (NPPF)

- I.10 Section 16 of the NPPF (paragraphs 184 to 202) sets out general policies relating to the historic environment and further guidance is provided in the online Planning Policy Guidance. Heritage assets are defined in Annex 2 of the NPPF as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

In Annex 2 of the NPPF ‘Significance (for heritage policy)’ is defined as:

The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.

This Annex also provides a definition of archaeological interest.

- I.11 Paragraphs 195 and 196 of the NPPF make a distinction between proposals that will lead to ‘... substantial harm to or total loss of significance ...’ of a designated heritage asset

(paragraph 195) and proposals which will have ‘... less than substantial harm (paragraph 196)’.

Planning Practice Guidance

I.12 The national Planning Practice Guidance (PPG) contains guidance on conserving and enhancing the historic environment. It sets it in the context of the NPPF’s drive to achieve sustainable development and the need for appropriate conservation of heritage assets. It identifies that any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as the relevant policies in the NPPF and the Local Plan.

I.13 The PPG includes definitions of significance as follows:

- *archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point;*
- *architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can rise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture;*
- *historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.*

The Site and its Context

I.14 The property is situated within the Robin Hood’s Bay Conservation Area and forms part of a terrace known as Bloomswell which is listed Grade II.

I.15 The NPA have a Consultation Draft Conservation Area Appraisal and Management Plan for Robin Hood’s Bay (October 2017). This document includes the following Summary of the Significance:

The architectural character of Robin Hood’s Bay is largely dependent on the historic need to squash as many buildings as possible into the ravine sides whilst remaining largely invisible from the surrounding landscape. Consequently, mostly modestly sized buildings are tightly packed with small alleys between them instead of roads; the only way to extend a building was upwards. Curiously shaped buildings take advantage of tiny spaces and even the beck has been culverted to create more developable space. Where developable land is scarce, open spaces are a rarity being largely restricted to the chapel and school area; while the biggest open space visible is the shore and the sea. The location of the

village in this valley was to ensure the closest proximity to the sea which provided a transport route and natural resources whether obtained legitimately through fishing or illegitimately through smuggling.

The buildings are predominantly 18th century in appearance and built of stone with red pantiled pitched roofs and some Welsh slate. Dormer windows are common because of the need to extend upwards; these are sometimes imaginatively designed and make a positive contribution towards the roofscape along with stone water tabling, chimneys and the variety of roof heights brought about by the steep valley sides. Many doors are brightly painted with quirky door knockers, the occasional surviving boot scraper and canopies to provide additional protection from the coastal weather. The narrow lanes are surfaced in a variety of materials, mostly traditional cobbles and stone and lined with pots planted with flowers and shrubs. Views between the lanes invite exploration or frame views out to the sea. Redundant water stands and mooring rings all add to the historic interest.

The following elements have been identified as being of significance to the Conservation Area:

Considerable significance

- Tightly packed settlement
- Steep sided topography leading to varying ground levels and building heights
- Separation from Victorian expansion at the top of the bank
- Narrow flagged and cobbled lanes
- Stone steps
- Few open spaces
- Stone retaining walls with vegetation
- Visually permeable boundaries to private spaces, especially wrought ironwork
- Slipway and dock area as reminders of the fishing industry
- Culverted becks as evidence of smuggling and the need to obtain more developable space
- Some tree cover along the King's Beck
- Conservation Area largely hidden from the mainland by keeping development within the ravine
- Historic street names
- Views across the ravine of pitched roofs, pantiles and chimneys on various levels
- View of the village from the Cleveland Way to the south and the Ness from the north
- Views along alleys
- Views to the sea
- Views along cascading rooflines
- Building materials of stone and small amounts of render (limewash). Red pantile roofs predominate with stone water tabling, some kneelers and chimneys of stone or brick.
- Most buildings one to three storeys
- Odd shaped buildings have been designed to fit into irregular spaces
- A wide variety of traditional window types; wrought iron work above Victorian windows, oriel windows overlooking narrow lanes
- Brightly coloured traditional timber panelled doors, many with little wooden canopies and brass or iron door knockers
- Tradition of extending upwards into attic space

