

PLANNING SUPPORTING STATEMENT

At: Maryondale Cottage and Chip Shop,
Albion Street, Robin Hoods Bay

NYMNP

04/12/2020

Cheryl **Ward**
Planning

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Rev/version no.	Date	Amendment details	Revision prepared by

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1.0 Introduction

- 1.1 Acting upon the request of the applicant Cheryl Ward Planning has been instructed to submit a planning and listed building application in relation to the area outlined in red on the attached location plan at Maryondale Cottage and Chip Shop, Robin Hoods Bay, Whitby, YO22 4SD.
- 1.2 The client has instructed the change of use of the upper floors to 2 no. dual use units (principal residence/holiday accommodation) together with the relocation of an extraction flue associated with Fish and Chip shop at ground floor level.
- 1.3 The accompanying plans can be used to identify the site and its relationship with other buildings in the group together with what is being proposed throughout the buildings.
- 1.4 The application seeks full planning permission under the Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 and falls within the North York Moors National Park for planning jurisdiction.
- 1.5 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute (RTPI) and associated ICN and PERN networks.

2.0 Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying planning application. Its aim is to assist those assessing the application to understand the rationale behind the proposal. In summary, it provides a structured way of describing the development proposal.
- 2.2 The application falls within the Robin Hoods Bay Conservation Area (Article 4) and the properties known as Maryondale Cottage and Chip Shop are Grade II listed buildings. As such Listed building consent is sought under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3 With this application type there is a requirement to submit a heritage assessment. The assessment in this case provides an explanation about how the proposed development is a suitable response to the property, site and its setting and describes the likely impacts of the proposal on the significance of the above identified heritage assets.

3.0 Planning History

3.1 A check of the NYM National Park Authority’s online planning explorer has revealed the most relevant planning history and consents associated with the properties. Listed in the table below.

NYM4/029/0053/PA	Change of use from storeroom attached to residential accommodation to fish and chip shop - Approve with conditions (1975).	Maryondale Cottage, Albion Street, Robin Hoods Bay.
NYM4/029/0053C/LB	Removal of metal flue from exterior and construction of 6” diameter steel duct enclosed in asbestos board - No decision.	Maryondale, 1-2 Albion Street, Robin Hoods Bay.
NYM/2006/0954/FL	Conversion of first floor flat into café serving existing fish and chip shop on ground floor at – Approve (2007).	1 & 2 Albion Flats, Albion Road, Robin Hoods Bay.
NYM/2006/0969/LB	Listed building consent for internal alterations – Approve.	1 & 2 Albion Flats, Albion Road, Robin Hoods Bay.

3.2 This planning statement sets out the overall case for the proposed development and is supported by the following documents:

- Planning application forms.
- Design, Access and Heritage Statement.
- Building Regulations requirements.
- OS Map Extract – location plan for site identification.
- Block plan
- Existing floor plans.
- Proposed floor plans – IB2020 – 2 of 3.
- Elevations – Existing and Proposed – IB2020 - 3 of 3.

4.0 Heritage Assessment

- 4.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering applications for planning permission special regard should be had to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the Act states that local planning authorities have a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 4.2 Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 4.3 Paragraph 192 of the NPPF states in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.4 Paragraph 193 of the NPPF 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. The more important the asset, the greater the weight should be.
- 4.5 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 4.6 Paragraph 200 of the NPPF states that local planning authorities should look for opportunities for 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 make a positive contribution to or better reveal the significance of the asset should be treated favourably.

4.7 **Strategic Policy I (The Historic Environment)** requires proposals for all developments affecting the historic environment to 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).

4.8 There is no available or adopted design guidance in place specifically created for Listed Buildings in the NYM National Park.



Fig 1. – Application site (in red). Source: Google imagery:
<https://www.google.co.uk/maps/place/Robin+Hood's+Bay,+Whitby/@54.4302824,-0.5330893,75m/data=!3m1!1e3!4m5!3m4!1s0x487f161bb0c3dcd1:0x93246c122525e697!8m2!3d54.4343549!4d-0.5350049> – for illustrative purposes only.

