

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0860/LB

Development description: Listed Building consent for installation of replacement roof covering to downstairs toilet and rooflights to rear together with internal alterations comprising relocation of kitchen, creation of en-suite shower room, plastering work and installation of ventilation system

Site address: Laurel Cottage, Martins Row, Robin Hoods Bay

Parish: Fylingdales

Case officer: Miss Lucy Gibson

Applicant: Gelsthorpe
9 Dunlin Close , Thorpe Hesley , Rotherham , S61 2UL ,

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text												
1	TIME02	<p>Standard Three Year Commencement Date - Listed Building</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>												
2	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="0"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Design and Access Statement</td> <td></td> <td>30 November 2021</td> </tr> <tr> <td>Heritage Statement</td> <td></td> <td>13 December 2021</td> </tr> <tr> <td>Plans and elevations existing and proposed.</td> <td>SI-18</td> <td>26 October 2021</td> </tr> </tbody> </table> <p>Plans amended from email dated 21 December 2021 from applicant to Building Conservation Officer to confirm the porch will not be removed.</p> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Design and Access Statement		30 November 2021	Heritage Statement		13 December 2021	Plans and elevations existing and proposed.	SI-18	26 October 2021
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3	MATS00	<p>The development hereby permitted for the works to the ground floor, excluding the rear basement, shall be carried out in accordance with paragraph 3 of the Design and Access statement submitted 30 November 2021.</p>												
4	MATS00	<p>All mortars in the development hereby permitted shall accord with the specification 1:1:6 CL90 NHL5 Quicklime:Sand (Sharp). The mortars shall thereafter be so maintained unless otherwise agreed in writing with the Local Planning Authority.</p>												
5	MATS00	<p>All plaster used on historic walls within the development hereby permitted shall accord with the specification CL90 1:3</p>												

		Quicklime:Sand. The plaster shall thereafter be maintained unless otherwise agreed in writing with the Local Planning Authority.
6	MATS16	Handmade Clay Pantiles to be Used The roof of the development hereby permitted shall be clad with traditional, handmade natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7	MATS00	The development hereby permitted for the treatment of the timber shall be carried out in accordance with paragraphs 4 and 7 of the Design and Access statement submitted 30 November 2021.
8	MATS56	Conservation Rooflights Only The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
9	CDLB12	Listed Buildings - Stud Walls The new internal stud walls to be constructed in the development hereby approved shall be constructed so as to scribe around existing skirting, dado, cornice and other similar mouldings and shall not cut into or in any way damage the said architectural features.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2	PLAN01	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	CDLB06	In order to comply with NYM Strategic Policy I which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on their special historic or architectural

		interest.
4	MATS01	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.
5	MATS01	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.
6	MATS01	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.
7	CDLB06	In order to comply with NYM Strategic Policy I which seeks to ensure that works to Listed Buildings do not have an unacceptable impact on their special historic or architectural interest.
8	MATS02	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.
9	CDLB06	In order to comply with NYM Strategic Policy I which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on their special historic or architectural interest.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF01	Bats All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.)

		<p>Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
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Consultation responses

Parish

No objections, provided the correct materials are used.

Third party responses

None

Publicity expiry

Advertisement/site notice expiry date- 06 January 2022



Photograph showing the front elevation of Laurel Cottage, Robin Hoods Bay

Background

Laurel Cottage is a Grade II Listed 2 storey property of coursed herringbone-tooled sandstone and pantile construction, believed to date from the Eighteenth Century. Much of the original internal features remain unchanged. It is located within the Robin Hoods Bay Conservation Area which is protected by an Article 4 (2) Direction.

There is no planning history for the property.

This application seeks Listed Building Consent for a range of works as summarised below.

Rear basement and kitchen area- Past works to the rear basement at Laurel Cottage have resulted in issues with damp and water ingress. The work on removing the cement render and floor has commenced prior to the submission of this application as an attempt to mitigate this issue. As a result of these works, the rear wall of the rear basement dropped. Consequently, as advised by a structural engineer, land drains were installed, lime aggregate laid, steel rebar installed and topped with a 150mm pad of concrete. This work was required to be carried out immediately, as agreed by the Authority's Building Conservation team. Further works proposed to this area include repairing the walls with lime rich mortars and applying a lime rich plaster.

To further mitigate damp and ventilation issues, it is also proposed that a PIV (Positive impute ventilation system) will be installed and vented through the existing hole previously used for the oven extractor fan. It is also proposed that a combi- boiler will be installed and vented through the bathroom onto the side of the rear of the property.

Further to this, the kitchen would be moved from this area to the current dining room, and this area would therefore become a utility/boot room.

Works to ground floor- Works proposed to the ground floor (excluding the rear basement) would include the removal of the concrete floor and replacement of this with a flooring system that consists of a geotex membrane, recycled foam glass aggregate, geogrid and underfloor heating topped with a lime rich screed.

As a result of these works, the staircase may need to be removed temporarily. Whilst this staircase is removed, it is proposed that it will be sanded and treated for woodworm.

Rear downstairs toilet- Works proposed to the rear downstairs toilet include the replacement of the roof tiles with handmade Goxhill pantiles, the gutter and downpipe will also be replaced on a like for like basis. This work was required to start immediately to prevent further damage to the property, as agreed by the Authority's Building Conservation team.

It is also proposed that the two existing rooflights to the rear downstairs toilet and to the roof space above the upper stairs will be replaced with conservation rooflights manufactured from stainless steel and powder coated in black.

Proposed kids den- Works proposed to a narrow room behind the dining room that will become a kids den include the repair and replacement of ceiling beams. This work will begin immediately as agreed with the Authority's Building Conservation team. The internal wall where the plasterboard was previously removed in this section would also be replaced and finished with 12.5mm skim of finishing plaster.

Replacement ceilings- It is proposed that the ceilings in the basement kitchen, kids den area and third bedroom will be replaced with wood fibre boards finished with a lime rich plaster.

Third bedroom- There are further issues with damp to the exterior wall of the third bedroom. Therefore it is proposed that the render to the outside of this wall is removed and rendered with a lime rich render, and the interior plaster be removed and replaced with a lime rich plaster.

Second bedroom- The works that are proposed for the second bedroom include the creation of an ensuite shower room through the installation of a partition wall. This partition wall would be created by using a 2x3m timber frame, insulated with wool and clad in plasterboard. The soil pipe for this ensuite bathroom would be present in the living room, it is therefore proposed that it would be boxed in and clad with a timber to match the existing timber cladding throughout the property.

Further proposed internal works include the replacement of the extractor fan in the existing bathroom, the installation of pendant light fittings to the living room, second bedroom and dining room and further replacement of cement renders with lime rich mortars where required. It is also proposed that the front door would be repainted heritage dark green or blue and the door knocker replaced.

Main issues

Statutory Duties

Section 16, paragraph 199 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.

Section 16, paragraph 200 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.

NYMNPA 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) and Policy ENV11 (Historic Settlements and Built Heritage).

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.

Policy ENV11 seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal.

Material Considerations

The plans submitted as part of this application show that the porch will be removed, however the applicant has confirmed that the porch will be retained. This has been conditioned accordingly.

The Authority's Building Conservation team have confirmed that they support the proposals as outlined above as they are in line with pre application advice and would be to the benefit of the property.

In conclusion, the proposals for works to the Grade II Listed Laurel Cottage would help to conserve the significance of the building through the replacement of inappropriate and harmful materials with breathable, traditional materials. The other works are considered to not harm the designated asset.

As the overall proposed works would conserve and enhance the Listed Building, this application is considered to accord with NYM Strategic Policy I, Policy ENV11 and Section 16 of the NPPF.

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

Pre-commencement conditions

None

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.