

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0837

Development description: Listed Building consent for replacement of rooflight and internal alterations including reinstatement of stone surround to range, creation of habitable space in basement including installation of stair case and replacement window and reinstatement of fire surround and installation of log burner

Site address: The Cranny, King Street, Robin Hoods Bay

Parish: Fylingdales

Case officer: Miss Megan O'Mara

Applicant: Graham & Jane Glossop

The Cranny , King Street, Robin Hoods Bay, Whitby, YO22 4SH

Agent: SG Architectural Design

fao: Mr Sam Glossop, 76 Long Row, Belper, DE561DR

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text																		
1	MC00	The development hereby permitted shall be completed within seven months of the date of this decision.																		
2	PL01	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table><thead><tr><th>Document Description</th><th>Document/Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>N/A</td><td>16 November 2022</td></tr><tr><td>Cellar Window Details</td><td>N/A</td><td>16 November 2022</td></tr><tr><td>Range Surround & Stair Retention</td><td>N/A</td><td>31 October 2023</td></tr><tr><td>Rooflight Details - Email & Plans</td><td>N/A</td><td>7 February 2023</td></tr><tr><td>Flue & Boiler Details Email</td><td>N/A</td><td>28 February 2023</td></tr></tbody></table>	Document Description	Document/Drawing No.	Date Received	Location Plan	N/A	16 November 2022	Cellar Window Details	N/A	16 November 2022	Range Surround & Stair Retention	N/A	31 October 2023	Rooflight Details - Email & Plans	N/A	7 February 2023	Flue & Boiler Details Email	N/A	28 February 2023
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3	MC00	The cellar window shall be painted white and black two tone to match the existing windows and shall be maintained as such in perpetuity.																		

NYM/2022/0837

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM04	To ensure that the unacceptable impacts of the existing development are adequately addressed within an appropriate time frame and to allow the development to be retained in an environmentally acceptable condition and to accord with Strategic Policy A of the North York Moors Local Plan.
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 BCMT02	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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

No responses

Third party responses

No responses

Publicity expiry

Advertisement/site notice expiry date: 23 December 2022

Background

The Cranny is a Grade II listed building on King Street at the bottom of Robin Hoods Bay. The dwelling is two-storey with a painted frontage and two tone black and white windows.

It was brought to the Authority's attention in 2016 that potentially unauthorised works had been carried out at the property, including the creation of habitable living space in the basement of the property and alleged removal of Yorkshire Range. Following further investigation, it was observed by officers that the landowners had dug out the basement and dry lined the walls to convert the space into a kitchen and dining room with the introduction of a staircase which opens up into the background floor reception room (former kitchen). To facilitate the installation of the staircase, a stone surround to a Yorkshire range had been removed. It was initially thought that the Yorkshire Range had been removed, however it had been boarded over and was intact and in situ behind stud walling. A historic cast iron surround had also been removed without consent and a rooflight had been installed in the bathroom without consent. Finally, a cellar window had been replaced with a storm proof unit and projecting cill without consent.

An Enforcement Notice was served on the landowners which stipulated that the property returned to its former condition. The notice took effect on 10 May 2023 with a period of 18 months for compliance. The applicants do not wish to comply with the enforcement served and instead wish to work with the Authority in order to remediate and regularise the different elements of unauthorised works.

This application seeks listed building consent for remedial works and also to retain some elements of the unauthorised works. The applicants seek consent to replace the unauthorised cellar window and rooflight with appropriately detailed units. The application also seeks to reinstate a replica cast iron fire surround and replacement stone surround to Yorkshire Range, which is to be uncovered. The applicants are also seeking consent to retain the unauthorised habitable space in the basement and the associated staircase, as existing.

Main issues

Local Plan

Strategic Policy I relates specifically to development affecting the Historic Environment. The policy 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. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy ENV11 relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features.

Discussion

The applicants have worked with officers to achieve a scheme that is considered to reduce the overall harm to the historic fabric and significance of the listed building. The applicants have agreed to replace the cellar window and rooflight with appropriate detailed units, sympathetic to the listed building. The applicants have also agreed to uncover the Yorkshire Range and reinstate the stone surround, as closely as possible to the surround removed without consent. It has also been agreed that the log burner can remain in situ in the living room on the condition that a replica cast iron surround is being installed to replace the surround removed without consent. Whilst not an exact replica, it is considered that the replacement surround is a good match and historically appropriate.

The Authority has agreed to the retention of the unauthorised kitchen and dining room that has been created in the cellar on the grounds that it is not considered to be detrimental to the significance of the building. Whilst the insertion of the staircase in the former kitchen does affect how this room is interpreted, it is considered that the reinstatement of the Yorkshire Range and stone surround will mitigate this to a degree.

Overall, it is considered that whilst some irrevocable alterations to the historic layout of the building have occurred, the remedial works go some way in alleviating the harm. The applicants are aware of the severity and consequence of unauthorised works to a listed building and have cooperated with the Authority in order to address the main issues. The applicants understand that the Enforcement Notice will stay active until the Authority are satisfied that works have been carried out to an acceptable standard, within the permitted time period. The works will be closely monitored.

In view of the above, it is recommended that listed building consent is granted.

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.

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 including rooflight details, stone surround specification and methodology, so as to deliver sustainable development.