

# North York Moors National Park Authority

## Delegated decision report

Application reference number: NYM/2024/0145

Development description: Listed Building consent for re-roofing works

Site address: Low Staindale Cottage, Dalby

Parish: Lockton

Case officer: Miss Victoria Flintoff

Applicant: National Trust, fao: Mr Jason Ritchie, Holy Jesus, City Road, Holy Jesus Hospital, Newcastle Upon Tyne, Tyne & Wear, NE1 2AS, United Kingdom

Agent: Not applicable

## 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>Roof Plan</td><td>-</td><td>27/02/2024</td></tr><tr><td>Mortar Specification</td><td>-</td><td>09/04/2024</td></tr></tbody></table>	Document/Drawing No.	Rev. No.	Date Received	Roof Plan	-	27/02/2024	Mortar Specification	-	09/04/2024
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Roof Plan	-	27/02/2024									
Mortar Specification	-	09/04/2024									
3	BCMT01	Any new roof tiles required in the development hereby permitted shall be traditional, non-interlocking, non-pre-coloured, natural red clay pantiles and shall be maintained in that condition in perpetuity.									
4	BC19	Should the extensive repair or alteration of any historic roof timbers be required, including to the truss, rafters or purlins, a schedule of repair works and method statement should be submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details.									

5	MC00	Prior to the commencement of works, the specification for any new roofing membrane should be submitted to and approved in writing by the Local Planning Authority.
6	MC01	No work shall commence on the re-roofing of the property until further bat emergence surveys have been carried out and submitted along with details of a programme of works to mitigate the impact of the development on any bats at the site. The programme shall include a survey of the buildings to determine the extent of any bat presence and a written scheme of mitigation measures including locations of any compensatory measures for bats. The work shall not be carried out otherwise than in accordance with the details submitted and approved in writing by the Authority.
7	MC03	A copy of the required European Protected Species Licence, including all appendices and supplementary documents, shall be provided to the Local Planning Authority prior to any works covered under the licence commencing.

**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 BCMT01	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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4	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.

5	RSN BCMT01	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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6	RSN MISC02	In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to protect species protected under national and international legislation.
7	RSN MISC06	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

**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 comments received.

Publicity expiry

04/04/2024

Photo showing view of Low Staindale Cottage, Dalby



## Background

Low Staindale Cottage is a Grade II listed traditional stone and clay pantile building, thought to have been constructed in the 18<sup>th</sup> century although sections appear older. It is an isolated building, situated within Dalby Forest and historically used as a farmstead and/or game keeper's cottage. In the 20<sup>th</sup> century it was also used as a youth hostel and has been privately tenanted since the property was transferred into the ownership of the National Trust. The property is particularly characterful, and a high-quality example of a local vernacular cottage nestled within a picturesque landscape.

There is no specific planning history which relates to this site.

A wide range of works are planned to upgrade the property; however, this application seeks listed building consent for re-roofing works.

## 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

This application seeks listed building consent for re-roofing works.

The specification of works is detailed and includes an appropriate method of re-roofing, including re-using tiles where appropriate whilst ensuring that any historic roof timbers are maintained. The Authority's Building Conservation Officer had no objections to the works on the provision that all trusses, rafters and purlins were maintained.

Additionally, it was requested that only the roof plan be conditioned as we have not been inside to ensure the layout of the property is as shown. For the avoidance of doubt, it has been conditioned that should any historic roof timbers need to be repaired, a schedule of repair works, and a method statement should be submitted. Further mortar specifications were requested and submitted which included an appropriate hot lime mortar mix.

Within the submitted information and when visiting on site, it was clear that the likely evidence of bat activity would be high. As the scope of works within the submitted survey was different than those applied for, the Authority's ecologist requested additional emergence surveys along with mitigation and compensation methods which have been conditioned along with the requirement for a European Protected Species Licence. The only other query included the roofing membrane as it must be 'breathable' but also ensure that bats will not be trapped. As such, when the bat survey has been completed, and works are closer to fruition, the specification of the roofing membrane should be discharged at the same time as the required bat survey information.

As such, the proposal fosters a positive and sympathetic relationship with vernacular architecture, culture, materials, construction and the local environment 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.