

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2019/0398/FL

**Proposal:** Siting of 1 no. log cabin with associated footpath for use as holiday accommodation together with construction of replacement domestic outbuilding

**Location:** Valley View, Golden Grove, Whitby

**Decision Date:** 06 August 2019

**Extended to:**

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## Consultations

**Parish** – No objection but express concerns that given the increase in traffic, an additional passing place is needed.

**Highways** – No objection but recommends a condition requiring the provision of an additional passing place.

**Environmental Health Officer** - No objection on housing or environmental health grounds.

**Forestry Commission** – Standing advice in relation to development affecting Ancient Woodland.

**Site Notice Expiry Date** – 16 July 2019

### Others –

Capt & Mrs Pringle, Manor Cottage, Golden Grove

Mr & Mrs J P Wood, Manor House, Golden Grove

Long Barn, Waverley Lane, Farnham, Surrey (owner of Beck Cottage, Golden Grove)

Object for the following reasons:

- Unaware of the application as the site notice was posted at valley View and not in the hamlet of Golden Grove where residents would see it;
- Parking area will need extending;
- How will a new septic tank be delivered to the site and be cleaned as a lorry cannot get along the narrow section of road to Valley View?
- Where will refuse be left for collection as the refuse lorries cannot access Valley View and currently refuse is left at a neighbour's property in the hamlet?
- Concerned the proposed hobbies room and store will be used for yoga classes;
- Additional passing place will not help as there is a mile stretch of single track road back to Golden Grove.
- Increased traffic and pollution will have adverse impact on residential amenity of local residents;
- Contractors, delivery and emergency service vehicles are unable to access the property without causing damage to properties positioned close to the narrow road;

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**Application Number: NYM/2019/0398/FL**

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- Risk of fire from log burners and BBQs and potential loss of valuable woodland;
- Over commercialisation of this quiet secluded area.

Barbara and Mark Gratton, Waterfall Cottage, Golden Grove – wish to make the following comments:

We have no concerns if the sewage discharge either from a new septic tank or a treatment centre is put into a soakaway into the ground as with the other log cabin at Valley View. This prevents any risk to human life and degradation of the spawning grounds of the salmon and sea trout on Cock Mill Beck. We have a court order and EA consent to enforce the discharge from a sewage treatment centre position is past our entire property into Cock Mill Beck in order to stop life threatening infections of human sewage pathogens due to the aerosol and spray which our home is surrounded from the waterfall. Cock Mill Beck is a A rated salmon and sea trout spawning stream and any sewage input degrades this unique top quality environment. The previous owners of Valley View were aware of the risk to our health and the beck and fitted a septic tank with discharge into the ground which works.

### **Director of Planning's Recommendation**

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

1.	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.															
2.	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><b>Document Description</b></th> <th style="text-align: left;"><b>Document No.</b></th> <th style="text-align: left;"><b>Date Received</b></th> </tr> </thead> <tbody> <tr> <td>Proposed Site Plan</td> <td>01065 002 TP3</td> <td>14 Aug 2019</td> </tr> <tr> <td>Site Location Plan</td> <td>01065 001 TP3</td> <td>25 June 2019</td> </tr> <tr> <td>Proposed Plans &amp; Elevations Log Cabin</td> <td>01065 007 TP1</td> <td>4 June 2019</td> </tr> <tr> <td>Proposed Plans &amp; Elevations Outbuilding</td> <td>01065 006 TP1</td> <td>4 June 2019</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>	Proposed Site Plan	01065 002 TP3	14 Aug 2019	Site Location Plan	01065 001 TP3	25 June 2019	Proposed Plans & Elevations Log Cabin	01065 007 TP1	4 June 2019	Proposed Plans & Elevations Outbuilding	01065 006 TP1	4 June 2019
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3.	The log cabin hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.															
4.	The log cabin hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Valley View and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.															
5.	In the event of the log cabin hereby approved no longer being required for holiday letting purposes, within six months of the cessation of the use, the timber cabin shall be completely removed from the site and thereafter the site retained clear of timber cabins unless a further permission for an alternative use has been granted.															

