

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0760

Development description: Listed Building consent for partial removal of the wall between the kitchen and corridor

Site address: Red House, Storr Lane, Hackness

Parish: Hackness

Case officer: Miss Victoria Flintoff

Applicant: Mrs Ruth Gaskell

Red House, Storr Lane, Hackness, Scarborough, North Yorkshire, YO13 0JW,

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	TM02	The works authorised by this consent shall begin not later than three years from the date of this consent.									
2	PL01	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Document Description</p> <table><thead><tr><th>Document/Drawing No.</th><th>Rev. No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Plans</td><td>-</td><td>13 November 2023</td></tr><tr><td>Additional Information & Drawings</td><td>-</td><td>5 January 2024</td></tr></tbody></table>	Document/Drawing No.	Rev. No.	Date Received	Proposed Plans	-	13 November 2023	Additional Information & Drawings	-	5 January 2024
Document/Drawing No.	Rev. No.	Date Received									
Proposed Plans	-	13 November 2023									
Additional Information & Drawings	-	5 January 2024									
3	BC12	Prior to installation, details of the design of any new internal door including plans/elevations/ images/joinery drawings at a reasonable scale where appropriate, should be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.									
4	MCO0	Any new skirting in the development hereby permitted should match the profile, dimensions and style of the existing and									

Condition number	Condition code	Condition text
		thereafter be so maintained.
Reason(s) for condition(s)		
Reason number	Reason code	Reason text
1	RSN TM02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2	RSN PL01	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	RSN BC04	In order to comply with the provisions of Strategic Policy I and Development Policy ENV11 this seek to ensure that alterations to Listed Buildings do not have an unacceptable impact on the buildings special historic or architectural interest.
4	RSN BCMT03	For the avoidance of doubt and in order to comply with the provisions of Policy ENV11 of the North York Moors Local Plan which seeks to ensure that alterations to heritage assets do not have any unacceptable impact on the special architectural or historic interest of the building.
Informative(s)		
Informative number	Informative code	Informative text
1	INF BC01	For the avoidance of doubt, no permission or consent is given for the removal of, or works to, any internal features other than as hereby approved without the prior submission to and approval by the Local Planning Authority of a formal application.

Consultation responses

Parish

No Objections.

Publicity expiry

17 January 2024

External front elevation view of Red House, Hackness



Internal wall proposed for partial removal and new door



Background

Red House is a characterful Grade II listed house situated on the main road through Hackness opposite the village hall.

The only previous planning history relates to changes of use and consent for two extra windows on ground floor and first floor level.

Following initial enquiry advice, this application seeks listed building consent for the partial opening of the wall and installation of a new door.

Main issues

Local Plan policy context

The relevant policies contained within the North York Moors Local Plan to consider in relation to this application are Strategic Policy I (The 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 relates to historic settlements and reaffirms that development affecting the built heritage of the North York Moors should reinforce the distinctive character by fostering a positive and sympathetic relationship with vernacular architecture, culture, materials, and construction. This includes assets recognised through statutory designation such as Listed Buildings and Conservation Areas, but also non-designated assets of local or regional significance. Protection extends to the whole building, its curtilage, and certain structures within its domain. This policy seeks to resist development that results in the loss or harm to the significance of heritage assets.

Statutory duties

Section 16 of the National Planning Policy Framework (NPPF) is relevant as it considers how development proposals may conserve and enhance the historic environment and seeks to ensure any harm is avoided or mitigated. Proposals should include a positive strategy for conservation with the desirability of sustaining and enhancing the significance of a heritage asset by putting them to viable uses, understanding the wider social, cultural, economic, and environmental benefits and considering the character of a place and associated communities (Paragraph 190 & 197). Paragraph 200 goes on to state that any harm or loss to the asset should require clear and convincing justification and any substantial harm should be refused unless it can be demonstrated that the public benefits and optimum viable use outweigh the harm (Paragraph 202). When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (Paragraph 199).

The Authority has a statutory duty to protect Listed Buildings within the Park as they form an important part of the significance of the built and cultural heritage of the North York Moors. Once lost, they cannot be replaced. The Authority has a general duty, as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider whether to grant planning permission for developments which affect listed buildings or their setting. The local planning authority, or, the Secretary of State shall have special regard to the desirability of preserving a building, its setting, or any features of special architectural or historic interest which it possesses. With respect to any buildings or other land in a conservation area, the Authority has a general duty when exercising its planning functions, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and using any powers under the provisions mentioned in subsection (2), to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Material considerations

After receiving initial enquiry advice, this application seeks listed building consent for the partial opening of the wall and installation of a new door.

The initial enquiry was for the whole removal of the kitchen wall. However, following a site visit it was determined that this would not be supported as it would undermine the cellular form of the property. However, the applicant was given the option to partially remove the wall and maintain a nib either side of a least 1 metre with a down stand to reflect where the division was. This has been shown on the plans with nibs of 1m and a down stand of 45cm.

The Authority's Building Conservation Officer required additional information on the width of the new opening and new door. The applicant subsequently submitted additional plans showing the width of the nib walls at either side of the opening, and the height of the down stand. However, as the door will be installed later, the applicant has opted to discharge those details prior to works commencing. The applicant has been advised that it should be a door to match those currently downstairs and to be mindful of any original skirting or coving. It is preferable to have a door reflecting traditional handmade joinery as was common locally.

As such, the proposal fosters a positive and sympathetic relationship with vernacular architecture, culture, materials, and construction in accordance with Strategic Policy I and Policy ENV11.

Conclusion

In view of the above, the proposal conserves the significance and architectural character of the listed building. The application adheres to national statutory policies and the North York Moors adopted policies as outlined above, and is therefore, recommended for approval.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

Not applicable.

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.