- *Access doors to cellars*
- *Worn steps to doorways*
- *Wall hung lanterns*

- I.16 The earliest known reference to Robin Hood's Bay is in the early fourteenth century. The first edition Ordnance Survey Map was surveyed in 1842. By this date most of the buildings within the Conservation Area, including Nos. 1-9 Bloomswell had been constructed. Due to their historic interest and age, the majority of the buildings in the Conservation Area are listed.
- I.17 No. 3 Bloomswell is situated at the northern end of the designated area within a terrace of nine houses. It was originally built as a modest fisherman's cottage, probably in the early nineteenth century. The terrace is set on a north-west/south-east alignment, with the lane known as Bloomswell running along its southern side and a 'rear' lane along its northern side separating it from the terrace known as Esplanade. Due to the topography of the area, Bloomswell slopes upwards from west to east. This results in a split level property, with the front (southern) entrance to No. 3 at lower ground level and the rear (northern) entrance at an upper ground level corresponding with that of the back lane.
- I.18 Although there is some consistency in the materials palette of the terrace, with the use of render to the walls and pantile covered roofs, there is a significant variation in the scale and nature of the properties, with Nos. 2, 3 & 4 being significantly smaller than the other buildings in the terrace.
- I.19 No. 1 is a shop and its southern elevation is set back from the rest of the terrace, and the southern entrance to the lower ground floor on Bloomswell has a single storey, lean-to, open porch adjoining the return to No.2. It has shop windows facing New Road to the west and the back lane to the north and the main entrance is set on the canted section of wall in the north-west corner (*photo 1*). It is three storeys on the southern side and two storeys to the north, with rendered wall, a hipped pantile roof and stone chimney stacks.
- I.20 Nos. 2, 3 & 4 are the smallest properties in the terrace, and their southern elevation to Bloomswell is 2 storey plus attic but only single storey to rear (north) (*photos 2 & 3*). The southern elevation has painted render with slightly projecting string courses forming the heads to the ground and first floor windows. The roofs are asymmetric, with large dormer windows to the south and a catslide, with a shallower pitch to the single storey, section. The render to Nos 2 & 3 is smooth with an incised finish whereas that to No. 4 is roughcast.
- I.21 The principal elevation faces south, with the entrance to each property slightly elevated with the lane above a step or two, with a paneled door and a decorative surround with a pediment over. There is variation in the style of the doors, the surrounds and the pediments over. Each property has a single window to the ground and first floors.
- I.22 No. 2 has a 6-panelled door set in a reeded surround with a deep plinth and simple open pediment, set below the lower string course (*photos 2, 10 & 12*). No. 4 (Yarra House) has a pair of 2-panel doors. The surround has a central panel of horizontal

- reeding, simple bases and the flat topped, open pediment is supported on shallow brackets, and has decorative balls and a blind fanlight with radial glazing bars (*photo 8*).
- I.23 Photographs from the 2019 sales particulars (*photos 11 & 14*) illustrate that the previous surround to No. 3 differed from those on the rest of the terrace in that it had a closed pediment supported on wide brackets. Unlike the other pediments which were open and had a flat top, the pediment to No. 3 had a more conventional triangular form. It was also set in line with the lower string course, unlike the adjoining door to No.2. The pilasters had deep bases and a simple chamfered detail and the face of the pilasters had a central panel with a simple curved moulding.
- I.24 Nos. 5, 6, 7, 8 & 9 step up, eastwards along Bloomswell. These properties are 3-storey to the south and 2 storey to the north some with dormer windows. Unlike Nos 2, 3 & 4 Bloomswell, these buildings are much larger, with a double pile plan. The double gable and central valley gutter separating the two pitched roofs is visible in views from the west (*photos 4, 5, 7 & 9*).
- I.25 With the exception of No. 6, the other south doors to these properties are 3-panel set in decorative surrounds (all with slightly different details) but with a flat topped, open pediment with a blind fanlight with radial glazing bars (*photo 14*).
- I.26 The south entrance to No. 6 has been altered and has a projecting porch with a tented canopy and a 6-panel door (*photo 15*). On the north elevation of this building, unlike the others, it has a 3-panel door with a decorative surround, suggesting that this may have been relocated from the south elevation.
- I.27 These five properties have a single multi-pane sliding sash windows to each floor, but No. 6 which is slightly wider, differs in that it has two windows to the upper floors.
- I.28 The list entry for the building is as follows:

