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Our Ref: 192670/ABP/OP

J. Bastow, Senior Planning Officer
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York, Y62 5BP

NYMNPA

14/01/2020

13 January 2020

Dear Mrs Bastow,

LAND TO THE SOUTH OF WYKE LODGE, STAINTONDALE ROAD, CLOUGHTON

APPLICATION FOR VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION NYM/2015/0885/FL IN RESPECT OF THE APPROVED PLANS – PLANNING PORTAL REF. PP-08399203

I am pleased to confirm that I have submitted the above application via the Planning Portal on behalf of my client, Keith Dobbie (hereafter 'the applicant').

Planning Application and Supporting Documents

The application comprises the following documentation:

- Completed Application Form;
- Completed Ownership and Agricultural Land Declaration Certificate;
- Planning Application Fee of £234.00 – this will be paid shortly;
- This Letter – this provides the Planning Statement of Case;
- Site Location Plan (Dwg. No. KYN014021-20 Rev G);
- Proposed Detailed Site Layout (Dwg. No. KYN014021-03-2 Rev K);
- Proposed Caravan Elevations (Dwg. No. KYN014021-04 Rev I);
- Proposed Caravan Floor Plan (Dwg. No. KYN014021-05 Rev H); and,
- Proposed Caravan Replacement Store Plans and Elevations (Dwg. No. KYN014021-09 Rev K).

Proposed Amendment and Why It is Sought

The applicant is seeking planning permission to alter the roof form of the chalet structure. A pitched roof is now proposed because the unit, which has been partly developed, has been built in a kit form on site and the timber framework was delivered to site in pallet boxes (which measure 2m by 2m each) and timbers screwed together to form strong box frames on which to place the roof. This has occurred because the applicant could not find a local manufacturer who could supply to the original specification (i.e. two modular units constructed with interlocking spruce pine logs) due to the time that has passed since November 2015 when the original planning application was first submitted to the Council for consideration.

Planning permission is also sought to alter the storage unit in several ways, namely: use of vertical cladding on the exterior of the unit; the insertion of two doors and two small windows on the front elevation; a lower and shallower pitch of roof; and, a smaller footprint.

The use of vertical cladding is now proposed because the applicant considers it will lead to a more cohesive development because it will match the gable ends of the chalet structure, which are to comprise larch 70mm vertical cladding, as permitted by planning permission **NYM/2018/0258/CVC** (approved on 1 August 2018).

The insertion of exterior doors and windows on the front elevation is proposed because the unit is now to be used in a slightly different way. It was initially envisaged that the unit would be used only to provide storage for various equipment needed for the management of the site. But it is now envisaged one half will be used for this purpose (west side) whereas the other half (east side) will be potentially used to house chickens. On this basis, there is now a need for two doors. It should be noted that the original storage unit permitted by the original planning permission replaced a chicken shed in the same location.

A lower and shallower roof pitch is proposed because the applicant considers this would help the unit to better assimilate into the local landscape.

A smaller footprint (the unit measures 6.0m by 3.6m by 2.4m) is proposed because mistakenly, it was recently built slightly further to the north than the permitted position such that it was located outside of the application site boundary. Accordingly, the applicant subsequently removed the part of the unit which fell outside of the red line area and this has reduced the size of the unit.

Current Wording of Condition 2

“2) The development hereby permitted shall be carried out in accordance with the following approved plans:

KYN0140121-20 Rev C Site Location Plan

KYN0140121-03 Rev I Proposed Site Layout

KYN0140121-03-02 Rev G Proposed Detailed Site Layout

KYN0140121-06 Rev F Site Longitudinal and Cross Sections

KYN0140121-09 rev G Proposed Caravan and Replacement Store Plans and Elevations

KYN0140121-08 Rev F Proposed Plan of Modular Units

KYN0140121-07 Rev F Proposed Elevations of Modular Units

KYN0140121-04 Rev E Proposed Caravan Elevations

KYN014021-05 Rev E Proposed Caravan Elevations”

Proposed Wording of Condition 2

It is submitted that the wording for Condition 2 should be varied to read as follows:

“2) The development hereby permitted shall be carried out in accordance with the following approved plans:

