

North York Moors National Park Authority

Parish: Fylingdales

App No: NYM/2020/0986/LB

Proposal: Listed Building consent for installation of replacement windows and door together with removal of fence and construction of stone wall with gate

Location: Selbourne House, Sunnyside, Robin Hoods Bay,

Applicant: Mr & Mrs Rajab
Comber House, Dog Kennel Lane, Thornton le Dale, Pickering, YO18 7QJ

Agent: Peter Rayment Design Ltd
fao: Mr Richard Waller, Woodbine Cottage, Westgate, Thornton Le Dale,
Pickering, YO18 7SG, N Yorkshire

Date for Decision: 09 February 2021

Extended to: 10 March 2021

Consultations

Parish –

Site Notice/Advertisement Expiry Date – 02 February 2021

Others –

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. 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. Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No. | Date Received |
|-----------------------------|--------------|------------------|
| Application Form | | 15 December 2020 |
| Location Plan | | 15 December 2020 |
| Design and Access Statement | | 15 December 2020 |
| Heritage Statement | | 15 December 2020 |
| Amended Plans | 2036-401 B | 23 February 2021 |

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. No work shall commence on the construction of the boundary wall hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used and method of pointing have been submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved details.

4. No work shall commence to paint or stain external joinery in the development hereby approved until a scheme for the painting or staining of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed treatment for doors, windows, shutters, and any other exterior joinery fixtures. The works shall be carried out in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
5. Trickle Vents Shall Not be incorporated into Windows
Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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.

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Background

Selbourne House is a prominent detached, four storey dwelling located off Tyson Row in the lower part of Robin Hoods Bay within the Conservation Area which is protected by an Article 4 (2) Direction. The property is Grade II Listed and dates from the late Eighteenth Century, constructed of herringbone tooled sandstone under a clay pantile roof with stone water tables and kneelers. Due to the rising topography of the site, the property is constructed on a split level with external access doors in the north and south elevation of the property. The south elevation of the property is recognised as the principle elevation due to its very formal, three bay appearance, central six panel door and multi-paned Georgian style windows.

Listed Building Consent was granted in September 1976 for the replacement of non-traditional, 4-light Victorian style windows in the first floor of the property with 15-light Georgian style windows and the insertion of 2 no. rooflights. The first floor windows are top hung, mock sashes and while their multi-pane appearance retains the symmetry of this Georgian property, the mock sash detail is clearly evident by their pronounced upper frames and lead canopies and detracts from the architectural and aesthetic interest of the property.

In November 1996 Listed Building Consent was granted for alterations to the lower ground floor and the reinstatement of 2 no. windows and a new door in the south elevation. The application originally sought to replace the six panel timber door with a half glazed replacement containing three over three pane glazing above a matchboard panel. However, this was felt to be inappropriate for the style and status of the property's principle elevation and was subsequently amended to a six panel door, matching the previous with the exception that the top two panels were glazed.

A number of alterations to the property were granted Listed Building Consent in February 2006 including the replacement of the roof and 1 no. rooflight, stonework and window repairs, and tanking works to the cellar. In August 2016 Listed Building Consent was granted for the insertion of a new internal partition wall, a sun tunnel with 4 no. glass pantiles and a clay vent tile.

This application now seeks Listed Building Consent for the replacement of 11 no. windows together with the removal of the boundary fence and construction of a stone wall with a gate. The application originally also sought to replace the door within the southern elevation of the property but this proposal has now been omitted.

Main Issues**Statutory Duties**

Section 16, paragraph 193 of the National Planning Policy Framework 2019 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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Section 16, paragraph 194 of the National Planning Policy Framework 2019 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The Authority has a statutory duty to protect Listed Buildings within the Park as they form part of the significance of the built and cultural heritage of the North York Moors. These buildings represent a significant part of the history and culture of the National Park and their considerable importance, once lost, cannot be replaced.

The Authority has a general duty in respect of listed buildings in its exercising of planning functions as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which 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.

NYMNPAs Policies

The most relevant policy contained within the North York Moors Local Plan to consider in relation to this application is Strategic Policy I (Historic Environment).

Strategic Policy I states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate enhancement of the historic environment.

Conclusion

The main issue to consider in relation to this application is whether the proposed works would preserve the special architectural or historical interest of the Grade II Listed Building and conserve or enhance the character or appearance of the National Park's historic environment.

Selbourne House forms a typical example of a local vernacular house although it is one of the larger detached properties within Robin Hoods Bay with three of its elevations visible from the adjacent Public Right of Way. The majority of proposals within this application relate to the southern elevation of the property which the Building Conservation Officer has advised demonstrates a hierarchy with its variations in design, materials and detailing which is clearly linked to public prominence and visibility and is reflective of the social and cultural context at the time of building.

This application seeks to replace 3 no. single glazed vertically sliding sash windows and 3 no. single glazed, top hung mock sashes with 14mm double glazed, vertically sliding timber sashes on cords and weights. The panes of the replacement windows will match the arrangement of the existing. The introduction of slim-line double glazing into this Listed

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Building is considered to be acceptable in this instance as it will involve the replacement of non-historic replacement windows with more sympathetic units. In this case the replacement of the 3 no. mock sashes with traditionally detailed vertically sliding sashes is considered a sufficient enhancement to the historic environment to mitigate the use of double glazing. Amendments to the design of the windows have been agreed with the agent including the use of 22mm glazing bars and putty pointing. The development would also include the removal of the modern lead canopies above the first floor windows. 1 no. flush fitting casement window and 3 no. fixed windows will also be replaced using 14mm double glazing units and 22 mm glazing bars.

The application originally sought to replace the six panel timber door within the southern elevation with a timber stable door. Officer's felt that this design would have a negative impact on the architectural and aesthetic character of the property's very formal principle elevation and subsequently the applicant chose to omit the replacement of the southern entrance door from the application.

No objections have been raised to the replacement of the modern timber picket fence with a stone wall matching the scale, form and detail of the existing boundary wall. The applicant has confirmed that locally sourced reclaimed stone and copings will be used.

As the proposed development would enhance the character and appearance of the Listed Building through the replacement of modern features with more traditional and sympathetic elements, it is considered to be in accordance with SPI and Section 16 of the NPPF.

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

Pre-commencement Conditions

Conditions 3 and 4 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the omission of the stable door and glazing bead detail, and amendments to the glazing bar widths, so as to deliver sustainable development.