

**Parish: Thirsk**  
Ward: Thirsk  
**13**

Committee Date: 10 November 2016  
Officer dealing: Caroline Strudwick  
Target Date: 18 November 2016

**16/01641/LBC**

**Application for listed building consent for alterations to boundary wall  
at land off Bellingham Close, Thirsk  
for Mr & Mrs Parkinson/Hare/McColmont**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 Listed building consent is sought to alter the western boundary wall of a piece of land off Bellingham Close, Thirsk. The site is predominately flat approximately 0.22ha with a frontage on Bellingham Close facing The Old Workhouse (grade II listed building). The site is surrounded by other residential properties varying in height and size.
- 1.2 It is proposed to create an opening of approximately 7.2 m some 21m from the northern end of the wall. This is to allow access on the site which is the subject of a planning application for 4 dwellings.
- 1.3 The creation of an opening within the wall that lies on the boundary of the Listed Building requires consent as a curtilage structure to the Workhouse. The scheme would result in the loss of some fabric and will also result in the realignment of two sections to allow for visibility splays to be formed on to Bellingham Close to serve the development of four dwellings proposed in application 16/01640/FUL.
- 1.4 The wall is to be rebuilt on the new alignment using original bricks as far as possible, and integrating suitable reclaimed bricks where necessary.
- 1.5 It should be noted that this application supersedes a previous application, 10/02721/LBC, which accompanied application 10/02722/FUL for the construction of 6 dwellings and a garage building.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 10/02721/LBC Application for listed building consent for alterations to wall to create a vehicular access as amended by plans received by Hambleton District Council on 18 January 2011; Application withdrawn 9th September 2011.
- 2.2 16/01640/FUL Construction of 4 dwellings with garages, alterations to existing boundary wall and formation of vehicular access as per amended plans received by Hambleton District Council on 26th October 2016 - pending consideration and listed separately on this agenda.

**3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
National Planning Policy Framework

## 4.0 CONSULTATIONS

- 4.1 Thirsk Town Council - Made the following observations: There seems no reason to allow a breach to be made in the listed wall until the application for building in the field is made and (possibly) approved. If several dwellings are planned we would have concerns about the access onto the A170 - a very busy road.
- 4.2 Public comment - 12 objection comments have been received but it should be noted that several of these are duplicate submissions. The main thrust of the objections are in relation to the associated housing development, not the actual proposal of works to the wall. Comments made directly in reference to the listed building consent are:
- There is no valid reason to alter a historic listed wall; and
  - There should be an alternative access point.

## 5.0 OBSERVATIONS

- 5.1 The main planning issues raised by this application are whether the proposed works, to remove a section of wall and realign the wall would complement the wall as a curtilage structure to the former workhouse and the setting of the former workhouse and whether there would be any adverse impact upon its character and historical value.
- 5.2 The proposed alterations and part demolition are considered appropriate to maintaining the character and appearance of the wall whilst allowing the development of new dwellinghouses to go ahead (application no.16/01640/FUL). It is considered that the proposed works would respect the architectural merit of the structure and would allow the continued use of the wall as a boundary feature whilst meeting the needs of future development for the area.
- 5.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4 The National Planning Policy Framework at paragraphs 133 and 134 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building.
- 5.5 It is proposed to rebuild the wall using the original bricks and copings to ensure the works remain in keeping with the historical wall at present. A condition for a schedule of works for the wall can ensure the demolition and rebuild are monitored and controlled ensuring this feature is preserved.
- 5.6 Having taken the above into account it is considered that the proposed works would accord with the policies of the Local Development Framework. Hence this application is recommended for approval.

## 6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered PP02 received by Hambleton District Council on 19th July 2016 unless otherwise approved in writing by the Local Planning Authority.
3. No works shall be undertaken on the development until a schedule has been agreed with the Local Planning Authority of those materials forming part of the boundary wall of the Old Workhouse to be demolished which are worthy of re-use on the site. The schedule shall include a reference to where the materials will be used in the redevelopment of the wall. The wall shall be carefully taken down or dismantled and the materials contained in the schedule and stored for later re-use in the proposed redevelopment of the wall. The materials contained in the schedule shall be re-used in the redevelopment of the wall in the manner indicated in the schedule.
4. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
5. No demolition shall commence unless contracts have been exchanged for the construction of the development permitted under 16/01640/FUL.

The reasons are:

1. To ensure compliance with Section 18A of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings including the Listed Workhouse and in accordance with the Development Plan Policies CP16 and DP28.
3. In the interest of maintaining the character and setting of the Listed Workhouse and set out within Policy CP18 of the Local Development Framework
4. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site, listed building and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
5. To ensure that the demolition of the wall is not undertaken in isolation of the redevelopment of the boundary wall and to enable the residential development of the adjoining land.