

North York Moors National Park Authority

Parish: Sneaton

App No. NYM/2020/0741/FL

Proposal: variation of condition 3 of planning approval NYM/2019/0343/FL to allow the dwelling to be let out as holiday accommodation

Location: land adjacent 2 Beacon Way, Sneaton,

Applicant: Mr & Ms I & L Pyman & Hutton, 2 Beacon Way, Sneaton, Whitby, YO22 5HR

Agent: BHD Partnership, fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB

Date for Decision: 20/11/2020

Extended to:

Director of Planning's Recommendation

Refusal for the following reason(s):

1.	The Local Planning Authority considers that the proposal to vary the occupancy condition to allow the proposed dwelling unit to be used for short term holiday accommodation would be contrary to Policy UE4 of the Local Plan being a new build within the domestic curtilage of the host dwelling which consequently does not make use of an existing building of architectural or historic interest and has potential to cause increased noise and activity in the locality. Furthermore the loss of an existing permission for a new local needs dwelling is contrary to Strategic Policy M of the Local Plan which requires the building of 551 new homes per year to help meet the needs of local communities, and Strategic Policy B which states that in Smaller Villages development should provide small scale housing developments to meet local and affordable needs.
----	---

Application Number: NYM/2020/0741/FL

Consultations

Parish – No objection but express the following concerns:

- The original planning application was for a for local occupancy dwelling, with the applicant stating that the development was for themselves as they wished to downsize from their adjoining property.
- This is for a change of use to a property that has not yet been built.
- There is a lack of local housing.
- The application to turn the proposed property into holiday accommodation is totally unacceptable.
- Driveway entrance could prove dangerous as it is a fast busy road junction.

Highways – No objection.

Yorkshire Water -

Environmental Health Officer – No objection.

Site Notice/Advertisement Expiry Date – 4 November 2020



Application Number: NYM/2020/0741/FL

Background

This application relates to the side garden of a sizeable detached dormer bungalow situated on the south side of Beacon Way close to its junction with Sneaton Lane. Planning permission was granted in October 2019 for the erection of a detached local needs dwelling in the side garden utilising the existing secondary vehicle access from Sneaton Lane.

The applicant has advised that their circumstances have since changed and that they no longer wish to relocate into the approved dwelling (yet to be built) and instead wishes to rent it out as holiday accommodation.

Main Issues

The most relevant policy of the recently adopted Local Plan is Policy UE4 (New Holiday Accommodation within Residential Curtilages) however Strategic Policy B (The Spatial Strategy) and Strategic Policy M (Housing) are also relevant.

Planning permission was granted in October 2019 for a local needs dwelling in the side garden to the host property as the plot was considered to lie within the main built-up area of the village and the subdivision of the garden would provide each dwelling (existing and proposed) with adequate amenity space and parking arrangements. At the time of determination the applicants demonstrated that they, as intended occupants, would satisfy the local occupancy restriction and that the proposed dwelling would meet their needs to downsize. As such the development of this site for a single local needs dwelling was considered acceptable in principle.

The approved dwelling has not yet been built but the applicant wishes to have the option to rent it out as short term holiday accommodation and as such seeks to vary the local occupancy condition attached to the original planning permission. There are no other changes proposed and the dwelling would be constructed in accordance with the approved plans.

The main issue therefore is the principle of whether the construction of a dwelling on this side garden for short term holiday letting purposes would comply with Policy UE4. This policy was specifically introduced in the new Local Plan as the Authority was concerned at the increasing number of proposals for holiday accommodation within domestic curtilages and the harm such intensification of activity was having on existing residents. The policy therefore only supports new holiday accommodation within residential curtilages where it makes good use of an existing building of architectural or historic interest; it would not detract from the character or appearance of the locality; is of an appropriate scale and there would be no unacceptable harm in terms of noise and activity.

Application Number: NYM/2020/0741/FL

The proposal does not make use of an existing building which is of architectural and historic interest; the proposal is for a new build unit which is not supported by Policy UE4. Whilst it is appreciated that the siting, scale, height, massing and detailed design of the proposed holiday accommodation would be as approved and therefore could not be argued as detracting from the character and appearance of the locality, the use could potentially generate a greater level of noise and activity about the site with a constant changeover of guests which could cause harm to the neighbourhood.

The proposal would also result in the loss of a proposed local needs dwelling. Policy CO8 is supportive of new build dwellings on small sites within the main built up area of the village where the development will respect the form and character of the settlement. As approved the dwelling would provide accommodation for a person with a local connection that needs to live in the locality but otherwise might not be able to secure a property in the National Park. The loss of this extant permission for a new dwelling is therefore contrary to Strategic Policy M of the Local Plan which requires the building of 551 new homes per year to help meet the needs of local communities, and Strategic Policy B which states that in Smaller Villages development should provide small scale housing developments to meet local and affordable needs.

In view of the above it is considered that the variation of the occupancy condition to allow the proposed dwelling unit to be used for short term holiday accommodation would be contrary to Policy UE4 of the Local Plan being a new build within the domestic curtilage of the host dwelling which has potential to cause increased noise and activity in the locality. The proposal would also result in the loss of an existing permission for a new local needs dwelling contrary to Strategic Policy M of the Local Plan which requires the building of 551 new homes per year to help meet the needs of local communities, and Strategic Policy B which states that in Smaller Villages development should provide small scale housing developments to meet local and affordable needs.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

