

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0135

**Development description:** Listed Building consent for installation of replica sundial to south porch

**Site address:** St Stephens Old Church, Church Lane, Fylingthorpe

**Parish:** Fylingdales

**Case officer:** Miss Lucy Gibson

**Applicant:** The Chruches Conservation Trust

**fao:** Mr Craig McHugh, Society Building, 8 All Saints Street, London, N1 9RL

**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="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>016/A</td> <td>04 March 2022</td> </tr> <tr> <td>Proposed sundial drawing</td> <td>N/A</td> <td>23 February 2022</td> </tr> </tbody> </table> <p>Plans amended by email from agent to case officer dated 19 April 2022</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	Location Plan	016/A	04 March 2022	Proposed sundial drawing	N/A	23 February 2022
Document Description	Document No.	Date Received									
Location Plan	016/A	04 March 2022									
Proposed sundial drawing	N/A	23 February 2022									

### 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.

## Consultation responses

### Parish

None received

### Third party responses

None received

### Publicity expiry

Advertisement/site notice expiry date: 12 April 2022



This photograph shows the south elevation of St. Stephens Old Church, and the proposed siting of the replica sundial above the porch.

## Background

St. Stephen's Old Church is a Grade I Listed Church believed to have been rebuilt in 1821 and is located on a medieval site. The church is in a gothic style, constructed from course herringbone-tooled sandstone with ashlar dressings and a slate roof. The Church is sited in a prominent position above Robin Hoods Bay with panoramic views along the coastline.

Listed Building Consent was granted in 2018 for internal re-plastering works to the Chancel and Vestry walls, repair works to the cupola and modifications to the rainwater goods.

The Church originally had a sundial feature above the south porch which featured the years 1736, 1864 and 1919 with various initials. This sundial is mentioned in the Listed Description of 1969, however was lost during conservation work in 1991.

This application seeks Listed Building Consent for the installation of a replica sundial to the south porch. The replacement sundial would be constructed from wood, with a metal gnomon and painted lettering. Following a suggestion from the Authority's Building Conservation team, the replacement sundial will also feature the year '2022' to commemorate its reintroduction.

## 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.

Using historic photographs, the replacement sundial will replicate the original as closely as possible, with the introduction of the year '2022'.

The sundial would cause no harm to the existing masonry and would be fixed with fixings into the mortar joints only.

The Authority's Building Conservation Team have also offered their support for the proposals.

To conclude, the sundial would replicate an original feature of special historic interest and would therefore conserve the significance of the designated asset and make a positive contribution to the cultural heritage of the National Park. Consequently, it is considered that the proposals would meet the requirements of Section 16 of the NPPF, NYM SPI and Policy ENV11.

As such, this application is recommended for approval.

### **Pre-commencement conditions**

N/A

### **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 such as the introduction of the year '2022' to the sundial, so as to deliver sustainable development.