KYN0140121-20 Rev G Site Location Plan

KYN0140121-03 Rev I Proposed Site Layout

KYN0140121-03-02 Rev K Proposed Detailed Site Layout

KYN0140121-06 Rev F Site Longitudinal and Cross Sections

KYN0140121-09 rev K Proposed Caravan and Replacement Store Plans and Elevations

KYN0140121-04 Rev I Proposed Caravan Elevations

KYN014021-05 Rev H Proposed Caravan Elevations”

Justification for Variation

The principle of holiday use at the application site was first established by the authority when it issued a certificate of lawfulness in October 2015 (**NYM/2015/0535/CLE**). The principle of the use was then reinforced, initially when the Planning Inspectorate allowed an appeal for a change of use of the land from the siting of a touring caravan to the siting of a log cabin in August 2017 (**APP/W9500/W/17/3171625**), and subsequently when the authority discharged conditions 7, 9, 10 and 12 attached to the same planning permission in August 2018 (**NYM/2018/0258/CVC**). The impacts on the character and appearance of the National Park are therefore generally unchanged.

Nonetheless, with regard to the chalet structure a timber frame has been partly constructed that will enable a conventional pitched roof with a central ridge to be installed. It is contended that there are two benefits of this revised approach, namely: this will help the structure to assimilate into the local landscape better than the approved roof form (flying half roof), which could otherwise be considered an incongruous feature in the landscape; and, it also significantly reduces the threat of roof stresses from high winds. Overall, given the ridge height is lower (by 0.5m) and the roof form reflects a traditional vernacular, it is considered this revision is in accordance with both **Core Policy A** (Delivering National Park Purposes and Sustainable Development) and **Development Policy 16** (Chalet and Camping Sites) of the North Yorkshire Moors Core Strategy and Development Policies Document 2008-2016 (CSDPD).

Like the revised roof design of the chalet, the proposed use of vertical cladding on the storage unit is also considered to lessen the impact on the character of the landscape. The landscape impact will also be lessened by the lower height, shallower roof pitch and smaller footprint. Furthermore, it is contended that the insertion of exterior doors and windows on the front elevation does not change the landscape impact of the development. The Planning Inspector's following conclusion (Para 25) when the original scheme was allowed is relevant:

"I therefore conclude on this issue that the proposal would not be harmful to the character and appearance of the National Park. Thus the proposal would conserve the natural beauty, wildlife and cultural heritage of the area, and would not conflict with the statutory purposes of National Parks, the Framework, or the LDF or MP policies considered above."

For the reasons given above, it is considered that the same conclusion applies to the amended scheme.

Other Planning Conditions

In the light of planning permission **NYM/2018/0258/CVC**, which approved details pursuant to conditions 7, 9, 10 and 12, it is suggested that if the authority approves the amended scheme, then these conditions should be made compliance conditions.

I trust that the application will be validated at your earliest convenience however, please do not hesitate to contact me if you should have any questions.

Yours sincerely,

Owen Pike BA (Hons) PG Dip MRTPI
Associate Partner, Planning
For and behalf of Sanderson Weatherall LLP

Direct Line:
Email:

Community Infrastructure Levy (CIL) - Form 1: CIL Additional Information

Determining whether a Development may be CIL Liable - For submission with Planning Application

Please note: This version of the form should only be used for submissions relating to planning applications in England. There is a legacy version of the form for use in Wales: [Download the legacy version of this form](#)

Following the introduction of the Community Infrastructure Levy (CIL) all applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to provide the following information.

Please read the associated Guidance Note before you complete the form. This and additional per-question help can be viewed at: https://ecab.planningportal.co.uk/uploads/1app/cil_guidance.pdf

Please complete the form using block capitals and black ink and send to the Collecting Authority.

See [Planning Practice Guidance for CIL](#) for guidance on CIL generally, including exemption or relief.

Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to a Local Authority in accordance with the 'The Community Infrastructure Levy Regulations 2010 (as amended)'.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it (unless you choose to upload it to any Planning Portal online service in agreement with the relevant terms and conditions). Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to a Local Authority with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Authority to inform you of its obligations in regards to the processing of this information. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

1. Application Details

Applicant or Agent Name:

Mr Keith Dobbie

Planning Portal Reference (if applicable): PP-08399203

Local authority planning application number (if allocated):

Site Address:

Land to the South of Wyke Lodge
Staintondale Road
Cloughton

NYMNPA

14/01/2020

Description of development:

Application for variation of condition 2 attached to planning permission NYM/2015/0885/FL in respect of the approved plans

2. Applications to Remove or Vary Conditions on an Existing Planning Permission

a) Does the application seek to remove or vary conditions on an existing planning permission (i.e. Is it a Section 73 application)?

