

North York Moors National Park Authority

Parish: Fylingdales

App No: NYM/2020/0734/LB

Proposal: Listed Building consent for erection of railings and gate to road side boundary and laying of stone flags to terrace

Location: Seascape, King Street, Robin Hoods Bay

Applicant: Mr & Mrs Murphy, Stanturns, 4 Westgarth, Linton, Wetherby, LS22 4BF

Agent: BHD Partnership, fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB

Date for Decision: 01 February 2021

Director of Planning's Recommendation

that Listed Building Consent be **GRANTED** subject to the following conditions:

1. TIME02 **Standard Three Year Commencement Date - Listed Building**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. PLAN02 **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.
3. MATS00
No work shall commence on the laying of the stone surface of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
4. MATS00
The railings hereby approved shall be painted black or white or a colour to be agreed in writing with the Local Planning Authority and shall maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informative

1. MISCINF05
Development in Accordance with Planning Permission
Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission reference NYM/2020/0729/FL and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the planning permission.

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Reasons for Conditions:

1. TIME02 To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2. PLAN00 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C which seek to conserve and enhance the special qualities of the NYM National Park.
3. PLAN00 For the avoidance of doubt and in order to comply with the provisions of NYM Local Plan Policies A and C which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. MATS00 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

Consultations

Parish - No objection.

Advertisement Expiry Date - 21 January 2020.



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**Background**

Seascope is a substantial property situated in the heart of Robin Hoods Bay. Its front elevation faces onto King Street whereas the rear elevation looks out over the sea wall promenade. It is a grade II listed building constructed in the early/mid-19th century of sandstone walls under a slate roof but has been altered over the years with the addition of ground and first floor rear extensions and alterations to the fenestration. To the north (side) of the property is a terrace set a lower level than the road, providing a small area of outdoor space. The fence on the boundary with King Street is an unauthorised temporary timber rail structure. The applicant's agent has advised that this has been erected for safety reasons as the road is narrow, with no pavement and has a drop 1.2m on to the subject terrace. On the north boundary there is a more traditionally styled black painted steel barrier, which safeguards the drop on to the sea wall.

Planning permission and listed building consent was granted in 2016 for the construction of replacement dormer window to front elevation together with installation of replacement door to ground floor, door in place of window to first floor and creation of roof terrace to rear elevation.

This application now seeks listed building consent for the erection of railings and gate to road side boundary (King Street) and laying of stone flags to terrace, replacing the existing concrete surface. The design of the fence is to be a copy of the existing railings to the east. However, it includes a third horizontal rail to improve safety for public on King Street. It is proposed to re-surface the terrace with natural stone flags.

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Main Issues

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy C (Quality and Design of Development), Strategic Policy I (Historic Settlements) and ENV11 (Historic Settlements and Built Heritage).

SPC relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

SPI states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park. 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 the vernacular building styles, materials and the form and layout of the historic built environment (including conservation areas and listed buildings).

Policy ENV11 requires new development to reinforce the distinctive historic character of the North York Moors by fostering a sympathetic relationship with traditional local architecture, materials and construction, encouraging a high standard of design and seeks to conserve, enhance or better reveal elements which contribute to the significance of a heritage asset or its setting.

The proposed replacement railings seek to replicate the design of the existing railings serving the opposite boundary of the site and would be similar in size, scale and appearance to other properties in the immediate vicinity (i.e. York House). The proposed railings are therefore considered to reflect the character of the locality and would be a significant enhancement to the visual appearance of the host property and wider conservation area setting.

The existing concrete surface does not make a positive contribution to the visual appearance of the area and is reported to be defective in some areas. The replacement of the modern surface with natural stone flags is therefore welcomed. The Authority's Building Conservation Officer has no objection to the railings, gate or use of natural stone; however, it is requested that a condition is added to request details of the stone (sample) is submitted for agreement prior to installation.

The Parish Council has no objections and no other representations have been made.

The proposal is considered to represent a significant enhancement to the quality and appearance of the site and the removal of the current unauthorised railings is welcomed. The proposal would respect the special architectural character of the listed building and would reinforce local distinctiveness. In view of the above, it is recommended that listed building consent be granted.

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Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Background

Main Issues

Local Plan

Pre-commencement Conditions

Condition(s) INSERT are pre-commencement conditions and have been agreed in writing with the applicant/agent.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy INSERT which seeks to INSERT

Decision under the Temporary Scheme of Delegation

Explanation of how the Authority has Worked Positively with the Applicant/Agent