

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0462

**Development description:** Listed Building consent for installation of replacement garden porch door

**Site address:** Plane Tree Cottage, Plane Tree Street, Robin Hoods Bay

**Parish:** Fylingdales

**Case officer:** Mr A Muir

**Applicant:** Mrs Jayne Raine  
10 Hermitage Gardens, Chester Le Street, Durham, DH2 3UD

**Agent:**

## Director of Planning's Recommendation

Approval subject to the following:

Document title

**Condition(s)**

<b>Condition number</b>	<b>Condition code</b>	<b>Condition text</b>
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	PLAN00	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3	MATS00	The door hereby permitted shall be of timber construction and painted to match the existing joinery at the property and maintained in that condition in perpetuity.

**Reason(s) for condition(s)**

<b>Reason number</b>	<b>Reason code</b>	<b>Reason text</b>
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 Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the 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.

**Consultation responses**

None received

**Third party responses**

None received

**Publicity expiry**

Advertisement expiry date 01 September 2022

Site notice expiry date 02 September 2022



**Existing door in rear of modern porch offshut**

## Background

Plane Tree Cottage is a Grade II Listed, two storey detached traditional cottage located on the western edge of the lower village in Robin Hood's Bay Conservation Area, which is protected by an article 4 (2) Direction. The property is mid-18<sup>th</sup> constructed of rough herringbone tooled coursed sandstone under a pantile roof with stone copings and ridge. The property is orientated with the gable facing the street.

This application seeks Listed Building Consent for the installation of a replacement rear stable door to the porch offshut.

## 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.

## **Local Plan**

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. 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.

This application seeks to replace the existing half glazed rear door in the rear elevation of the modern porch off shut to the western elevation with a half glazed and painted stable door constructed in timber. The door is to be painted in the same colour scheme as the doors in the annexe building set within the curtilage.

The proposal is considered to adopt a sensitive and considered approach that will conserve the significance of the Listed Building. The Authority's Building Conservation team have raised no objections to the application. The development would also use traditional materials and is considered to accord with the principles of 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**

N/A

## **Contribution to Management Plan objectives**

Approval is considered likely to help meet Objective 11 which seeks to ensure that our historic environment is better understood, conserved, explained and under appropriate management.

## **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.