

NORTH YORKSHIRE COUNCIL

LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



Application No: **NYM23/0525**

Proposed Development: subdivision of property to create one additional dwelling

Location: Burleigh Cottage, Brig Garth, Robin Hoods Bay

Applicant: Mr & Mrs R & J Wallace

CH Ref: **Case Officer:** Ged Lyth

Area Ref: 4/29/722 **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park Authority **Date:** 5 October 2023

FAO: Jill Bastow **Copies to:**

Note to the Planning Officer:

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority (LHA) has taken into account the following matters:

It is noted that the windows are to be fully refurbished. This recommendation is made on the understanding that the bay window on the northeastern elevation will not extend any further out into the highway than the existing one currently does.

Although no vehicular facilities are indicated in respect of these premises, the LHA would not anticipate any significant intensification of traffic as a consequence of this application because the surrounding public roads are controlled by a Traffic Regulation Order and there are public parking facilities in the vicinity. However, it should be noted that the Highway Authority does have concerns that the proposed development will increase pressure on the already overstretched on-street parking capacity in the surrounding area.

Consequently the Local Highway Authority recommends that the following **Informative** is attached to any permission granted:

MHi-S Doors and Windows Opening over the Highway

Apart from replacing an existing window, you are advised to ensure that any doors and windows on elevations of the building adjacent to the existing highway are constructed and installed such that they do not open over the public highway for a height of 2.4 metres from the level of the adjacent highway. Above 2.4 metres no part of an open door or

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window must come within 0.5 metres of the carriageway. Any future replacement doors and windows should also comply with these dimensions

Signed:

Ged Lyth

for Corporate Director of Environment

Issued by:

*Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ*

e-mail:

From:
To: [Planning](#)
Subject: Comments on NYM/2023/0525 - Case Officer Mrs Jill Bastow - Received from Mrs Jude Wakefield at Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, TS13 5HR
Date: 21 September 2023 14:17:02

Fylingdales Parish Council met last night and would like to object to this planning application on the same grounds as those objections submitted by ALR.

Burleigh Cottage is a grade 2 listed building in a prominent position in the Robin Hoods Bay Conservation Area. Listed Buildings are irreplaceable resources, we therefore ask the applicant to look to the building and see what can be repaired and kept and not removed and replaced with new features of an historic style.

Comments made by Mrs Jude Wakefield of Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, TS13 5HR

Preferred Method of Contact is Email

Comment Type is Object with comments

Objection

Burleigh Cottage is a grade 2 listed building in a prominent position in the Robin Hoods Bay Conservation Area. Therefore, this application has been determined in accordance with Section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the NPPF paragraphs 189, 194, 200, 201 and 202, as well as, Policy ENV11 of the North York Moors National Park Authority Local Plan (July 2020).

I am saddened to see the proposal for the subdivision of the listed building. As mentioned in my pre-application comments, the staircase to the ground floor is not historic but replaced a previous staircase (believed to be a box winder staircase). The landing, door and cupboard at the top of this modern staircase is historic and so it is believed the historic stair finished at the same location. There would have always been a staircase here historically to gain access from the shop (ground floor) to the upper floor where the owners lived). The presence of the rear door onto Jim Bells style meant the occupier could come and go from their private quarters without having to go through the shop below. The building would never have been split into a double cell shop on the ground floor and a cottage above as the application proposes. We must be mindful that splitting up a small listed building in such a way would make it less attractive in the future if it is re-sold (the ground floor suffers from a great amount of damp) and there is a general lack of amenity space if the building is split this way.

Externally, there are no concerns to the raking out of the Cementous pointing and its replacement with lime. The building suffers from a great deal of damp and so making the building more 'breathable' will help dry the stonework out immensely. The mortar mix proposed should be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand) and include the method of application and finish. Joints in stonework should be carefully raked out utilising hand tools narrower than the width of the joint to a minimum depth of 1½ times the width of the joint or until sound mortar is reached. Power tools including drills, grinders must not be used.

The application proposes 'The replacement of the steps for stone on the plans', this is questioned, further information is needed about this and what is being proposed here.

There are no concerns to the windows being refurbished sympathetically. A method statement will need to be provided as to what refurbishment works will be carried out and how (if the windows are to be removed).

Any replacement guttering in cast iron is not objected to. However, further details will need to be provided of the design of the new guttering (if not like for like).

Lower Ground floor – there are no objections to adding shutters to the shop front window (to the inside). Joinery details are needed, the design should be sympathetic to the age of the property. Underfloor heating is not objected to on the lower ground floor as the floor has already been screed out with cement. The removal of the blockwork toilet cubicle on the lower ground floor is also not objected to as well as the creation of a new downstairs toilet.