FYLINGDALES BLOOMSWELL NZ 9505 Robin Hood's Bay 17/16 Nos 1-9 consecutive

List Entry Number: 1301013

6.10.69

GV II

Terrace of houses, early-mid C19 with alterations. Incised render, probably on brick. Pantiled roofs, stone stacks. Each 3 storeys, 1 wide bay. Doors at left, the originals of 3 fancy panels, some in doorcases of reeded pilasters and bracketed open pediment; radial fanlights, mostly blocked. No 6 has added porch with tented hood; doorcases of Nos 2 and 3 mutilated, and No 1 altered to shop front. Where original windows are 16-pane sashes on ground and first floors, Yorkshire lights on second floors; some windows replaced. No 2 has large modern dormer, No 6 has top replaced sash breaking eaves. Nos 4 and 5 have enlarged window openings and are included for group value.

- I.29 Internally No. 3 is set over several levels, with the lower ground floor level set slightly above Bloomswell. The stair is set at the northern end of the lower ground floor (south) room behind a timber paneled wall. There are small closets to the east and west of the stair. On the east wall of this room is a chimney breast, with niches in the wall to either side. The steep stair leads up to a quarter landing with a flight of steps to either side leading to the kitchen to the north and first floor to the south. (*photos 16 & 17*).
- I.30 The kitchen is set at upper ground floor level, a couple of steps below the level of the back lane. The east wall is lined with vertical timber boarding and the south wall is stone (*photos 18 & 19*).
- I.31 At first floor level there is a bedroom to the south and a bathroom to the north-west. The bedroom has a chimney breast with a cast iron fireplace on the east wall and a closet in the recess to the south side (*photo 20*).
- I.32 The attic room is reached via a steep stair to the north-east of the bathroom and has a stone chimney breast – although the external stack is no longer extant (*photo 21*).
- I.33 The list entry description notes that the doorcases to Nos. 2 & 3 are mutilated (see I.28 above).
- I.34 No. 3 forms part of the listed building (No. 1-9 Bloomswell) and its significance is considered to relate to the following:
- Its historic interest as a former fisherman's cottage and simple form in contrast to the larger buildings to the east and west
 - Its traditional appearance with rendered walls, pitched pantile covered roof, with catslide to the north and the pattern of door and window openings
 - The sense of hierarchy between south and north elevations, with provision of a paneled door and doorcase to the south elevation
 - The planform with accommodation arranged over split levels linked with steep stairs and the stone wall separating the kitchen from the southern 2-storey section of the cottage
 - The paneled wall to the lower ground floor room
 - The chimney breasts and cast iron fireplace at first floor level
 - The paneled internal doors

