

# North York Moors National Park Authority

Borough: Scarborough Borough Council (North)  
Parish: Grosmont

Application No. NYM/2018/0263/LB

**Proposal:** Listed Building consent for construction of porch, installation of rooflights, formation of window openings and internal alterations including removal of walls

**Location:** Rose Cottage, Institute Row, Grosmont

**Decision Date:** 20 June 2018

**Extended to:**

## Consultations

**Parish** - No objection.

**National Amenity Societies** -

**Site Notice Expiry Date** - 15 June 2018.

## Director of Planning's Recommendation

that listed building consent be **granted** subject to the following conditions:

- 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.
- Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**  
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan	8703 01	25 April 2018
Existing & Proposed Block/Roof Plans	8703 02 Rev A	26 July 2018
Proposed Elevations	8703 05 Rev A	26 July 2018
Proposed Floor Plans	8703 06 Rev B	26 July 2018
Existing & Proposed Section A-A	8703 07 Rev A	26 July 2018
Proposed Window Specification & Sections	8703 09	25 April 2018

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- Prior to removal of the existing fireplace from the existing dining room, details of the proposed replacement fireplace shall be submitted for the written approval of the Local Planning Authority.
- In relation to the new window opening hereby approved, the exposed surfaces of any new stonework or newly cut stone faces to the building to which this permission relates will be hand-tooled to match the existing stonework.
- Pointing - New Development - Standard Mix**  
All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:2 1/2 (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.

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6. The existing doorway between kitchen and utility room is to be in-filled using masonry salvaged from the new opening hereby permitted, laid to course and bedded in lime mortar to match historic construction.
7. The partition nibs and downstand in relation to the dining room must be implemented (on the line of the partition) following removal of the existing partition.

**Informatives**

**MISC INF01 Bats**


All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

**MISC INF02 Coal Referral Area**

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at [www.groundstability.com](http://www.groundstability.com)

**Reasons for Conditions**

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3, 6 & 7. For the avoidance of doubt and in order to comply with the provisions of NYM Development Policy 5 which seek to ensure that alterations to Listed Buildings do not have any unacceptable impact on the special architectural or historic interest of the building.
- 4 & 5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.

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**Background**

Rose Cottage is an attractive grade II listed detached property located in the centre of Grosmont, tucked away from the main public views. The property is found on Institute Row in an historical residential area comprising of an adhoc arrangements of terraced cottages and more substantial detached properties, all of which reference the village's industrial heritage. The garden associated with Rose Cottage extends to the east, sharing a boundary with eth railway line.

The property is a two storey dwelling of coursed stone under slate roof with painted timber windows and doors. The list description advises that the property has a central stairhall plan, is one room deep with a rear service wing. The front elevation is fitted with four pane vertical sliding sash windows (smaller at first floor) with a trellis porch on the front elevation.

As originally submitted, this application proposed a range of internal alterations comprising: removal of wall between utility and kitchen; renewal of kitchen floor; insertion of 2no. conservation rooflights in existing lean-to; modify dining room fire place; construction of porch over north entrance; re-open former openings to create windows; removal of timber stud walls and insertion of additional window.

However, following assessment by the Authority's specialist Building Conservation Officer, a number of amendments were sought in order to respect the special architectural character and interest of the building. The proposal to remove the dividing wall between the kitchen and utility represented the removal of a substantial amount of masonry which is likely to have been the exterior wall of the original building and therefore harmful to the fabric, integrity and floor plan of the listed building. The application did not carry sufficient justification as required by paragraph 132 of the NPPF and this aspect has now been amended and reduced in scale. The number of rooflights has been reduced from 2no. to 1no. (albeit slightly larger). The proposed porch has been omitted form the scheme and the alterations to the fireplace amended in discussion with the Building Conservation Officer.

**Main Issues**

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Core Policy G (Landscape, Design and Historic Assets) and Development Policy 5 (Listed Buildings) together with Section 12 of the National Planning Policy Framework.

CPG seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas.

DP5 only permits alterations, extensions or changes of use of a Listed Building, or the construction of any structure within its curtilage where such development will not have an unacceptable impact on the special historic or architectural interest, or the setting of the listed building.

Section 12 of the National Planning Policy Framework (NPPF) relates to conserving and enhancing the historic environment. An applicant is required to describe the significance of a heritage asset and the level of detail should be proportionate with its importance.

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When considering the impact of a proposed development on the significance of a designated heritage, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. If substantial harm or loss is proposed applications should be refused unless it can be demonstrated that the works are necessary to achieve substantial public benefit that outweigh that harm or loss.


The amended scheme has been considered by officers in conjunction with the Authority's specialist Building Conservation Officer (BCO). The BCO has confirmed that in view of the amended plans, the previous objections are withdrawn. The proposals will have a low level adverse impact on historic fabric (loss of a section of masonry between kitchen and dining area) and floor plan (removal of the majority of the partition between library and dining rooms). I consider that these negative effects have been mitigated by the size and positioning of the openings and the retention of significant quantities of the respective walls which preserves the cellular character of the historic spaces, and sensitive treatment of the openings to achieve a cohesive arrangement. It is considered that the harm is justified on the basis of maintaining the optimum viable use of the dwelling, in relation to the kitchen arrangements, and the fact that the partition between front and back rooms was of modern construction which made resisting any form of alteration to it unreasonable. Other harmful elements such as the construction of a porch have been omitted.

However, notwithstanding the above, the Authority's BCO has requested that it be noted on record that the incorporation of the smaller service spaces (utility, pantry, library) into the principal accommodation should not represent any form of justification for extension of the dwelling in the future to accommodate service accommodation. Extensions to side or rear elevations would be harmful to the scale and form of the original building and in my opinion would be unlikely to be acceptable. Retaining evidence for the former floorplan as secured by the amended scheme will afford the opportunity to reverse the current proposals and restore the former subdivision if service accommodation is required in the future.

In view of the above assessment, Officers are satisfied that the amended scheme is in accordance with Core Policy G and Development Policy 5 of the Authority's CSDPD. The Parish Council has no objection to the proposal and no other representations have been made. In view of the above, and in accordance with the recommended conditions, it is recommended that listed building consent is granted.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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