As mentioned on site we would not want to see a dpm or dpc being used. There is the presence of an injectable one already and this is believed to have been contributing significantly to the damp in the property. We would recommend this being removed; however, we would not support any further being added as it is not tackling the water ingress but rather pushing it further up the walls. The Rear wall on the lower ground floor is below ground and so water ingress from the pathway is

causing some of the damp in this wall. We would not support a percolation mesh membrane being used or a vapour membrane fixed to the walls. These will stop the property from being breathable and contribute significantly to the damp. As mentioned in my pre-app comments the removal of the cement pointing, cement flooring and the dpc is key to getting this building back to being dry again, as well as repairs to the guttering and some extra guttering additions. If possible a French drain should be assessed with North Yorkshire Council to the rear of the property.

There are no objections to boarding the ground floor out with Themafleece Cosywool/Ultrawool/NatraHemp with a lime plaster finish with hemp fibre added. The application mentions 'Existing internal stone walls are generally to be kept as existing and cleaned down, repointed with lime plaster and made good., then only sealed if essential'. Sealing the walls is objected to as it will cause further damp problems. The limecrete floor as per Detail A on the proposed plans is not objected to and is sympathetic to the property.

Proposed on the ground floor; (as mentioned in pre-application discussions) 'The removal of the chimney breast on the first floor would be objected to, It would be assessed as less than substantial harm because it alters the original floorplan and removes an historic chimney breast. The presence of a chimney breast in a room, dictates the previous importance of the room. Historically only higher status rooms had fireplaces'. Unfortunately, I cannot see any justification for its removal. The insert is modern and so its removal is supported however the chimney breast must remain in place.

Any doors proposed to be removed need joinery details as well as clear and convincing justification as to why they need to be removed. The two internal doors on the ground floor are historic and so their removal should be resisted. The exterior door on this floor, is a modern addition and so is suitable to be removed with either a like for like batten door or 4 panelled timber door (joinery details needed).

On the ground floor and first a number of the wall finishes is in lime plaster with a 'rough' finish. Any proposed needs to be of this same finish as it is an historic feature. It is supported that any cement patch repairs are removed however, there is no justification for internal insulation to the ground, first and second floors. The walls to the property are thick stone walls and so will have good insulating properties (minus any cement plaster). There are also a number of historic features, skirting, door frames, cupboards, window frames etc that will be damaged by the proposal. Only new lime plaster is acceptable on these walls with no internal insulation. The removal of the arched alcove shelving is not objected to. The removal of the cupboard at the top of the stairs and the wall (to the ground floor stairwell) would be classed as less than substantial harm (as per my pre-application comments); these are historic features and no justification has been provided for their removal.

The suspended floor (Detail C) will keep the original timbers underneath and will put a suitable breathable insulation on top. As long as the new floor cuts around any historic skirting and not into it, the works will be classed as reversible and so there would be no objection. The window seat on the ground floor – joinery details are needed.

On the first floor on the plans the re-building of the bathroom wall and re-modelling of the two bathrooms is not objected to as these are modern additions (1960s). The wall insulation is objected to (see above). The removal of the cupboard next to the fireplace is objected to, it is an historic feature to match the fireplace in this room and must be retained. The staircase is proposed on the plans to 'Stair is in need of a full overhaul. All replacements to be formed in timber. Make good existing guarding to landing'. The stairs (apart from the lower ground floor) are historic and so any

proposed works to them need to be set out clearly in this application, with justification provided should any treads need to be removed and why they cannot be repaired.

The removal of the window to the loft is not objected to providing the replacement is in timber slim line double glazing, with through glazing bars (joinery details needed).

The plans propose that 'Joinery Replacement skirtings and architraves to be natural timber finish, oiled'. This is objected to, a clear assessment of each skirting and architrave in each room is needed, assessing the age and location (pictures needed). Justification is needed for their removal and any details of new replacements need to be included and approved.

The attic room currently has two windows and so we would not support a conservation rooflight on the front elevation of the listed building. We would however, support one to the rear away from the main street-scene of the Conservation Area.

The roof insulation is not objected to. The roof has been internally boarded out at one time (not historically). The insulation proposed is breathable and so there are no concerns with the proposal.

Finally, as highlighted in the pre-application discussions:

There is a damp problem around the exterior walls of the cottage (this is usual for cottages in the village with higher ground levels). We would recommend the following things:

The Guttering is checked, repaired and or replaced. If the guttering is too thin or failed in anyway, we would support a more efficient system to get the rainwater effectively away from the property.