The Applications

- I.35 Prior to the purchase of the property by Mr. Knight in June 2019, it had been in use as a holiday cottage, like so many of the other properties in the terrace and the wider conservation area.
- I.36 A survey of the property prior to purchase identified issues with damp within the building, both on the walls and the ceilings. Decay was also noted in the external doors and windows. In order to rectify these issues, Mr. Knight commenced the following work:
- Exterior
- a. Re-roofing, including replacement of plastic rainwater goods with cast iron and insulation with lamb's wool
 - b. Replacement of modern casement windows with sliding sash windows
 - c. Replacement of rear (north) door
 - d. Replacement of front (south) door and surround
 - e. Redecoration of the external render with a white lime paint (*Auro High Grade lime paint*)
- Interior
- f. Removal of internal lobby screen (*photo 22*)
 - g. Removal of plasterboard linings along the east wall of the lower ground floor room, to reveal the chimney breast and recesses to either side. Oak shelves have been fitted in the recess to the south of the chimney breast. (*photos 16 & 17*)
 - h. Woodchip wall paper was removed and the property was redecorated throughout. The internal stonework was painted with a white lime paint (*Auro High Grade lime paint*).
 - i. Floor coverings have been replaced
 - j. Removal of 'Kingspan' insulation board (and associated battens) that had been fitted between the ceiling joists in the lower ground floor room.
 - k. Repairs/replacement of damaged floorboards
 - l. Replacement of plasterboard lining to north and west walls of the store at the base of the stairs
- I.37 For the sake of clarity and avoidance of doubt, where possible, photographs of the property from the 2019 Sales Particulars (i.e. prior to the purchase by Mr. Knight) have been included in Appendix A for comparison with the building's current appearance.
- I.38 In September 2019, the North York Moors National Park Authority (NPA) informed Mr. Knight of the need to obtain consent for the work and as a result retrospective planning and listed building consent applications were submitted in October 2019.
- I.39 In a letter of 24 September 2019 from the NPA enforcement team (ref: NYM/2019/ENQ/15963) it stated:

Thank you for confirming that you are sourcing handmade tiles for use on the property. I can confirm that following the submission of a tile sample the Authority will agree in writing that we are satisfied that the retiling works may continue without the benefit of planning or listed building consent. If the roof structure, including any timbers or if a waterproof

layer/membrane is to be added, listed building consent would be required. The Authority would recommend the use of William Blythe handmade tiles in Natural Red. As previously advised by Ms O' Mara, the use of a machine made/concrete tile would be unacceptable and the use of such tiles would be likely to result in enforcement action to seek the removal of such tiles.

I.40 Applications were subsequently submitted and received by the NPA on 9 October 2019 for the following work:

- Redecoration of external render with white vapour permeable paint
- Re-roofing with William Blythe handmade tiles, lamb's wool insulation and vapour permeable membrane
- Replacement of PVC gutters and downpipes with cast iron rainwater goods
- Replacement of 1960's softwood casement windows with handmade hardwood sash windows painted white
- Replacement of rear door with new handmade hardwood stable door painted RAL 3015
- Replacement of front door with new handmade hardwood door to match existing profile painted RAL 3015
- Replacement of modern studwork wall to match existing
- Replacement of 2no. missing floorboards with reclaimed oak boards and 1no. damaged softwood board in softwood
- Removal of internal porch

I.41 There was a delay in the validation of the applications, with the planning application validated on 22 November 2019 and the listed building consent application on 5 December 2019.

I.42 In a letter from NPA dated 16 December 2019, concerns were raised about the design of the front door surround, the front door and the pink paint colour and stated that the applications were likely to be refused unless these elements were either omitted or revised.

I.43 In the course of this validation and application process it would appear that the description of the work for each application was revised by the NPA as set out below.

Listed Building Consent

I.44 The description of the work was:

Installation of replacement roof tiles, windows, doors, door surround and guttering, painting of external render and internal alterations.

I.45 The NPA determined the Listed Building Consent application based on description of:
Replacement of the front and rear door, front door surround, windows, roof and gutters, along with repainting of the front and rear doors and external render and internal alterations including the replacement of 2no. floorboards and the removal of the internal porch.

I.46 The application was refused on 29 January 2020.

- I.47 The reasons for refusal were as follows:
1. *The replacement of the historical door surround with one of unsuitable proportions and detailing constitutes significant harm to the character and appearance of the Listed Building. Due to the historic, evidential and aesthetic value of the previous door surround, its loss is considered to represent harm to the Listed Building. This application does not contain sufficient or convincing information to justify the replacement of the door surround or demonstrate any public benefit. The design of the replacement door surround fails to preserve or enhance the character and appearance of the Listed Building. Therefore this element of the application is contrary to DP5, Section 16 of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
 2. *The previous front door was finely detailed and held historic and aesthetic value and as such its loss constitutes harm to the Listed Building. The replacement door is of larger proportions and less finely detailed than the previous door and therefore does not respect the existing architectural and historic context of the building with reference to the form, scale, proportions, design detailing and materials of traditional buildings. The application does not contain sufficient or convincing information to justify the need for and design of the replacement door or demonstrate any public benefit. As such, this element of the application is contrary to DP5 and Section 16, paragraph 196 of the NPPF.*
 3. *The painting of the external doors and door surround pink is detrimental to the historic significance of the property as the pink is non-traditional and very prominent and not in-keeping with the era of the building and therefore harms the special historic and architectural character and appearance of the Listed Building. It is also considered that the pink colour is detrimental to the setting of the other Listed Buildings within the terrace. This is contrary to DP5 and Section 16, paragraph 194 of the NPPF.*
 4. *The removal of the original internal porch from the property constitutes harm to the Listed Building and the special architectural and historic interest it possesses. Such internal porches are a locally distinctive feature of Robin Hood's Bay and as such this feature contributed greatly to the significance of the Listed Building. Insufficient justification has been provided for the removal of the internal porch and as such this element of the application is contrary to DP5 and Section 16, paragraph 194 of the NPPF.*

Planning Permission

- I.48 The description of the work was:
Installation of replacement roof tiles, windows, doors, door surround and guttering (part retrospective)
- I.49 The NPA determined the application based on description of:
Replacement of the front and rear door, front door surround and windows, as well as the replacement of the roof tiles and gutters
- I.50 The application was refused on 17 January 2020.

I.51 The reasons for refusal were as follows:

1. *The replacement of the historical door surround with one of unsuitable proportions, colour and detailing constitutes significant harm to the character and appearance of the Listed Building and the Conservation Area. Due to the historic, evidential and aesthetic value of the previous door surround, its loss is considered to represent harm to the Listed Building and the Conservation Area. This application does not contain sufficient or convincing information to justify the replacement of the door surround or demonstrate any public benefit. The design of the replacement door surround fails to preserve or enhance the character and appearance of the Listed Building and Conservation Area and does not respect the existing architectural and historic context with reference to the form, scale proportions, design detailing and materials of traditional buildings. Therefore this element of the application is contrary to DP4, DP5, Section 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
2. *The previous front door was finely detailed and held historic and aesthetic value and as such its loss constitutes harm to the Listed Building. The replacement door is of larger proportions and less finely detailed than the previous door and therefore does not respect the existing architectural and historic context of the building with reference to the form, colour, scale, proportions, design detailing and materials of traditional buildings. The application does not contain sufficient or convincing information to justify the need for and design of the replacement door or demonstrate any public benefit. As such, this element of the application is contrary to DP4, DP5 and Section 16, paragraph 196 of the NPPF.*

Matters of Common Ground

I.52 In the NPA's Appeal Statements (section 7.0) they have identified matters of common ground relating to the following items:

- Replacement rainwater goods and roof, and lamb's wool insulation
- Replacement windows
- Replacement of 2no. internal floor boards

Outstanding Matters

I.53 The matters in contention therefore to be considered as part of these appeals are as follows:

Planning Application

6.3 *The outstanding issues in considering this appeal are the replacement front door and the replacement door surround. The NPA considers that these works are harmful to the historic, aesthetic and evidential value of the building and do not accord with Development Policy 4 of the CSDPD.*

Listed Building Consent Application

6.4 *The outstanding issues in considering this appeal are the replacement front door, replacement door surround, pink paint colour and the removal of the internal porch. The NPA considers that these works are harmful to the historic, aesthetic and*

evidential value of the building and do not accord with Development Policy 5 of the CSDPD.

The front (south) door and its surround

- I.54 The previous door had six panels, with two small panels at the top. Each panel had moulded beads externally but the detail of the inner face is unknown. It had a rimlock but this appears to have been a later alteration and was fitted with the door knob partially through the beading – rather than in the mid rail (*photos 26 & 27*).
- I.55 From the photographs submitted with the retrospective applications, the door appears to have been approximately 1” thick, which along with inserted rimlock, does suggest that it may have been a re-used internal door – possibly from a panelled wall. With the exception of the stair door from the lower ground floor room which is a 5-panel door (*photo 17*), the other doors within the cottage are 4-panel doors and therefore it is likely to have been imported from another building.
- I.56 Photographs from the 2019 sales particulars (*photos 11 & 13*) illustrate that the previous surround differed from those on the rest of the terrace in that it had a closed pediment supported on wide brackets. Unlike the other pediments which are open and have a flat top, the pediment to No. 3 had a more conventional triangular form. The pilasters had deep bases and a simple chamfered detail and the face of the pilasters had a central panel with a simple curved moulding.
- I.57 In comparison to No. 2, the pediment was set at a higher level, in line with (rather than below) the string course (*photos 11-13*). As a result there was a ‘blank’ panel between the head of the door and the base of the pediment, which the NPA suggests provides evidence of a former fanlight. However it should be noted that this differs from No.2 and the other properties in the terrace, where the fanlight is set within the open pediment.
- I.58 Appendix 5 of the NPA Appeal Statement shows an earlier photo of the west doors to Nos 2 & 3 – date unknown. In this photograph the door to No. 2 appears to be the same style as that to No.3 but this door has since been replaced with a simpler 6-panel door. At this date, the pediment to No. 3 had a bead moulding on the face and there were moulded bases to the pilasters which were not evident in 2019 (*photos 11 & 13*). Both these photographs show a planted bead around the door of No. 3. This bead may have been added to address issues with distortion of the door due to its limited thickness and concerns about security, water ingress and draughts.
- I.59 Although the overall form of the surrounds to the other properties in the terrace is similar (excluding Nos. 3 & 6), with their flat topped open pediments and fluted pilasters, the decorative details and mouldings to the pediments and pilasters, along with the fanlights and doors differ.
- I.60 The listed building entry for the terrace refers to the doorcases to Nos. 2 & 3 as ‘mutilated’. In the case of No. 2 this may relate to the absence of mouldings along the edge of the pediment and wide flat top, whilst in the case of No. 3 it probably relates to the differences/alterations noted above.

- I.61 An inspection of the other door surrounds on the terrace, reveals a history of repair and alteration, with blocked fanlights, loss of brackets, and in the case of No. 8 the use of 'lengths of timber decking' to replicate the appearance of fluted pilasters (*photo 14*). There is also some variation along the terrace and evidence of alteration, with the shopfront at No.1, the porch with tented hood at No. 6 and relocated doorcase and door to the north.
- I.62 It is apparent that the surround to No. 3 had undergone extensive alterations and we understand that it was in poor condition prior to its replacement.
- I.63 Mr Knight has advised that it was made of softwood and had decayed particularly at the junctions with the stonework. The absence of the moulded base in 2019, evident in earlier photographs suggests ongoing decay and alterations.
- I.64 As noted above, the previous front door was extremely thin and its ongoing use as an external door, posed a security risk along with the potential for water ingress which would cause damage to the interior of the listed building. Mr Knight has also advised that this door was made of softwood and had twisted out of shape.
- I.65 The new door surround reflects the overall proportions of that which it replaced, including the provision of a closed pediment. Mr. Knight has confirmed that there was visible evidence that beading had been fixed to the face of the previous pediment and therefore this detail has been included on the new pediment. A lead flashing has been fitted around the new pediment and whilst this is quite visible at present, with time it will weather to a much lighter colour. However, the detailing of the pilasters is slightly different, and instead takes reference from the detail of the adjoining doorcase to No.2, thus reflecting a pattern of change and evolution.
- I.66 With regards to the replacement front door, no alterations have taken place to the door opening and therefore its width reflects that of the original, albeit the door is slightly taller due to the absence of a blanking panel above.
- The colour of the doors**
- I.67 As noted in Mr. Knight's application, the colour of the door was chosen by his daughter, who is autistic. The colour helps familiarize her with the property and any changes to this would make it difficult for her to accept, making family time at the cottage a challenge.
- I.68 There are a variety of colour of doors on the other houses within the terrace, ranging from bright red (No. 6) to green (No.2), to various shades of blue (photos 14 & 15).
- I.69 We note that the NPA state that pink is not a traditional colour but would highlight the presence of another pink door just to the south of the site (*photo 28*) and the presence of brightly coloured doors on other listed buildings within the Conservation Area (*photo 29*).
- I.70 In addition, on Page 32 of the NPA Consultation Draft Conservation Area Appraisal for Robin Hoods Bay (October 2017), under items of '*Considerable Significance*' it includes:

Brightly coloured traditional timber panelled doors, many with little wooden canopies and brass or iron door knockers

The internal Lobby/Porch

- I.71 From online images we note that Nos. 4, 7 & 8 Bloomswell have internal porches (photos 30 - 32). The porch to No. 4 (Yarra House) appears to be a modern insertion and the images appear to indicate that all these porches are set parallel to the south elevation unlike the one that previously existed in No.3.
- I.72 Mr. Knight has advised that the porch within No.3 was set at an angle rather than parallel. He has also confirmed that the modern concrete floor (inserted by the previous owners c.1996) extended below this porch. This correlates with the statement from the previous owners that they had inserted this porch c. 1996 to enable the lower ground floor room to be used as a bedroom. This evidence suggests that the internal porch was a modern insertion.

Conclusion

- I.73 As noted above, Mr. Knight replaced the front door surround and door, as they were in a poor state of repair. Due to the minimal thickness of the existing door, it had twisted, allowing water ingress and it was also inadequate from a security perspective.
- I.74 The new surround and door were purpose made, reflecting the proportions of the existing along with the detailing of that to No. 2 Bloomswell.
- I.75 The NPA have highlighted concerns about the lack of refinement of the mouldings and the position of the door knob. It would be possible to replace the brackets to the pediment to better reflect the detail of No.2. It would also be possible to replace the beading around the panels on the door in order to replicate the detail of those on the previous door. In addition, the door knob could be relocated from the centre of the door. These detailed matters could be the subject of a condition to any approval/consent.
- I.76 The colour of the door, whilst not a traditional colour, matches that of another door on New Road. As a bright colour it also reflects the 'tradition' of having brightly coloured doors in the Conservation Area – an element which the NPA identify in their Appraisal as of 'Considerable Significance'.
- I.77 With regards to the internal porch, from the evidence provided by Mr. Knight, it would appear to have been a modern insertion and therefore of no architectural or historic interest.
- I.78 Therefore, we respectfully request that the Inspector upholds the appeal.

**3 BLOOMSWELL,
ROBIN HOOD'S BAY**

**APPEAL STATEMENT -
HERITAGE**

**APPENDIX A-
PHOTOGRAPHS**

REFERENCES:

APP/W9500/W/20/3250668

APP/W9500/W/20/3250669

Woodhall Planning and Conservation

Studio 11

2 King Charles Street

Leeds

LS1 6LS

2495/2

July 2020



Photo 2: View from New Road looking east along Bloomswell



Photo 1: View of No. 1 Bloomswell from New Road to west



Photo 3: View of north elevations of Nos. 1-4 Bloomswell, looking west along the back lane



Photo 4: View of north elevations of Nos. 5-9 Bloomswell, looking east along the back lane



Photo 5: View of west gable of No. 5 Bloomswell, with north elevation of No. 4 Bloomswell (Yarra House) in the foreground



Photo 7: View east along Bloomswell with corner of No. 4 in foreground on LHS



Photo 6: View east along Bloomswell with No. 3 in foreground on LHS



Photo 9: View west along Bloomswell with corner of No. 8 in foreground on RHS



Photo 8: South door to No. 8 Bloomswell (Yarra House)



Photo 11: South elevation of No. 3 Bloomswell (2019)

Source: <https://www.rightmove.co.uk/house-prices/detail/Matching.html?prop=69916285&sale=10107940&country=england>



Photo 10: South elevation of No. 3 Bloomswell



Photo 13: South elevation (2019)

Source: <https://www.rightmove.co.uk/house-prices/detail/Matching.html?prop=69916285&sale=10107940&country=england>

