

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0183

Development description: Listed Building consent for installation of replacement front and rear doors

Site address: 3 The Esplanade, Robin Hoods Bay

Parish: Fylingdales

Case officer: Miss Lucy Gibson

Applicant: Mr Damian Buchanan
3 The Esplanade, Robin Hoods Bay, Whitby, YO22 4RS,

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	TIME01	<p>Standard Three Year Commencement Date</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>N/A</td> <td>01 March 2022</td> </tr> <tr> <td>Proposed drawings</td> <td>N/A</td> <td>11 March 2022</td> </tr> </tbody> </table> <p>Email from applicant to case officer dated 21 April confirming finish of replacement doors.</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	N/A	01 March 2022	Proposed drawings	N/A	11 March 2022
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Location Plan	N/A	01 March 2022									
Proposed drawings	N/A	11 March 2022									
3	MATS00	<p>MATS30 Doors - Details of Construction to be Submitted</p> <p>No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details, external appearance and sectional details of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>									

Reason(s) for condition(s)

Reason number	Reason code	Reason text
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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 Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3	MATS00	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.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF05	<p>Development in Accordance with Planning Permission NYM/2022/0175</p> <p>Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission 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.</p>

Consultation responses

Parish

No objections

Third party responses

None received

Publicity expiry

Advertisement/site notice expiry date: 14 April 2022



This photograph shows the rear elevation of 3 The Esplanade



This photograph shows the front elevation of 3 The Esplanade

Background

3 Esplanade is a brick and slate Grade II Listed Building, forming part of terrace of eleven 3 storey houses of early – mid C19 construction, located in a prominent and highly visible part of Robin Hood's Bay. Robin Hoods Bay is a Conservation Area which is also protected by an Article 4 (2) Direction. The property has retained a number of historic features including the Georgian 16 – pane sashes to the front elevation. The 6 panel painted timber doors to the front and rear elevations are traditional in their design. There is also a later two- storey gabled extension to the rear with a mixture of Victorian sashes and modern window at ground floor.

Planning Permission and Listed Building Consent was refused in the late 1970's for replacement windows but subsequent applications for alterations to a modern dormer and rear alterations and extension were approved in the late 1980's.

This application seeks Listed Building Consent for the installation of replacement timber front and rear doors.

There is an accompanying application for planning permission under the reference NYM/2022/0175.

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..

It has been demonstrated that the existing 6 panel front and rear doors are clearly beyond repair. As such, the Authority's Building Conservation officer has no objections to the proposal, provided that the replacement doors replicate the traditional design. The applicant has confirmed that the replacement doors will be accurate copies.

The applicant has also confirmed that the replacement doors will use the same ironmongery if possible, and the existing colour finish will be replicated.

In agreement with the applicant, a pre commencement condition has been applied so the constructional and sectional details of the replacement doors can be discharged at a later date.

The development is considered to accord with SPI, Policy ENV11 and Section 16 of the NPPF by conserving the significance of the property and the character and appearance of the surrounding Conservation Area by using traditional materials and replicating the traditional design of the existing doors.

For the reasons outlined above, approval is recommended.

Pre-commencement conditions

Condition 3 is a pre commencement condition and has been agreed in writing with the applicant.

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.