There are significant amounts of cement mortar in the pointing of the stone walls as well as cracks in the mortar. Damages in the pointing draws water in through capillary action. This leads to the deterioration of the stone and accelerates water ingress. We would advise that the building is repointed in a hot lime mortar mix. Lime based mortars promote evaporation from wind driven rain penetration, which being in a coastal area with a strong north wind, will explain for some of the damp problems.

The ground floor appears to have been tanked out at one point. The ground floor now has a cement floor, we would advise that this floor is removed and a limecrete floor installed. A breathable floor with a Geotextile membrane installed first then, a foam glass aggregate in between and limecrete above should retain enough of the damp and diffuse it into the building. A Capillary break is the most important aspect here for stopping any ground water levels (foam glass aggregate). A cement floor just holds damp or moves it into the walls of the building.

For the internal walls in the building as a whole, we would only support new lime mortar being used to re-plaster the walls. The plasterer would have to pay careful attention to match the patina of any of the walls which have a 'rough texture'; which is traditional of historic plastering techniques. We would only support internal insulation in the downstairs corner utility room, which has been stripped of any previous historic internal fabric and goes straight down to the bare stone walls and cliff face.

The interior of the ground floor utility room shows a good amount of damp on the walls. We realise that the house is currently not lived in and getting it regularly heated will improve any damp conditions vastly. However, the walls to this room have a good amount of cement mortar, we would want to see this being removed and the walls left to dry out. We have seen the use of a lime rich mortar being slaked onto the walls and left for about a week to 'absorb' any damp in the walls, then removed. This process can be done a number of times until the wall is sufficiently dry (your builder

should be able to advise). Ideally, it should have some time to dry out as much as you can. We recommend using de-humidifiers whilst this drying is going on. I would then recommend plastering with a lime mortar, I would try a 1:1:6 (CL90:NHL5 (st astier): sand (not soft builder sand), you could try 1:3 Quicklime: sand with a gauge of argical 1000 or brick dust, about 10% of the dry quicklime (makes it 5% of the total mix). I wouldn't normally advocate the use of NHL but with the dampness in the wall, it's probably going to struggle to set if you use purelime. And there should be enough free lime to help it deal with the moisture that is going to have to come through the wall. The lower ground floor rear wall is the only wall we would advocate NHL5 to (before insulation is added).

I would cover it this wall with a limewash slaked from pure quicklime. You can add pigments to the water before you slake it if your client wants some colour at this stage or paint manufacturers like F&B do limewash with colour added. This should help the plaster below to cope with the moisture. Ideally you shouldn't put this on until the plaster has started to set though. Don't paint the walls.

At present, the application would be assessed as substantial harm to the listed building under paragraph 201 of the National Planning Policy Framework. This includes the subdivision of the listed building, the removal of the historic features such as doors, door frames, walls, cupboards, staircase, chimney breast, and the boarding out of all the rooms (removing skirting, cornice etc). This proposal would remove all the character and patina of the listed building and change its internal setting to that of a house of modern construction. There has been no justification provided for any of these harmful works. Listed buildings can be made more energy efficient without this level of damage and so we would recommend the windows and doors being draught sealed (draughts account for up to 30% of heat loss), the floor, ceiling and roof insulated and the windows having secondary glazing applied or shutters. To make the building dry and warm (a cold wet building is significantly less thermally efficient), the guttering needs to be fixed, new additions applied (driving the rainwater outlet away from the walls) and the pointing re-done in lime; as well as the removal of the cement on the internal walls and floor. All his would make a significant contribution towards the thermal efficiency of the listed building, at this stage we would ask for an EPC rating to be done. After all the above-mentioned works, the stone walls are so thick that if they are dried out properly, internal insulation has the potential to hinder the thermal efficiency of the stone walls and so would not be needed in the listed building.

Listed Buildings are irreplaceable resources, we must remind the applicant of the Society for the Protection of Ancient Buildings approach set out by William Morris; that Repair is always preferred over any Restoration (leading to replacement) works. We therefore ask the applicant to look to the building and see what can be repaired and kept and not removed and replaced with new features of an historic style.

ALR

From:
To: [Planning](#)
Subject: Burleigh Cottage, Brig Garth, Robin Hoods Bay - Application for subdivision of property to create one additional dwelling NYM/2023/0525
Date: 30 August 2023 14:04:54
Attachments: [image001.png](#)

FAO Mrs Jill Bastow

Burleigh Cottage, Brig Garth, Robin Hoods Bay - Application for subdivision of property to create one additional dwelling NYM/2023/0525

I refer to your e-mail of the 29th August 2023 in respect of the above application. I hereby confirm that I have no objections to the proposal on housing grounds.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager

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