

North York Moors National Park Authority

Borough: Scarborough Borough Council
Parish: Fylingdales

Application No. NYM/2017/0155/LB

Proposal: Listed Building Consent for installation of replacement window to dormer and rooflight together with internal alterations including removal of partition

Location: Hollington, The Square, Robin Hoods Bay

Decision Date: 15 May 2017

Consultations

Parish - Support.

Fylingdales Village Trust -

Advertisement Expiry Date - 05 May 2017.

Director of Planning's Recommendation

that Listed Building Consent be **granted** subject to the following condition(s):

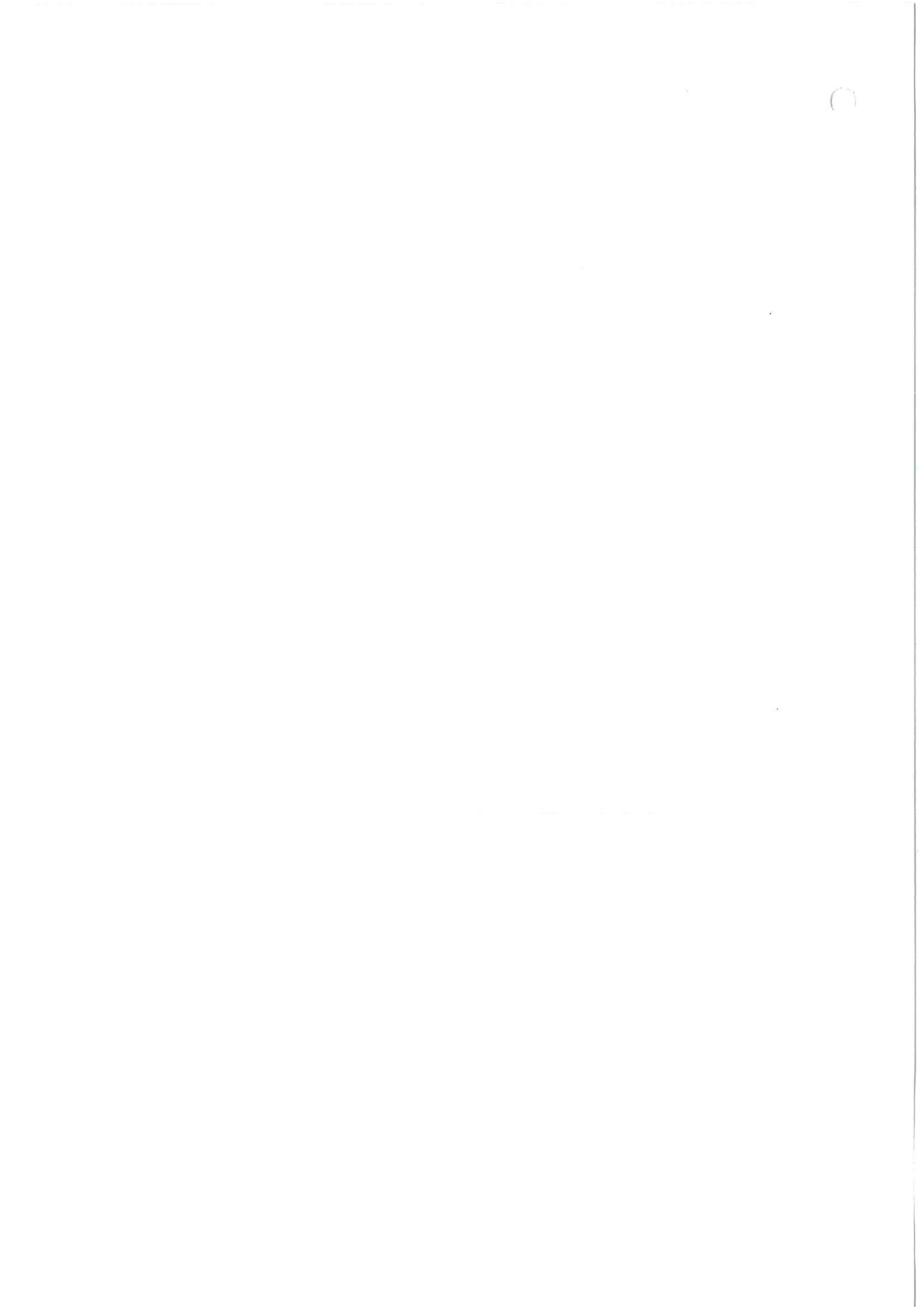
1.	TIME02	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.															
2.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>N/A</td><td>15 March 2017</td></tr><tr><td>Proposed Floor Plans</td><td>3021M.16.03F</td><td>05 September 2017</td></tr><tr><td>Proposed Elevations and Sections</td><td>3021M.16.04G</td><td>22 September 2017</td></tr><tr><td>Structural Calculations for Hollington 2479 1A Oct 2016</td><td></td><td>03 October 2017</td></tr></tbody></table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Location Plan	N/A	15 March 2017	Proposed Floor Plans	3021M.16.03F	05 September 2017	Proposed Elevations and Sections	3021M.16.04G	22 September 2017	Structural Calculations for Hollington 2479 1A Oct 2016		03 October 2017
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3.	MATS00	Notwithstanding the first floor structure detailed on cross section a-a on submitted drawing 3021M.16.04G, the flitch plates shall be as specified (i.e. 8mm x 60mm steel plates) installed/fixed to the side of the existing joists in accordance with the detail described in the submitted Structural Calculations 2479 1A Oct 2016, received on 03 October 2017.															
4.	MATS22	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.															
5.	MATS00	Prior to the installation of the fireplace hereby approved, details of the design and construction of the new fire surround shall be submitted to and agreed in writing with the Local Planning Authority. The fireplace shall then be installed in accordance with the approved details and thereafter be so maintained.															

Signature:



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Informative

1.	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.
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Reason for Conditions

1.	TIME02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 to 5.	MATS03	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.

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Background

Hollington is a grade II listed building located in the centre of Robin Hoods Bay Conservation Area. The property is tucked away on Bloomswell/The Square and like the vast majority of properties in the lower village is constructed of coursed herringbone-tooled sandstone under a pantile roof. The property is semi-detached (back to back with its neighbour) and is two storeys with attic, served by a modest front facing catslide dormer and a single storey lean-to structure at the side. The front elevation is characterised by an off-centre front door with decorative timber surround, a pair of modest vertical sash windows to the right of the door at ground floor level with one larger vertical sash at first floor. The rear roofslope is unspoilt but difficult to view due to the tightly-knit nature of the village and changing levels.

This application seeks listed building consent for repointing works, the replacement of the modern window in the dormer and insertion of 1no. conservation style rear rooflight, together with internal alterations and repairs including the removal of the ground floor partition wall and removal of modern fire surround.

The works were discussed at pre-application stage and despite some areas of concern being raised by Officers, the proposal submitted is little altered following those early discussions,

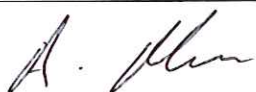
The application comprises the insertion of 1no. escape rooflight in the rear roofslope. It is proposed to be a standard Velux unit with a conservation style glazing bar. Officers requested a cast iron conservation rooflight as part of the negotiations; however, following discussions with the applicant's agent, a conservation style rooflight is considered acceptable. The justification put forward being that it is required as a means of fire escape and consequently, the Velux range are more compatible with the required escape sizes and also much easier to open in the event of emergency evacuation. In addition to this, based on the position of the rooflight, the age of the roof structure and its limited availability to public view, the public benefit is considered to outweigh the harm in this case.

The modern casement window in the dormer structure is proposed to be replaced with a Yorkshire sash window, including slim-section double glazing. All other windows are to be retained and repaired. It is proposed to carry out the necessary removal of cement rich modern mortar and replace with lime based mortar with any damaged individual bricks or stones to be replaced on a like-for-like basis.

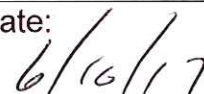
The applicant's agent has advised that the property has suffered serious fire damage in the past and a number of alterations have been made to the property over time by previous owners; the majority of alterations not obtaining the necessary consents. Consequently, the current owner wishes to address these matters and carry out a comprehensive and holistic programme of repair and renovation.

Internally it is proposed to remove the modern fire surround, make good the plaster and leave the opening exposed.

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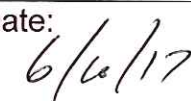
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At ground floor between the kitchen and living room is a timber partition which has previously had a door and which has also been altered to provide a serving hatch. As originally submitted, this application proposed the removal of approximately two thirds of this partition, losing the evidence of the original doorway and the more modern serving hatch. The justification being to open up the kitchen/living space in order to accommodate a kitchen/dining table of sufficient size to accommodate up to six people. The Authority provided written advice at pre-application stage advising that this level of alteration would not be supported on the basis it would represent an unacceptable loss of historic fabric and undermine the historic floor plan, specifically destroying evidence of the former door. The matter was re-assessed as part of this application and those concerns were echoed by a second Building Conservation Officer. Extensive discussions and meetings took place between the applicant, agent, Conservation Officer and Case Officer with alternative options discussed. This resulted in the submission of a revised proposal consisting of the removal of two of the historical vertical timber struts to the left of the door opening (using them to splice in and repair other remaining timbers), maintaining the header of the door to give an indication of its former position and keeping the 1970s serving hatch as another visible feature of the buildings history.

The Authority's Building Conservation Officer has considered the amended plan but has confirmed he is still not supportive of the changes and loss of fabric. He is not satisfied that there is any clear and convincing justification for this alteration as required by paragraph 132 of the NPPF. Officers are advised that the alteration would be harmful because Hollington is a modest vernacular building and the widening of the doorway would be out of character. The partition survives at least from the earlier part of the nineteenth century in its original location dividing the parlour from the scullery, reflecting the traditional subdivision of space and retaining the form of the original doorway. Although its integrity has been compromised by the insertion of a serving hatch and the loss of the lath and plaster covering (perhaps as a result of the fire), it is considered that further alteration would cause additional erosion of the architectural and historic character of the interior.

The applicants agent has considered the above comments and whilst they do not agree (due to the condition of the stud partition, the loss of original timbers and the partition has been altered over the years), the applicant has agreed to leave the two timbers exposed and plaster the remaining partition leaving the serving hatch open. Amended plans have been received.

Finally, the proposal included significant works to the first floor structure, seeking to strengthen the construction by inserting a large oak beam over the partition between lounge and kitchen, together with the insertion of new, large joists alongside the original joists with acoustic insulation inserted between with the joists to be exposed. The Authority's Building Conservation Officer lodged a strong objection to this element of the proposal stating that the radical intervention would have a very harmful effect on the internal architectural character of the building.

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The insertion of larger sized joists alongside the original joists would appear incongruous and the proposal to under draw between the joists is also unacceptable on the basis the decorative treatment of the underside of the floorboards shows that the ceiling was also exposed. The large oak beam represents a clumsy intrusion and the justification for all the above works is unclear. Whilst the floor may be springy and the timbers undersized for modern construction, it is characteristic of historical floor construction and therefore, substantial revisions are required and should be developed with a conservation accredited structural engineer. Whilst a set of structural calculations has been submitted to support the proposal, the Authority's Building Conservation Officer has advised that these appear to be based on the principle of comparing the assumed strength of the existing floor with requirements for modern floor loadings. There is no retrospective requirement under the building regulations for such works to be carried out.

Again, following lengthy discussions, an acceptable scheme has been forthcoming which comprises the insertion of a steel beam located behind the stud partition (within the kitchen) to ensure minimal intervention with the historical fabric of the building, preserving the integrity of the partition in particular. The joist details have been amended and a slim steel flitch plate design has been specified and described in the revised structural package. The agent has confirmed this is the proposed detail, yet the sectional drawings submitted by the agent/architect still suggest that heavier 'sister joists' will be inserted alongside the historical timbers. Consequently, for the avoidance of doubt, it is considered necessary to attach a condition referencing the structural engineer's detail.

Policy Context

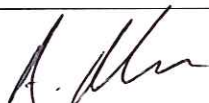
The relevant policies contained within the NYM Core Strategy and Development Policy Document to this application are; Core Policy G (Landscape, Design and Historic Assets), Development Policy 4 (Conservation Areas) and Development Policy 5 (Listed Buildings) together with Section 12 of the National Planning Policy Framework (NPPF).

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.

DP4 seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

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.

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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. 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, or; the nature of the asset prevents all reasonable uses; no viable use can be found in the medium term through appropriate marketing in order to secure conservation; grant funding or charitable/public ownership is demonstrably not possible or the harm or loss is outweighed by the benefit of bringing the site back into use.

Where the proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Main Issues


The main issues are considered to be whether the proposed development (in its amended form) is of a scale and nature which is compatible with the host grade II listed building and its wider conservation area setting. In respect of the proposed internal works, the main considerations are whether the works seek to respect the special historical character and layout of the building whether those works are of a design and construction material/method compatible with the original or historical fabric.

The proposal has been discussed at great length with the Authority's specialist Building Conservation Officer and Area Planning Officer, leading to substantial amendments. As originally submitted, the scheme paid respect to the historical character, fabric and construction techniques of the original building resulting in unacceptable harm to the special architectural interest of the building.

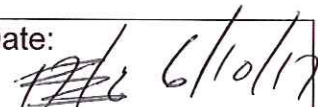
The main revisions relate to the internal works which have been amended in accordance with the Authority's Building Conservation Officer recommendations in conjunction with the applicant's agent and supported by the structural engineers report/calculations. The two main elements subject of these discussions have been the first floor structure and ground floor partition between the kitchen/lounge as described above. The Authority's Building Conservation Officer has confirmed that he is satisfied with the amended engineer's details for the scheme provided they are carried out in strict accordance with the description.

There are no objections to the replacement window, insertion of rooflight and removal of the modern fireplace (subject to details to be agreed for a replacement fire surround). The Parish Council are supportive of the proposed works and no other comments have been forthcoming. Consequently, the amended scheme is now considered to satisfactorily address the concerns of the Building Conservation Officer and the revised scheme is considered to comply with the requirements of CPG, DP4 and DP5 of the NYM CSDPD together with Section 12 of the NPPF. In view of the above and subject to the recommended conditions, approval is recommended.

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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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