Old Mapping of the site



Fig 2. – Source: National Library of Scotland, OS Six Inch, 1888 – 1913.



Fig 3.- Source: National Library of Scotland, OS 25 Inch, 1892 - 1914.



Fig 4.- Source: National Library of Scotland, OS 1:10,560, 1949 - 1969.

Listing - Number 2 (Maryondale Cottage) and Chip Shop, Albion Street, Fylingdales - Grade II Listed Building

4.9 The historic environment record list entry description states:

“NZ 9504 (south side) Robin Hood's Bay 19/11 No 2 (Maryondale Cottage) 6.10.69 and Chip Shop”.

GV II House, mid C19. Coursed pecked sandstone; (red brick left return). Pantiled roof with stone copings and kneelers, brick stacks. 3 storeys, 3 wide bays. At left a segment-arched carriage entrance now holds a shop. Central 6-panel door with 4-pane overlight and bracketed cornice. Passage door at right has similar overlight; 4-pane pivoted window between. 16-pane sashes on upper floors, all with stone cills. Raking dormers with 4-pane casements. Coping and kneeler at right. End chimneys, the right rebuilt.

Listing NGR: NZ9527204853

4.10 The listing description confirms individual elements of the special historic character that describes the building. These relate predominantly to external features of the building and confirm the property is of mid-19th Century origin. The listing description refers to external materials and traditional features including stone copings and kneelers, brick stacks, segment-arched carriage entrance to the shop frontage together with sash windows and stone cills, raking dormers. All will be preserved in situ.

Consultation with HER

- 4.11 Little information is documented about the internal character and fabric of Maryondale Cottage or Fish and Chip Shop.
- 4.12 Searches of the Historic Environment Records for North York Moors National Park (HER), Pastscapes and Heritage Gateway have been carried out.
- 4.13 The majority of information contained in this Statement is yielded from the Conservation Area Appraisal and Management Plan for Robin Hoods Bay.

Robin Hoods Bay Conservation Area

- 4.14 Conservation Areas are defined in the Planning (Listed Building and Conservation Areas Act) 1990 as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Conservation Areas are therefore those areas considered to have the most important environmental quality in the District.
- 4.15 The application site lies in Robin Hood's Bay in the ancient parish of Fylingdales. The application site falls entirely within Robin Hoods Bay Conservation Area and designated Article 4 area which includes the early (southern) part of the village (including the application site) and parts of the settlement in the north. There is a proposal to extend the boundary of the CA further into the northern part of the village excluding the gap between the top of the bank and the Victorian Villas.



Fig 5. New Road, Close to Albion Street, Robin Hoods Bay –

Source: -

https://uk.images.search.yahoo.com/search/images; ylt=AwrP4nY_RMZf5lsATUwM34IQ; ylu=Y29sbwNpcjEcG9zAzEEdnRpZANDMDA4OV8xBHNIYwNwaXZz?p=old+pictures+of+robin+hoods+bay&fr2=piv-web&fr=mcafee&guccounter=1&guce_referrer=aHR0cHM6Ly91ay5zZWYy2gueWFob28uY29tL3NIYXJjaD9mcj1tY2FmZWUmdHlwZT1FMjExR0lzODRHMCMzPW9sZCtwaWN0dXJlcytvZityb2Jpb29kcytiYXk&guce_referrer_sig=AQAAAHNjvfwCAAnYSMcRICNWSGZxBLgqZWE0gpGRGN6oql1fByHETrcswSoAA1qDj21OmXUpurrBbgsYAAOXAHRWRVoydk4gID1KjEizs990CEuYR8mHb0mry9dca5w4rhQBpztXSletZWEt8-zNfIP5nOwhoi-FS9k59QztnYCMC4j – for illustrative purposes only.

