

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Thornton Le Dale

Application No. NYM/2019/0858/FL

Proposal: Variation of condition 3 of planning approval NYM/2019/0452/FL to allow use by those attending day events and retreats or staying as overnight guests

Location: The Hermitage, High Dalby House, Overscar Lane, Pickering

Decision Date: 17 February 2020

Consultations

Parish – No objection

Highways – No objection

Forestry Commission – No comments

Environmental Health Officer -

Site Notice Expiry Date – 5 February 2020

Director of Planning's Recommendation

Approval subject to the following condition(s):

1	The development hereby permitted shall be commenced before the 20 August 2022.
2	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3	The development hereby permitted shall form and remain part of the curtilage of the existing guest house and holiday cottage business known as High Dalby House and shall not be used other than as guest facilities for those attending day events and retreats or guests staying overnight at the premises.
4	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
5	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.
6	The development hereby permitted shall be carried out in accordance with the mitigation and compensation measures set out in section 9 of the Ecological Impact Assessment prepared by MAB Environment & Ecology Ltd dated November 2018.
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.

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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.	In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
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 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.
6.	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
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.



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Background

High Dalby House is located within Dalby Forest on the western side of the Forest Drive. It has vehicular access from the Forest Drive and also an alternative, secondary unmarked access via a narrow road and track from the A169 Pickering to Whitby road near the Fox and Rabbit Public House.

This substantial stone built property is set at a lower level than the Forest Drive behind a high stone boundary wall, within a very large curtilage where there are a number of other buildings including two holiday cottages immediately to the rear (north) of the house and a former stone-built stable building to the west, adjacent to the tennis courts. The property and its curtilage are surrounded by woodland.

In 2002, planning permission was granted to re-route a 300 metre stretch of road and PROW that ran through the applicant's property along their drive to skirt around the edge of their curtilage adjacent to the tennis court. Planning permission was then granted in May 2008 for the provision of two two-bedroom holiday chalets on the tennis court and the conversion of the former stable/outbuilding into a further one-bedroom chalet. In 2012 planning permission was granted for the change of use of the main dwelling into a five-bedroom Guest House and the subdivision of the annexe into a pair of one-bedroom holiday cottages. Most recently in 2015 planning permission subsequently granted to change the use of the main building from a guest house back to a single dwellinghouse, with no external changes however this has not been implemented and the new owners continue to operate the guesthouse.

Planning permission was most recently granted in August 2019 for the conversion of the former stable building adjacent to the tennis courts to provide facilities including a bike store, steam room/sauna, WC/changing room, kitchenette and small office/meeting room for overnight guests in the main building or holiday cottages. The proposed external alterations to the building were limited to redesigning existing openings however it was also proposed to replace the existing concrete path and patio area with a larger area of raised decking.

This application seeks to vary the use restriction imposed on the most recent planning permission for the conversion of the former stable building to allow the guest facilities proposed to be used by day visitors to events at High Dalby House in addition to overnight guests.

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are Development Policy 3 (Design), Development Policy 8 (Conversion of Traditional Unlisted Rural Buildings) and Development Policy 14 (Tourism and Recreation).

The proposal makes good use of the existing structure, which is a traditional stone stable building, with limited external alterations to provide additional facilities for overnight guests at the guest house and holiday cottages. This is considered to accord with the requirements of Development Policies 8 and 14 which seek to support the re-use of traditional rural buildings for tourism related businesses.

The proposal to allow use of the guest facilities by guests attending day events and retreats is not considered to generate more activity about the property and there are no neighbours which would otherwise be affected by the proposal.

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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.