Yes
If 'Yes', please complete the rest of this question

No
If 'No', you can skip to **Question 3**

b) Please enter the application reference number

c) Does the application involve a change in the amount or use of new build development, where the total (including that previously granted planning permission) is over 100 square metres gross internal area?

Yes No

d) Does the application involve a change in the amount of gross internal area where one or more new dwellings (including residential annexes) are to be created, either through new build or conversion (except the conversion of a single dwelling house into two or more separate dwellings with no additional gross internal area created)?

Yes No

If you answered 'Yes' to either c) or d), please go to **Question 5**

If you answered 'No' to both c) and d), you can skip to **Question 8**

3. Reserved Matters Applications

a) Does the application relate to details or reserved matters on an existing permission that was granted prior to the introduction of the CIL charge in the relevant local authority area?

Yes
If 'Yes', please complete the rest of this question

No
If 'No', you can skip to **Question 4**

b) Please enter the application reference number

If you answered 'Yes' to a), you can skip to **Question 8**

If you answered 'No' to a), please go to **Question 4**

4. Liability for CIL

a) Does the application include new build development (including extensions and replacement) of 100 square metres gross internal area or above?

Yes No

b) Does the application include creation of one or more new dwellings (including residential annexes) either through new build or conversion (except the conversion of a single dwelling house into two or more separate dwellings with no additional gross internal area created)?

Yes No

If you answered 'Yes' to either a) or b), please go to **Question 5**

If you answered 'No' to both a) and b), you can skip to **Question 8**

5. Exemption or Relief

a) Is the site owned by a charity where the development will be wholly or mainly for charitable purposes, and the development will be either occupied by or under the control of a charitable institution?

Yes No

b) Does the proposed development include affordable housing which qualifies for mandatory or discretionary Social Housing relief?

Yes No

If you answered 'Yes' to either a) or b), please note that you will need to complete 'CIL Form 10: Charitable and/or Social Housing Relief Claim'. The form must be submitted to the Collecting Authority, **and** any relief must be granted by them, prior to the commencement of the development. Otherwise the full CIL charge will be payable.

A Commencement (of development) Notice (CIL Form 6) must also be received by the Collecting Authority prior to the commencement of the development otherwise:

- *If your CIL Liability Notice was issued on or after 1 September 2019*
A surcharge equal to 20% of the notional CIL chargeable amount or £2,500, whichever is the lower amount, will be incurred; **or**
- *If your CIL Liability Notice was issued prior to 1 September 2019*
The relief previously granted will be rescinded and the full levy charge will be payable.

You will also need to complete 'CIL Form 10: Charitable and/or Social Housing Relief Claim' if you think you are eligible for discretionary charitable relief, or discretionary social housing relief (if this is available in your area).

If you wish to claim exceptional circumstances relief, and if the charging authority have made exceptional circumstances relief available in their area (please check their website for details), you will need to complete 'CIL Form 11: Exceptional Circumstances Relief Claim'. The form must be submitted to the Collecting Authority, **AND** any relief must be granted by them, prior to the commencement of the development. Otherwise the full CIL charge will be payable.

All CIL Forms are available from: www.planningportal.co.uk/cil

c) Do you wish to claim a self build exemption for a whole new home?

Yes No

If you have answered 'Yes' to c), please note that you will need to complete 'CIL Form 7: Self Build Exemption Claim - Part 1'. This form must be submitted to the Collecting Authority, **and** any exemption must be granted by them, prior to the commencement of the development. Otherwise the full CIL charge will be payable.

A Commencement (of development) Notice (CIL Form 6) must also be received by the Collecting Authority prior to the commencement of the development otherwise:

- *If your CIL Liability Notice was issued on or after 1 September 2019*
A surcharge equal to 20% of the notional CIL chargeable amount or £2,500, whichever is the lower amount, will be incurred; **or**
- *If your CIL Liability Notice was issued prior to 1 September 2019*
The exemption previously granted will be rescinded and the full levy charge will be payable.

All CIL Forms are available from: www.planningportal.co.uk/cil

d) Do you wish to claim an exemption for a residential annex or extension?