- 4.16 Robin Hoods Bay Conservation Area was first designated in 1974. The village has evolved because it has access to the coast with all its resources it has to offer. Behind it the land rises steeply to Fylingdales Moor. The extent of the developed area was originally restricted to the sides of the ravine so that settlement was almost invisible from the landward side. Consequently, the houses are packed together often in close proximity to each other.
- 4.17 Early historic mapping by the Ordnance Survey suggests that the village had largely developed and settled by the mid-19th century (as shown at **Fig 5.** above). Additional development was not brought to the settlement until mid-Victorian times when the cliff top was developed with guesthouses and hotels and some refined buildings with sea views.
- 4.18 Views within the village are channelled between cottages and lanes. It is the cottage walls that frame the views and from higher ground the red pantiled pitched roofs (and some Welsh slate) all jumble together with the appearance of being on top of one another.
- 4.19 Within the lower village there is an exceptionally high proportion of listed buildings including Maryondale Cottage and Chip Shop reflecting the architectural and historic interest of the village.
- 4.20 The draft Robin Hoods Bay Conservation Area Management Plan and Appraisal produced in 2017 refers to Robin Hoods Bays characterful stone buildings, some whitewashed, one to three storeys high; red pantile roofs and some Welsh slate, stone water tabling, chimneys in brick or stone, kneelers, traditional window types, brightly coloured painted timber doors with door knockers, little porches over doors, fanlights, overlights, date stones and access to cellars from street front.
- 4.21 The planform of the village has been almost entirely dictated by the topography. All the buildings within the Conservation Area are located within a ravine that carried the King's Beck out to sea; this limited the available space suitable for building cottages. The two main roads are New Road and King Street, but only New Road links with the outside world and this is on a steep gradient of one in three.

Understanding the nature of the significance

- 4.22 The starting point for the assessment when considering the significance of heritage assets is to identify the asset. In this case it is Robin Hoods Bay Conservation Area and Maryondale Cottage and Chip Shop, Albion Street (Grade II listed) and other listed buildings nearby that could be affected by the proposed development. They are 1 Albion Street, Primrose and Primrose Flat, Woodside (all Grade II listed) which lie either side and are physically attached to the application property. Once established the contribution made by its setting and the effect of the proposed development on the significance of the asset(s) can be considered.

- 4.23 Key features of Albion Street are that it is a narrow thoroughfare and therefore although far wider than some. The street exhibits stone steps, minimal open spaces/views, stone retaining walls for support with vegetation to soften, visually permeable boundaries to private spaces and cast ironwork. The nearby slipway and dock are reminders of the areas connection with the fishing industry.
- 4.24 A quotation taken from the Conservation Area Appraisal and Management Plan for Robin Hoods Bay:
- “It has a most romantic and picturesque appearance, many of the houses being built on the extreme verge of the cliff, overhanging the sea...The town is so constructed that visitors approaching from the direction of Whitby, are almost in the place before they see it... Fine views are obtained of this strangely placed town, as well as of the bay, from Cawfoot Hill on the south-east, and Ness point, on the north side.” (Bulmer's History and Directory of North Yorkshire, 1890).*
- 4.25 Maryondale Cottage and Chip Shop are traditional stone and pantile buildings with a characterful frontage and carriage arched frontage. This proposal does not concern itself with any physical alterations to the main exterior façade, side gable or any part of the rear elevation (only a small part of the roof on the north facing side where the flue is to be repositioned). The roovescape of the building due to the site topography is not visible from Albion Street due to it being over four storeys high.
- 4.26 Traditional shop windows are referenced in the CAA and should be conserved or restored where lost. Brightly coloured doors are characteristic and on cottages, small wooden canopies over the doors are especially so. It is confirmed that that front of the Fish and Chip shop will be preserved in situ without changes.
- 4.27 Despite of all these things and in consultation with HER records there are no recognised facts or items that can be found that are specific to the property that would have a bearing on the application proposal and therefore it is down to individual interpretation.

