

North York Moors National Park Authority

Borough: Scarborough Borough Council (North)
Parish: Fylingdales

Application No. NYM/2017/0278/LB

Proposal: Listed Building consent for installation of replacement windows, dormer and doors together with internal alterations including removal of partition and external works

Location: 8 The Esplanade, Robin Hoods Bay

Decision Date: 16 June 2017

Consultations

Parish - No objection.

Environment Agency -

Society for the Protection of Ancient Buildings -

Natural England - Satisfied that the details of the application will not damage or destroy the interest features for which Robin Hoods Bay: Maw Wyke to Beast Cliff SSSI has been notified.

Advertisement Expiry Date - 20 September 2013.

Director of Planning's Recommendation

Approval 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.
- The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved and amended by emails received 05 June 2017 (from J Eisenberg), 16 June 2017 (from Stephen Straw) and 05 July 2017 (from J Eisenberg) or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
- The dormer roof shall be clad in natural welsh slate and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- No work shall commence on the plastering of internal walls until details of the proposed plaster has been 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.

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5. There shall be no removal of joists supporting the kitchen floor without first agreeing in writing with the Local Planning Authority the removal of such joists. No work shall commence on the installation of new or replacement joists until details of these features to be installed have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the details so approved.
6. **Window Frames in Reveals to Match Existing**
The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. All new window frames, glazing bars, external door frames and doors shall be of timber construction, manufactured and installed in accordance with the constructional details submitted on 16 June 2017. The windows and doors shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. **Exterior Paint Scheme**
No work shall commence to paint or black stain external joinery in the development hereby approved until a scheme for the painting or staining of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed treatment for doors, windows, shutters, stable doors and any other exterior joinery fixtures. The works shall be carried out in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informatives

1.	<p>Bats</p> <p>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.</p>
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Reasons for Conditions (Continued...)

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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 & 4. 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.
5. 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.
- 6 to 8. 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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Background

8 The Esplanade is a mid-terrace property located on The Esplanade; a small residential street perpendicular to New Road on the upper part of the hill leading down to the old village of Robin Hoods Bay. The property is white rendered under a slate roof with modern replacement painted timber casement windows and doors. The property is Grade II Listed and is situated in the Conservation Area on a split-level site. The house forms a terrace of 10 late Georgian-design houses all characterised by a formal principle elevation with a regular distribution of (generally) small-pane sash windows and six-panel door. By reason of their design and materials, these properties are unusual in Robin Hoods Bay but vary in quality and appearance.

This application seeks Listed Building Consent for replacement windows throughout, replacement dormer to the rear, replacement doors together with internal works comprising the repair (or like-for-like replacement) of purlins, rotten timbers, removal of polystyrene ceiling tiles and alterations to layout including removal of modern partition walls. The scheme proposes the installation of traditional sash windows to match the terrace and a replacement dormer to match the neighbour at no. 9 (recently improved under NYMNPA grant assistance). The replacement front door is of six panel design with the two upper panels glazed. As originally submitted, the proposal included structural works to the dormer structure, cladding of the cheeks with uPVC shiplap boarding and use of fibreglass roof covering. Structural and internal works are included which seek to repair existing historical features (or replace on a like-for-like basis) together with the insertion of a timber partition to create an en-suite to serve the top floor bedroom.

The applicant and his agent/builder have worked closely with the Authority's Building Conservation Officer throughout the determination process. A number of amendments have been requested and discussed directly with the Conservation Officer who is now satisfied with the scheme. The main revisions include the cladding of the dormer cheeks with lead rather than uPVC, retention of natural slate to dormer roof and further construction details have been submitted throughout the course of the application.

Main Issues

The relevant NYM Local Development Framework Policies are Core Policy G (Landscape, Design and Historic Assets), Development Policy 4 (Conservation Areas), Development Policy 5 (Listed Buildings) and Development Policy 19 (Householder Development).

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.

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DP5 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.

Officers welcome the alterations proposed under this application as the standard of design and materials are of a high quality and would serve to enhance the appearance of this attractive building and therefore the wider conservation area. The removal of the modern unsympathetic casement windows and installation of traditional sash windows will undoubtedly improve the appearance of the property and together with the dormer repairs will serve to reverse the harm of previous alterations.

The Authority's Building Conservation Officer has worked directly with the applicant and his agent to develop an acceptable scheme which adequately safeguards original or historic fabric and seeks to remove harmful additions including polystyrene ceiling tiles, modern partitions and floorings. Following a number of detailed discussions and the submission of the necessary written agreements, the Building Conservation Officer has no objection to the scheme subject to conditions.

The Parish Council support application and no other responses have been received in connection with the application. In view of the above, approval is recommended.

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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