Yes No

If you have answered 'Yes' to d), please note that you will need to complete either 'CIL Form 8: Residential Annex Exemption Claim' or 'CIL Form 9: Residential Extension Exemption Claim'. The relevant form must be submitted to the Collecting Authority, **and** any exemption must be granted by them, prior to the commencement of the development. Otherwise the full CIL charge will be payable.

In respect of a residential annex, a Commencement (of development) Notice (CIL Form 6) must also be received by the Collecting Authority prior to the commencement of the development otherwise:

- *If your CIL Liability Notice was issued on or after 1 September 2019*
A surcharge equal to 20% of the notional CIL chargeable amount or £2,500, whichever is the lower amount, will be incurred; **or**
- *If your CIL Liability Notice was issued prior to 1 September 2019*
The exemption previously granted will be rescinded and the full levy charge will be payable.

All CIL Forms are available from: www.planningportal.co.uk/cil

6. Proposed New Gross Internal Area

a) Does the application involve new **residential development** (including new dwellings, extensions, conversions/changes of use, garages, basements or any other buildings ancillary to residential use)?

Please note, conversion of a single dwelling house into two or more separate dwellings (without extending them) is **not** liable for CIL. If this is the sole purpose of your development proposal, you should answer 'No' to Question 4b above.

Yes No

If yes, please complete the table in section 6c below, providing the requested information, including the gross internal area relating to new dwellings, extensions, conversions, garages or any other buildings ancillary to residential use.

b) Does the application involve new **non-residential development**?

Yes No

If yes, please complete the table in section 6c below, using the information from your planning application.

c) Proposed gross internal area:

Development type	(i) Existing gross internal area (square metres)	(ii) Gross internal area to be lost by change of use or demolition (square metres)	(iii) Total gross internal area proposed (including change of use, basements, and ancillary buildings) (square metres)	(iv) Net additional gross internal area following development (square metres) (iv) = (iii) - (ii)
Market Housing (if known)				
Social Housing, including shared ownership housing (if known)				
Total residential				
Total non-residential				
Grand total				

7. Existing Buildings

a) How many existing buildings on the site will be retained, demolished or partially demolished as part of the development proposed?

Number of buildings:

b) Please state for each existing building/part of an existing building that is to be retained or demolished, the gross internal area that is to be retained and/or demolished and whether all or part of each building has been in use for a continuous period of at least six months within the past thirty six months. Any existing buildings into which people do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted temporary planning permission should not be included here, but should be included in the table in section 7c.

	Brief description of existing building/part of existing building to be retained or demolished.	Gross internal area (sqm) to be retained.	Proposed use of retained gross internal area.	Gross internal area (sqm) to be demolished.	Was the building or part of the building occupied for its lawful use for 6 continuous months of the 36 previous months (excluding temporary permissions)?		When was the building last occupied for its lawful use? Please enter the date (dd/mm/yyyy) or tick still in use.
					Yes <input type="checkbox"/>	No <input type="checkbox"/>	
1					Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: <input type="text"/> or Still in use: <input type="checkbox"/>
2					Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: <input type="text"/> or Still in use: <input type="checkbox"/>
3					Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: <input type="text"/> or Still in use: <input type="checkbox"/>
4					Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date: <input type="text"/> or Still in use: <input type="checkbox"/>
Total floorspace		<input type="text"/>		<input type="text"/>			

7. Existing Buildings (continued)

c) Does the development proposal include the retention, demolition or partial demolition of any whole buildings **which people do not usually go into or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted planning permission for a temporary period?**

Yes No

If yes, please complete the following table:

	Brief description of existing building (as per above description) to be retained or demolished.	Gross internal area (sqm) to be retained	Proposed use of retained gross internal area	Gross internal area (sqm) to be demolished
1				
2				
3				
4				
Total of which people do not normally go into, only go intermittently to inspect or maintain plant or machinery, or which was granted temporary planning permission				

d) If the development proposal involves the conversion of an existing building, will it be creating a new mezzanine floor within the existing building?

Yes No

If Yes, how much of the gross internal area proposed will be created by the mezzanine floor?

Use	Mezzanine gross internal area (sqm)

8. Declaration

I/we confirm that the details given are correct.

Name:

Owen Pike MRTPI of Sanderson Weatherall LLP on behalf of Mr Keith Dobbie

Date (DD/MM/YYYY). Date cannot be pre-application:

13/01/2020

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

For local authority use only

Application reference: