

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Fylingdales

Application No. NYM/2018/0462/FL

**Proposal:** re-building of a section of stone wall

**Location:** Fyling Hall School, Robin Hoods Bay

**Decision Date:** 11 September 2018

**Extended to:**

## Consultations

**Parish** - The Parish Council supports this application because it is work that needs to be done.

**Natural England** – No objection

**Advertisement Expiry Date** – 31 August 2018

**Others** -

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	MATS03	All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.
4.	MATS23	No work shall commence on the construction of the wall and walkway until details of the lime mortar are submitted and approved by the Local Planning Authority.

---

**Application Number: NYM/2018/0462/FL**

---

**Informative**

1.	Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.
----	--

**Reason for Condition(s)**

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	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 & 4.	MATS01	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.

---

**Application Number: NYM/2018/0462/FL**

---

**Background**

Fyling Hall School is a Grade II Listed co-educational independent school situated approximately 1.5 miles away from Robin Hoods Bay and 6 miles from Whitby.

The school was originally founded in 1923 and has been extended in recent years.

This planning application seeks permission for the re-building of a stone wall and flagged walkway. The wall was in a poor state of repair and has therefore been dismantled for safety purposes.

A Listed Building application for the same works has been submitted alongside this planning application.

**Main Issues**

The main planning policy of consideration is Development Policy 5 relating to Listed Buildings.

Development Policy 5 of the Core Strategy and Development Policies Development only permits 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.

It is clear that both the retaining wall and flagged surface have been repaired in the past with a cementitious mortar. This has inhibited the porosity of the structure and contributed to failure. Cementitious mortars encourage water to pass through stonework, leading to stone decay and water retention. It is therefore considered that the rebuilding of the wall and flag walkway is required as it is currently in a poor state of repair. The Parish Council supports this application as the works are considered necessary.

However, the Authority's Building Conservation Officer has concerns about mortar limetec HLM5 at a ratio of 1:4:5. Recent research has indicated that the standardisation of hydraulic lime mortars is unreliable and therefore a hot-mix lime mortar with pozzolan additive was recommended for the repair. However, as research is currently ongoing on the performance of this mortar, the use of hydraulic lime mortar in this instance is deemed acceptable.

Provided matching stone to the existing building and a hydraulic lime mortar is used, the proposed works are considered acceptable and in accordance with Development Policy 5. In light of this, planning approval is recommended.

**Application Number: NYM/2018/0462/FL**

---

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.