

**North Yorkshire Council
Community Development Services
Scarborough and Whitby Area Planning Committee**

12 JUNE 2025

ZF25/00091/LB - Retrospective application to replace 5no. timber ladders with steel ladders at East Pier, Henrietta Street, Whitby, North Yorkshire, on behalf of North Yorkshire Council (Mr Andy Crossley) Report of the Head of Development Management – Community Development Services

1.0 Purpose of the report

- 1.1 To determine a Listed Building Consent application for the installation of 5.no replacement pedestrian access ladders to the East Pier in Whitby.
- 1.2 The proposal is being considered by Members of the Scarborough and Whitby Planning Committee as the Council is the applicant.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That listed building consent be GRANTED subject to the conditions.

- 2.1 This application seeks for Listed Building Consent for the installation of 5.no replacement pedestrian access ladders to the East Pier in Whitby. The ladders will be constructed of galvanised steel and will replace the existing timber ladders. The ladders will be permanently fixed to five different locations on the East Pier and the proposal is retrospective as the alterations to the pier have already been carried out. It is concluded that the works will not harm the special historical and architectural interest of the Grade II Listed Building.



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4.0 Site and Surroundings

4.1 The East Pier at Whitby projects into the North Sea and forms one of two piers which together enclose the mouth of the River Esk, thus forming the northern part of Whitby Harbour. The pier runs north-west from the base of the East Cliff with its base below sea level. The pier can be accessed via Henrietta Street, located East of Church Street and Whitby Bridge.

- 4.2 The piers were first constructed in the early 18th Century with several phases of extensions, widening and raising occurring over 250 years. They are predominantly constructed of large sandstone blocks with certain areas repaired with concrete.
- 4.3 The East Pier has five timber ladders to which this application relates, three on the western side and two on the eastern side of the pier.
- 4.4 The structure is Grade II listed and the site also lies within the designated Conservation Area of Whitby. Its listing description reads: Medieval origins, rebuilt from 1702. Stone built pier facing the West Pier.

5.0 Description of Proposal

- 5.1 This application seeks retrospective Listed Building Consent for the installation of 5.no replacement pedestrian access ladders to the East Pier in Whitby. The ladders are constructed of galvanised steel and replace the existing timber ladders. 3.no ladders are located on the western side and 2.no on the eastern side of the pier. They are permanently fixed and installed in the same location with the same measurements as the previous timber ladders. They measure approximately 5000mm wide and 9500mm in length, and are fixed to the existing recesses in the Pier wall.
- 5.2 The ladders are intended to provide safer access down from the pier. The timber ladders were visibly weathered from contact with the North Sea, causing moss and algae to build-up.

6.0 Planning Policy and Guidance

- 6.1 Section 16 (2) and Section 66 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant listed building consent for any works the local 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.

Adopted Development Plan

- 6.2 The Adopted Plan for this site is:

-Scarborough Borough Local Plan 2011 to 2032 adopted 2017

The relevant Local Plan Policy is DEC5 (The Historic and Built Environment)

Emerging Development Plan - Material Consideration

- 6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

-National Planning Policy Framework 2024

7.0 Consultation Responses

- 7.1 Principal Building Conservation Officer (NYC) - no objection. "The wooden ladders which have been replaced, were replacements for earlier ones, likely replaced numerous times over the centuries. Hence the proposal has not resulted in the loss of features of architectural interest. No harm would result to overall heritage significance of the East Pier as the host listed building or the group value of the Piers and Lighthouses around the harbour."
- 7.2 Whitby Town Council - object. The Council wanted to see 'like for like' replacement instead. The grounds include 'Impact on the character and appearance of the area' In addition, there were concerns expressed about the choice of materials used.

Local Representations

- 7.2 None received.

8.0 Main Issues

- 8.1 In accordance with the aforementioned legal requirement, the sole consideration for the Committee in its determination of this application is whether or not the proposed works would preserve the special interest of the Grade II Listed Building.

-Whether or not the proposed works would preserve the special interest of the Grade II Listed Building.

9.0 Assessment

The only issue for consideration is whether or not the works have preserved the special architectural and historic interest of the Grade II Listed Building

- 9.1 Section 16(2) and Section 66 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving the listed building, its setting, or any features of special architectural or historic interest which it possesses.
- 9.2 Local Plan Policy DEC5 (The Historic and Built Environment) requires that proposals affecting a designated heritage asset should conserve those elements that contribute to its significance and states that harm to such elements will only be permitted where this is outweighed by the public benefits of the proposals.
- 9.3 The existing timber ladders which have been replaced, were replacements for earlier ones, likely replaced numerous times over the centuries as a result of the maritime environment. Therefore, they are not original.
- 9.4 The new ladders are similar in terms of style to the ladders, albeit constructed of steel which inevitably has a different appearance. It is considered that the replacement of the timber ladders with new metal ones in the existing recesses has a very minor impact on the appearance of the harbour walls. Metal ladders are not out of keeping with the other features (handrails, cast iron bollards and capstans for

example) on and around the piers. Furthermore, once exposed to the marine environment, the colour and appearance of the new ladders will oxidise the surface and 'dull down' their appearance relatively quickly and the metal ladders will blend more comfortably with the stonework.

9.5 It is considered that the main interest and significance of the ladders themselves is in their continued presence and use as a functioning part of the pier. These sets of ladders will have been replaced many times over the years due to the harsh environment in which they are located, so the individual examples do not hold particular historic significance in their own right.

9.6 The Council's Principal Building Conservation Officer has been consulted on this application and has provided detailed comments, which are summarised above, and raises no objection.

9.7 It is considered that the replacement ladders with galvanised steel ladders has not resulted in the loss of features of architectural interest to the Grade II listed pier.

10.0 Planning Balance and Conclusion

10.1 The timber ladders which have been replaced, were replacements for earlier ones, likely replaced numerous times over the centuries and are not original. The proposal has not resulted in the loss of features of architectural interest and no harm has resulted to the overall heritage significance of the East Pier as the host Grade II listed building.

10.2 Overall, the works comprise essential improvements and repair works to the structure that ensures safer access, whilst successfully preserving the architectural integrity of the Grade II Listed structure.

10.3 It is therefore considered that the proposal would preserve the special interest of the Grade II Listed structure, complying with Section 16(2) and Section 66 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policy DEC5.

11.0 RECOMMENDATION

That listed building consent be GRANTED subject to the following condition;

1 The development hereby permitted shall be carried out in strict accordance with the following plans:

-Site block plan
-Proposed

received on 22 January 2025, and;

-Replacement ladder plan

received on 4 March 2025.

Reason: For the avoidance of doubt.

Target Determination Date: 6 May 2025

Case Officer: Mrs Debby York
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