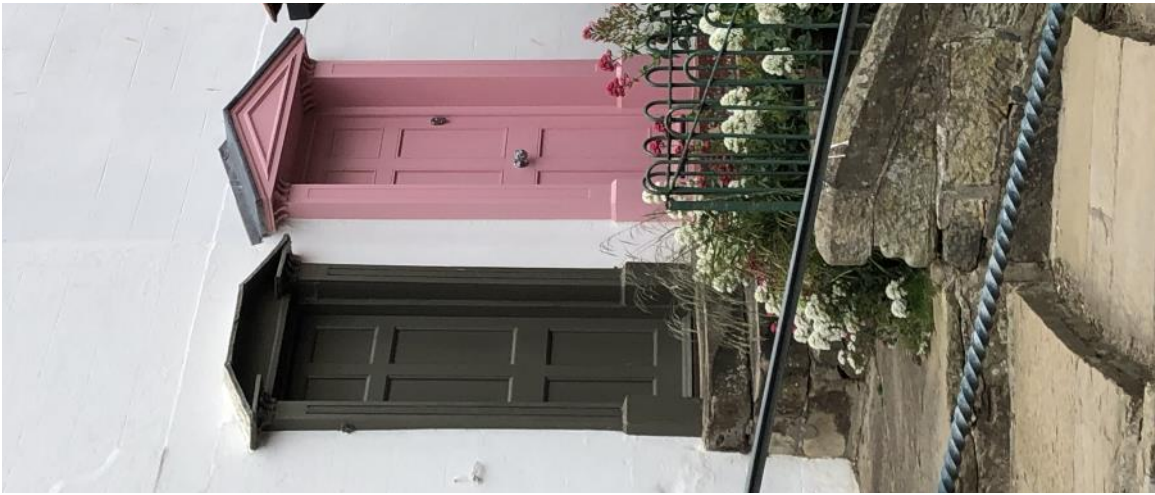


Photo 12: South elevation



Photo 15: South elevation No. 6 Bloomswell



Photo 14: South elevation No. 8 Bloomswell



Photo 16: East wall of lower ground floor room



Photo 17: Panelled stair wall and north-east corner of lower ground floor room



Photo 19: South wall of kitchen



Photo 18: South wall of kitchen



Photo 21: chimney breast in attic room



Photo 20: fireplace on east wall of first floor room



Photo 22: Lower ground floor room (2019)

Source: <https://www.rightmove.co.uk/house-prices/detailMatching.html?prop=69916285&sale=10107940&country=england>



Photo 23: Kitchen (2019)

Source: <https://www.rightmove.co.uk/house-prices/detailMatching.html?prop=69916285&sale=10107940&country=england>



Photo 24: Fireplace in first floor room (2019)

Source: <https://www.rightmove.co.uk/house-prices/detailMatching.html?prop=69916285&sale=10107940&country=england>



Photo 25: chimney breast in attic (2019)

Source: <https://www.rightmove.co.uk/house-prices/detailMatching.html?prop=69916285&sale=10107940&country=england>

Planning Inspectorate Reference: APP/W9500/W/20/ 3250669
Local Planning Authority Reference: NYM/2019/0706/LB

APPENDIX 4



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Photo 26: South elevation
Source: Appendix 4 NPA Appeal Statement



Photo 27: Detail of previous door set against new surround



Photo 28: Brightly coloured doors to buildings immediately to the south of Bloomswell, on east side of New Road (within the conservation area)



Photo 29: Brightly coloured doors to Grade II listed 4 & 5 Sunny Place (within the conservation area)



Photo 30: Internal Porch to No. 4 Bloomswell (Yarra House)

Source: <https://baytownholidaycottages.co.uk/our-cottages/property?s=yarra-house-robin-hoods-bay>



Photo 31: Internal Porch to No. 7 Bloomswell (Alice Cottage)

Source: <http://alicecottage.co.uk/accommodation.htm?2018>



Photo 32: Internal lobby to No. 8 Bloomswell (Orchard Cottage)

Source: <https://baytownholidaycottages.co.uk/our-cottages/property?s=orchard-cottage-robin-hoods-bay>