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**Application Number: NYM/2019/0398/FL**

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6.	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7.	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8.	No provision of services including electric, sewage, telephone and water shall be installed in the development hereby permitted until details have been submitted to and approved in writing by the Local Planning Authority. The services shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
9.	Prior to the timber cabin hereby approved being first brought into use, a vehicle passing place shall be provided in accordance with details first approved in writing by the Local Planning Authority in consultation with the Highway Authority.
10.	The development hereby permitted shall be carried out in accordance with the mitigation, compensation and enhancement measures set out in paragraphs 5.1, 5.2 and 5.3 of the submitted Ecological Appraisal by Naturally Wild dated August 2019 and paragraph 5 of the Arboricultural Impact Assessment and Plan by Elliott Consultancy dated August 2019.
11.	No trees forming the woodland within the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

### Informatives

1	You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in condition 10.
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### Reason(s) for Condition(s)

1	To ensure compliance with Sections 91 to 94 of the Town and Country Planning 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	The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to provide facilities for visitors in line with NYM Development Policy 16.
4	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.

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**Application Number: NYM/2019/0398/FL**

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5.	In order to comply with the provisions of NYM Development Policy 16 which seeks to ensure that new chalet development can be removed when no longer required so as to conserve and enhance the special qualities of the National Park.
6.	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.
7.	In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
8.	In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
9.	In accordance with NYM Development Policy 23 and in the interests of highway safety.
10.	In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
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**Application Number: NYM/2019/0398/FL**

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**Background**

Valley View comprises a detached white rendered bungalow set in an isolated location at the very eastern end of Golden Grove, to the south of Whitby. The property has within its ownership two small fields where in the far western corner lies a painted corrugated steel lean-to outbuilding used as a hobbies room/ storage in association with the main dwelling. To the south of the property lies an area of dense woodland also within the applicants ownership where there is sited a modest two bedroom timber cabin used for short term holiday letting, granted planning permission five years ago.

This application seeks full planning permission for a replacement hobbies room/store on the site of the existing building to the west of the main dwelling along with a second timber cabin in the woodland to the south.

The replacement hobbies room/storage would measure 10.5 metres by 6 metres (a slightly smaller footprint to the existing structure) and be clad in horizontal timber boarding under a green felt roof. The building would have a dual pitch roof of a maximum height of 2.7 metres whereas the existing structure, being a mono-pitched roof has an overall height of 3.4 metres.

The timber cabin would measure 10 metres by 5 metres with a maximum height of 2.9 metres. It would be clad in natural horizontal timber boarding with a green felt roof. Parking would be in the small parking area (3 parking spaces) adjacent to the road which was created to serve the first timber cabin and access to the proposed cabin would be on foot only via an existing, albeit overgrown, footpath through the woodland. Refuse would be collected from the main dwelling and the cabin would be served by a septic tank. The site of the proposed timber cabin is a small clearing within the woodland where there was once

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**Application Number: NYM/2019/0398/FL**

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sited a pig building, however there will be some clearing of ground flora to create a level base for the cabin.

**Main Issues****Policy Context**

Core Policy A (Delivering National Park Purposes and Sustainable Development) seeks to conserve and enhance the National Park's special qualities by providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the National Park, nor detract from the quality of life of local residents or the experience of visitors. It also requires development proposals to maintain and enhance the natural environment and conditions for biodiversity and geodiversity.

Core Policy C (Natural Environment, Biodiversity and Geodiversity) seeks to ensure conditions for biodiversity are maintained and improved and important geodiversity conditions are protected.

Development Policy 3 (Design) seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances features that contribute to the character and quality of the environment; the scale, height, massing, proportion, form, size, materials and design are compatible with surrounding buildings; the standard of design detailing is high; provision is made for adequate storage, waste management; and there is satisfactory landscaping of the proposal.

Development Policy 14 (Tourism and Recreation) supports new tourism development and the expansion of existing tourism businesses where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; and will not generate an increased level of activity which would be likely to detract from the experience of visitors and the quality of life of local residents.

Development Policy 16 (Chalet and Camping Sites) seeks to permit proposals for the expansion of existing chalet sites only where the site is located within an established area of woodland or forest; is physically and functionally linked to an existing business and can be managed without the need for additional permanent residential accommodation; in close proximity to the road network and would not result in an increase in traffic that would be harmful to the area. It also requires that the scale of development would not be out of character with the area and the proposal should be designed in such a way as to minimise the level of permanency so that building can be removed when no longer required.