5.0 The Proposal

- 5.1 This Design and Access Statement is prepared by Cheryl Ward Planning and is submitted in support of this planning application.
- 5.2 The aim of the proposal is for the change of use of upper floors to provide 2 no. independent units of accommodation which could function under a dual use (principal residence or holiday accommodation) without ties to the Chip Shop at ground floor together with the relocation of an existing, problematic extraction flue associated with fish and chip shop.
- 5.3 The accompanying plans seek to show how the proposal is achievable across the site without harming the special qualities of the area.

- Planning application forms.
- Design, Access and Heritage Statement.
- Building Regulations requirements.
- OS Map Extract – location plan for site identification.
- Block plan
- Existing floor plans.
- Proposed floor plans – IB2020 – 2 of 3.
- Elevations – Existing and Proposed – IB2020 - 3 of 3.

- 5.4 Maryondale is centrally placed on the south side of Albion Street in the lower part of Robin Hood Bay within the heart of Fylingdales parish. The site is built over four floors comprising a successful Fish and Chip Shop at ground floor, a restaurant (although not functional) at second floor and residential accommodation over the remaining two floors.
- 5.5 In a wider context the application site lies 4.92 miles south east of Whitby and 10.2 miles north west of Scarborough and is within easy reach of coastal areas and the North York Moors.
- 5.6 Collectively, the properties are Grade II listed buildings, and this Statement identifies them falling within Robin Hoods Bay Conservation Area.

Extraction flue

- 5.7 The applicants are seeking permission to retain the Fish and Chip at ground level albeit with a new extraction system. Issues have arisen surrounding the existing extraction flue overhanging the neighbouring property and therefore a new solution must be found to remove the Environmental Health issue and safeguard neighbouring amenity.

- 5.8 The existing flue is a large diameter, steel extraction flue which currently projects from the gable end of the building and overhangs the roof of neighbouring property. T
- 5.9 The applicant is currently in discussions with an installer who will redirect the flue internally through the inside the building. On plan this will be located in the left hand corner of the chip shop and project upwards through the floors of the building before exiting the building part way up the north facing roofslope with a matt black flue.
- 5.10 The flue is to be sited away from the dormer windows on the north facing roofscape where it will have the least impact on the host building. It will be positioned directly in front of the lhs brick chimney stack which is used as a backdrop for the installation. This means that it does not stand alone in this view or breach skyline views when looking south from the adjacent listed cottages directly opposite and is where it is considered to have the least impact.
- 5.11 Taking the flue up through the existing central brick chimney stack has been eliminated due to the quality and bends within the chimney and is therefore no longer an option.
- 5.12 Pre-application discussions have been undertaken with National Park officers in connection with the development and they have offered their support in principle to the relocation of the extraction flue where it is to be sited away from the neighbouring property - albeit that was at a time when it was initially discussed that the flue would go through the existing chimney and is now no longer a viable option due to the physical capabilities of the existing stack.



Fig 6 & 7. – Existing steel flue existing between Maryondale and overhanging neighbouring property.



Fig 8. – Proposed flue position against existing stack.



Fig 9. Flue head on a 300 mm pipe.

Change of use of Upper Floors

- 5.13 With regard to the upper floor space, it is proposed to make use of the existing accommodation and in the main use the existing room layout to create 2 no. independent units of accommodation. Each have independent access separate to the fish and chip shop at ground floor.

Unit One

- 5.14 Unit One is directly above the fish and chip shop and is accessed independently to the shop and the proposed Unit Two. Consent was granted for the upper floor to be used as a restaurant associated with the shop below however it has never been property implemented or used by the applicants and remains as the previous owners have left it (partially converted). My clients do not consider it viable to be used as a restaurant nor would it meet the current Building Regulation standards for doing so.
- 5.15 Unit One is at first floor level and makes use of the existing habitable floor space over one level. It can provide sufficient accommodation capable of providing a spacious one bed, open plan living arrangement and is in an ideal location suited to this type of development.
- 5.16 There are no external changes to the buildings needed to support the development of Unit One.

