

# North York Moors National Park Authority

Parish: Eskdaleside-Cum-Ugglebarnby

App No. NYM/2020/0306/FL

**Proposal:** Variation of condition 9 of planning approval NYM4/034/2521/PA to allow the change from holiday letting unit to local occupancy letting dwelling

**Location:** Riverside Cottage, Littlebeck, Sleights,

**Applicant:** Mr & Mrs J Weeks  
c/o Agent

**Agent:** Prism Planning Ltd  
fao: Mr Steve Barker, Milburn House, 17 Woodland Road, Darlington, DL3 7BJ,  
United Kingdom

**Date for Decision:** 24/06/2020

**Extended to:**

## Director of Planning's Recommendation

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

1. MATS00 The roof shall be clad with traditional, non-interlocking, non-pre coloured natural red clay pantiles and thereafter be so maintained.
2. MATS00 The guttering shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilized in the development and shall thereafter be so maintained.
3. MATS00 The rainwater goods shall be coloured black and thereafter so maintained.
4. RSUO13 The occupation of the dwelling hereby permitted shall be limited to:
  - i. a qualifying person; and
  - ii. a wife or husband (or person living as such), licensee, dependant or sub tenant of a qualifying person.

For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she has satisfied the Local Planning Authority that he/she was in need of local needs housing in term of the criteria set out in Policy CO13 of the adopted North York Moors Local Plan, namely that he/she is:

1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; or
2. Currently in employment in the National Park; or
3. Having an essential need to live close to relative(s) who are currently living in the National Park; or
4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or
5. Former residents whose case for needing to return to the National Park is accepted by the Authority.

Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 to 5 above.

Note A: For the purpose of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.

Note B: For the purpose of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions:  
Allerston; Beadlam; Burniston; East Harlsey; Ebberston and Yedingham; Great Ayton; Great and Little Broughton; Great Busby; Guisborough; Irton; Kirkby in Cleveland; Kirkbymoorside; Lockwood; Nawton; Newby; Pickering; Potto; Scalby; Snainton; Sutton under Whitestonecliffe.

5. WPDR00 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any revoking and re-enacting that Order) no development within Schedule 2, Part 1, Class A to H shall take place to this conversion permitted under NYM4/34/2521/PA without the prior written consent of the Local Planning Authority.

**Reason(s) for Condition(s)**

- 1- 3. MATS00 The Local Planning Authority is anxious to ensure that the materials used will be in character with the materials in general use in the area.
4. RSUO13 In order to comply with Strategic Policy M of the North York Moors Local Plan which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
5. WPDR00 To prevent an overdevelopment of this sensitive site



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## **Consultations**

### **Parish -**

**Highways** - On the clear understanding that this application will be conditioned to remain ancillary to the main residence, this will ensure that the residents have a right of access from the public highway to the dwelling and therefore, there are no highway objections to the application.

Further comments from the Highway Officer following the clarification that the building is not tied at present nor is it the intention that it would be under this application:

The LHA were originally concerned that the owner of the property should have a right of access between the plot and the publicly maintainable highway and this could be addressed if the owner was the same person to own the access route.

It is now understood that, if approved, this will not be the case but the access would be treated as a shared drive.

On the clear understanding that the resident and visitors to Riverside Cottage will be permitted a right of access from the publicly maintainable highway, there are no highway objections.

**Environmental Health Officer** – No objections

**Natural England** – No comment

**Site Notice Expiry Date** – 16 July 2020

**Others – Ms S Willmington, Red Barn, Littlebeck**

Good news, only 2 holiday cottages now left on this site.

### **Background**

This application relates to the conversion of Riverside Cottage in Littlebeck from a holiday let to a Local Occupancy Dwelling by means of the variation of the original condition restricting the occupancy which was Condition 9 of NYM4/034/2521/PA.

Riverside Cottage, as the name suggests is located adjacent to the river at the entrance to Mill House which it is currently owned in association with, although there is no planning tie on the original approval for conversion.

The property has sufficient parking space located along side it to serve as an independent dwelling.

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**Main Issues**

Littlebeck has not been considered to be large enough to be listed as a “smaller village” under the Local Plan policies and therefore this application has to be considered as a conversion within the open countryside under Policy CO12.

Policy CO12 - Conversion of Existing Buildings in Open Countryside states that the conversion of existing buildings in Open Countryside will only be permitted where:

1. The building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park;
2. The building is structurally sound and capable of conversion without substantial rebuilding, as demonstrated by a qualified structural engineer’s report;
3. The building is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings;
4. The building has reasonable access to necessary infrastructure, services and facilities;
5. The proposal is of a high quality design that reflects the form and character of the building and provides for essential functional requirements without unacceptable harm to the fabric of the building or its setting. The design should retain existing external features which contribute significantly to the character of the building including original openings and roofing materials;
6. The proposed use does not lead to changes, for example, in the building’s curtilage or in relation to any new vehicular access or parking area that would adversely affect the character and appearance of the building or the surrounding landscape;
7. The building is located within an existing group of buildings that have a close physical and visual relationship to each other; and
8. The proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings.

Where the above criteria can be met, and where there is an existing residential unit within the group of buildings conversions will attract a local connection condition, however they do not need to be tied to any other unit.

The current Holiday Letting cottage is not tied to Mill House and could therefore operate independently from it with sufficient parking space located around it so as not to affect the occupants of Mill House.

The existing conversion is considered to fully accord with the requirements of Policy CO12 and no further alterations are proposed under this application, approval is therefore recommended.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.