Development Policy 19 (Householder Development) supports proposals for development within the domestic curtilage where the scale, height, form, position and design does not detract from the character and form of the original dwelling or its setting in the landscape and would not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

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**Application Number: NYM/2019/0398/FL**

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**Principle of Development**

There is no objection in principle under Development Policies 14 and 16 to the siting of a small one bedroom timber cabin in the woodland at Valley View as an expansion of the existing tourism business operated from the property. The site lies within well-established woodland and is physically and functionally linked to the existing timber cabin and the main dwelling from which the proposed timber cabin would be managed. Parking to serve the accommodation already exists in the form of a small layby for 3 cars created when the first timber cabin was installed and there is a good network of PROW in the locality including good access to Ruswarp and Whitby. It will also help to support the wide variety of accommodation in the area thereby ensuring the National Park is accessible to a greater number and variety of people.

Development Policy 16 advises that it will only support small scale development of no more than 6 units; this proposal is for one additional one bedroom unit, resulting in two units in total. It is therefore considered that this is a very modest scale of development which Golden Grove can accommodate without undue harm to the quality of life of its residents or the experience of visitors. In addressing some of the local concerns about over commercialisation of the area, the site is physically unable to accommodate many more units, if any, given the densely wooded and steeply sloping nature of the site. Furthermore by the very nature of this isolated location for the timber cabin, visitors /guests are likely to be seeking peaceful holiday and the activity levels generated by one additional one bedroom unit are unlikely to have an adverse impact on quality of life of local residents or the experience of visitors.

With regard to the replacement hobbies room/store, DP19 would normally require such structures to be closely related to the domestic curtilage, whereas the proposed building would be located some 40 metres away. However this will be a replacement structure, facilitating the removal of the present unsightly corrugated steel structure and given the wooded backdrop, it is not considered that it would unduly harm the character or appearance of the area.

**Ecology/Woodland Concerns**

The site lies within recorded Section 3 Woodland and within 250 metres of designated Ancient Woodland and within the SSSI Impact Zone. The Authority's Ecologist and Woodland Officer initially expressed concern that the proposal would result in the loss of the rich ground flora in the area (including at least one ancient woodland indicator species, Dog's Mercury – *Mercurialis Perennis*), and that whilst a tree survey had been submitted, the root protection areas were not been mapped and there were no details of the proposed construction methods of the timber cabin to assess the impact on the surrounding trees. They concluded that the timber cabin, access path and new septic tank could all contribute to a loss of woodland habitat with no supporting details of how this will be mitigated against or compensated for. As such a detailed ecological survey of the ground flora interest was requested so as to ascertain the spectrum of species present, along with construction details of the log cabin and a tree protection scheme indicating the root protection areas, method statement and any compensatory measures.

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**Application Number: NYM/2019/0398/FL**

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The requested ecological survey and additional information has now been received and the Authority's Ecologist and Woodland Officer are satisfied that the proposed timber cabin and associated works can be accommodated with the woodland without undue harm to the existing flora and trees about the site in accordance with Core Policies A and C.

**Access and Parking**

It is noted that the Highway Authority have no objection to the proposal subject to the provision of an additional passing place on the applicants land. It is therefore considered that the addition of one small unit of holiday accommodation is unlikely to generate increase in traffic levels that would be detrimental to highway safety, the character of the area or the quality of life of local residents.

**Conclusion**

The proposal is considered to comply with the requirements of Core Policies A and C along with Development Policies 3, 14, 16 and 19 of the Core Strategy and Development Policies Document. The proposed hobbies room/store will be located within close proximity of the domestic curtilage and the proposed timber cabin will be within established woodland in the control of the applicant and will be managed from the main dwelling. Access to the site is via a single track lane with passing places however the Highway Authority has no objection to the very modest increase in traffic generated by a single one bedroom holiday unit subject to the provision of an additional passing place which the applicant is willing to provide. Furthermore the concerns of the Authority's Ecologist and Woodland Officer have been addressed. Foul drainage has been a historical concern of local residents in this area and a condition is recommended to ensure appropriate arrangements are incorporated. As such it is considered that the proposed development will not have an adverse impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the National Park, nor detract from the quality of life of local residents or the experience of visitors and approval is recommended.

**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.