Unit Two

- 5.17 Accessed by a separate door at ground floor to the right side of proposed Unit One is a further unit of accommodation which is over second and third floors and benefits from its own independent access.
- 5.18 With accommodation over two floors it is laid out and capable of providing a two storey self-contained two bed, apartment which once again is in an ideal location in the village which would be suited to this type of development.
- 5.19 Bin storage for the 2 no. units will be available in the yard directly opposite the fish shop entrance directly opposite.
- 5.20 There are no external changes needed to the building to populate Unit Two.

Access

- 5.20 Access to the fish and chip shop via Albion Street remains unchanged. Accessing the accommodation proposed for Unit One and Unit Two also remain the same and does not pose a constrain to other users of Albion Street or access to Albion Street from New Road.

Uses

- 5.21 The scope of works covered in the application is concerned mainly with use and occupancy of the 2 no. proposed units which will provide high quality accommodation nor is it envisaged that an increase in activity will arise at the site over and above the sites existing capabilities.
- 5.22 In addition, the application secures the buildings long-term use and safeguards the conservation of Grade II listed buildings without harm to the site's special qualities.
- 5.23 There is no anticipated or unforeseen conflict between the compatibility of uses or between the amenity or quality of life of existing/future occupiers.

Planning Strategy

- 5.24 The overarching planning strategy potentially decreases the number of units being used purely for holiday rentals/second homes. The scheme proposes a more flexible type of housing/holiday accommodation (dual use) and an offer of principal residence housing provision which is permitted in the 'Larger Villages' in the Park such as Robin Hoods Bay.
- 5.25 Robin Hoods Bay is classed as a more 'self-contained' settlement which is characterful and has a range of facilities serving the wider community including the Bank Top. It is a village where the NYM Local Plan allows for small scale development in the main built up area to meet housing, employment and community needs, including 'principal residence' housing on suitable sites or through the conversion of an existing building.

- 5.26 This is a key objective which the new Local Plan aims to encourage to strike the right balance between protecting the national asset (National Park) and allowing people to live and work in it. This is set out in recent publications and articles following the final consultation stages of the new NYM National Park Local Plan.

6.0 Planning Policy Context

Planning and Compulsory Purchase Act 2004

- 6.1 This section outlines the principal planning policies that pertain to the proposed scheme.
- 6.2 The Planning and Compulsory Purchase Act 2004 came into force in September 2004. It carries forward the provisions of the Town and Country Planning Act 1990, giving statutory force to a plan-led system of development control.
- 6.3 Under Section 70 of the 1990 Act and section 38 (6) of the 2004 Act, the determination of planning applications must be in accordance with the approved Development Plan unless material considerations indicate otherwise.

National Planning Policy (NPPF) (2019)

- 6.4 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.
- 6.5 The NPPF is a contributing material consideration. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 6.6 Paragraph 7 states that 'at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.
- 6.7 Paragraph 8 states that 'achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways' (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) an economic objective
 - b) a social objective
 - c) an environmental objective
- 6.8 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, so that sustainable development is pursued in a positive way.
- 6.9 Paragraph 9 states that 'planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect local needs and opportunities of each area'.

- 6.10 Further advice on decision-taking is provided at Paragraph 38 of the Framework:
- Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 6.11 In addition to the above, paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

North York Moors National Park Authority – NYM Local Plan (2020)

- 6.12 Applications for planning permission are primarily considered against policies set out in the 'development plan' for the North York Moors National Park. This is made up of a series of formal planning documents that have been through a period of consultation and testing and have been subsequently formally adopted by the National Park Authority.
- 6.13 The NYM Local Plan was adopted on 27 July 2020 and will be in place for the next fifteen years. It seeks to balance the overriding need to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. It acknowledges that there is a need for new homes, jobs and services.
- 6.14 The role of this Plan is said to manage the 'often competing aims by putting in place a set of policies to guide careful decision making on where new development will be located and how it will look and function'. The Strategy works in conformity with the National Planning Policy Framework (NPPF), referenced above.

6.15 An overall summary of national and local planning policies considered relevant to the case are summarised in the table below:

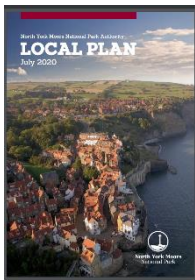
DOCUMENT	POLICIES AND DENOTATION
National Planning Policy	
National Planning Policy Framework (NPPF) (2019)	Paragraphs 2, 7, 8, 9, 10, 11, 38, 39, 51, 77, 83, 84, 127, 172
National Planning Practice Guidance (2014)	Before submitting an application (2019). Consultation and pre-decision matters (2020). Design: process and tools (2019). Determining a planning application (2019). Housing: optional technical standards (2015). Making an application (2018) Noise (2019). Permission in principle (2019). Rural housing (2016).
Local Development Plan in force	
NYM Local Plan (2020) 	Strategic Policy C – Quality and Design of Development. Strategic Policy I – The Historic Environment. Policy ENV11 – Historic Settlements and Built Heritage. Strategic Policy J – Tourism and Recreation. Strategic Policy K – The Rural Economy Strategic Policy M – Housing. Policy CO7 – Housing in Larger Villages.

Table 1. – Planning policy and guidance.

6.16 The newly adopted **Strategic Policy C** (Quality and Design of Development) confirms that in order to maintain and enhance the distinctive character of the National Park development will be supported where 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 design guide.

- 6.17 Emerging **Strategic Policy I (The Historic Environment)** is relevant. This policy will confirm 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. 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 (amongst others):
- 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.
- 6.18 **Policy ENV11** (Historic Settlements and Built Heritage) includes reference to Conservation Areas and listed buildings stating ‘whilst it is the quality and interest of an area as a whole which is recognised through designation, it is often the cumulative impact of small changes over time which erode the special qualities and significance of a place. Most of the National Park’s Conservation Areas are covered by Article 4 Directions to help control potentially damaging alterations by removing permitted development rights.
- 6.19 The character of a Conservation Area is not only formed by buildings and spaces, but also by the land uses. It is important that proposed changes of use identify opportunities for enhancement as well as ensuring the special qualities and significance of a place is not harmed’.
- 6.20 It further advises that ‘Listed Buildings are irreplaceable heritage assets which are recognised as being of special architectural or historic interest in the national context. They are identified on the National Heritage List for England held currently by the Department for Culture, Media and Sport.
- 6.21 Protection extends to the whole building, inside and outside, its curtilage and certain structures within its domain. The majority of works to Listed Buildings require listed building consent (in addition to any other consent required through planning legislation), including internal features and fittings, attachments and any decorative schemes of special significance’.
- 6.22 Heritage significance is discussed earlier in the Statement.
- 6.23 In summary, the development has been development and is in alignment with prevailing policies **SPC, SPI, ENV11, SPJ, SPK, SPM, CO12 and CO7**.

Achieving Sustainable Development

- 6.24 The application site is located in the heart of the North York Moors and the supporting documentation demonstrates that albeit that the building is already in a mixed use including residential elements it is currently in an unsatisfactory state of repair and fails to meet Building Regulation standards both in terms of extraction from the fish and chip shop and habitable floorspace and standards.
- 6.25 The design of the new extraction system is for the most part to be retained and re-routed through the inside the existing building. Apart from an extraction flue which will exit through the main roof in a compatible and sympathetic way.
- 6.26 The floor layout at first and second floors has been conceived with the ambition of satisfying all of the relevant local and national planning, building regulatory and environmental policies. The proposal as such would not have an adverse impact on the character and appearance of the local area and is in a suitable location in village setting terms.
- 6.27 A principal residence restriction is likely to be placed on any future full time residential use of the units.
- 6.28 The proposed development will deliver economic, social and environmental benefits to the site and the National Park as a whole. These benefits will be delivered jointly and simultaneously to reflect that the three overarching objectives of the planning system are interlinked:

The economic benefits of the proposed development include:

- Retention of the existing fish and chip shop which is a highly popular facility in the village.
- Provision of 2 no. principal residence/holiday units thereby delivering a small amount of rural housing.
- Longevity and conservation of listed buildings.

The social benefits of the proposed development include:

- Providing a well-designed scheme and one that is seen to be in fundamental conformity to the planning process (NPPF).

The environmental benefits of the proposed development include.

- High levels of sustainability and amenity safeguarding are at the heart of the proposal and incorporated in the development.
- The plans seek to conserve and enhance the special qualities of the NY Moors without harm to the National Park landscape, Robin Hoods Bay Conservation Area and features of the wider site for this and future generations to enjoy.

6.29 In summary, the development therefore:

- Reinforces local distinctiveness with a village setting.
- Safeguards an existing use and buildings which are important contributors in terms of economic and building characteristics.

6.30 The continued use of the site as a fish and chip shop and for residential purposes does not change. Levels of activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses.

7.0 Conclusion

- 7.1 This section brings together the information presented within this planning statement and provides a reasoned conclusion for the approval of this application.
- 7.2 The development proposal has been designed with a level of thoroughness proportionate to the relative importance of the heritage asset/s whose fabric is to a certain extent, but by no means wholly, affected.
- 7.3 Early pre-application advice with the LPA and heritage advisors identified the issues which are sufficiently addressed, and this has led to a better understanding of how adaptable the assets (including Robin Hoods Bay Conservation Area) are.
- 7.4 The scheme as presented includes improvements which seek to offset previous unsympathetic changes that have taken place in the past and in turn improve the viability and the prospects for the property and business's long-term conservation.
- 7.5 In line with the NPPF we have consulted HER records, documentary materials and historic mapping records. The assessment finds that given the minor nature of the works, a less than significant degree of harm will be caused to the significance of heritage assets identified in this Statement.
- 7.6 The proposal would enable the proper subdivision of accommodation at Maryondale Cottage and has the potential to sever the ties with the Fish and Chip Shop on the ground floor allowing two independent units of accommodation within the remainder of the building which could take on a dual use function:
- To be used as holiday accommodation or
 - To be used as a self-contained principal residence dwelling.
- 7.7 Being able to make use of the 2 no. independent units for a dual purpose will provide a small contribution to the economic, social and environmental conditions of the area without harming the National Park's special qualities or the amenity of neighbouring residents.
- 7.8 The building is located on Albion Street and is within an existing group of buildings that have a close physical and visual relationship to each other and includes existing residential units which are occupied for full and part time occupation.
- 7.9 Essentially, the proposal allows a new planning chapter to commence as a means of providing economic stability to the locality without harm to the listed buildings, the sites historic setting/ambience and the compatibility of existing and future users.
- 7.10 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force and it is requested that planning permission should be granted.

Cheryl Ward Planning

Offering a high quality, technical and locally focused Planning and Development Consultancy service. With a pragmatic and conscientious approach to all projects our core aim is to achieve the best possible outcome for our clients.

Accompanied by an in-depth knowledge of the local area and a deep-rooted understanding of local authority planning requirements the business is well equipped to deal with all-encompassing planning matters specialising in planning applications (all types) – town and rural i.e. residential, rural and equine planning projects whether it be traditional or contemporary in design.

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 - Agricultural and Forestry Notifications
 - Planning Supporting Statements
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