

## North York Moors National Park Authority

Parish: Suffield-Cum-Everley

App No: NYM/2021/0002/FL

**Proposal:** change of use of commercial cafe to create additional domestic living space and 1 no. holiday letting unit, alterations to fenestration and doors, replacement/additional rooflights, relocation of flue pipe and alterations to external steps

**Location:** Everley Hotel, Hackness

**Applicant:** Mr & Mrs Harrison  
Everley Hotel, Hackness, Scarborough, YO13 0BT

**Agent:** Peter Rayment Design Ltd, FAO Mr Richard Waller, Woodbine Cottage,  
Westgate, Thornton le Dale, Pickering, YO18 7SG

**Date for Decision:** 01/03/2021

**Extended to:**

### Director of Planning's Recommendation

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

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	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.	RSU011	The one-bedroom ground floor dwelling unit 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.	RSU014	The holiday unit hereby permitted shall form and remain part of the curtilage of the existing business known as The Everley 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.	MATS28	No work shall commence on the timber cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
6.	MATS74	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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7.	MATS00	All new window frames, external doors and door frames shall be of aluminium construction, coloured anthracite and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority
8.	GACS07	Any external lighting shall be Dark Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens and no other lighting shall be installed on the site unless otherwise agreed in writing with the Local Planning Authority.

**Informative(s)**

1.	MISCINF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
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**Reason(s) for Condition(s)**

1.	RSNTIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSNPLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park.
3.	RSNRSUO00	The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted in accordance with Policy UE1.
4.	RSNRSUO00	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
5.	RSNMATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.

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6.	RSNMATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.	RSNMATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.
8.	RSNGACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.

## Consultations

**Parish** – No objection.

**Highways** – No objection. The existing cafe will be closed and the owner's accommodation will be slightly extended. Parking for the holiday accommodation and owner's accommodation will continue to be provided in the existing car park area.

**Environmental Health Officer** – No objection.

**Site Notice/Advertisement Expiry Date** – 3 February 2021

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**Background**

The Everley Country House Cafe occupies a roadside position along the Forge Valley approx. 1 kilometre to the south of Hackness village. It is a substantial two storey property, with additional accommodation in the roof space, built of coursed stone under a pantile roof and has in the past been extended to provide a spacious restaurant and bar area to the rear to the former hotel. The accommodation comprises at ground floor the tea room and coffee bar, kitchen, stores and toilets; spread over the first and second floors is the owner/managers accommodation. There is also an attached 2 no. bedroom holiday cottage.

Planning permission was granted in May 2015 for the change of use of the property from a mixed use of hotel, bar and restaurant with letting bedrooms and manager's accommodation to a tea room with owner's accommodation.

More recently in April 2019 planning permission was granted for the subdivision of the ground floor to create a 3 bedroom holiday cottage along with alterations to the external appearance of the existing flat roof extension with the application of vertical larch cladding dark and dark grey coloured aluminium windows. Under that permission the tea room was to occupy the remaining ground floor space with the owner's accommodation at first and second floor unchanged. That permission has yet to be implemented.

This application seeks permission for the conversion of the tea room at ground floor to provide a one bedroom holiday cottage along with additional living accommodation for the owners. Externally the changes will be largely as previously approved with the cladding of the rendered flat roof extension in vertical larch boarding with dark grey coloured aluminium windows. Additional doors are proposed in place of some windows to provide access from the holiday cottage and living accommodation to the garden. The application also proposes replacing the existing Velux rooflights with larger conservation rooflights to the front and rear roof slopes of the main building.

In support of the application the applicants comment that they recognise that the change could be viewed as a loss of a community facility, however the two neighbouring villages of Hackness and East Ayton have their own community facilities (village halls, public houses or public bars and eating establishments) and the Everley has not been seen as a community facility due to its isolated location.

**Main Issues**

Strategic Policy L (Community Facilities) is not considered relevant as the tea room is not considered to be a community facility as it lies in an isolated location and does not directly serve a village; there are other more suitable community facilities nearby. Instead it is regarded as a tourism facility.

Policy UE3 (Loss of Existing Tourism and Recreation Facilities) seeks to resist the loss of existing tourism and recreation facilities unless it can be demonstrated that the facilities are no longer able to viably operate as a business. In this case the proposed change of use from tea room to holiday cottage is regarded as providing another tourism facility rather than the loss of such a facility and as such Policy UE3 is not relevant.

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Instead Policy UE1 is most relevant as it supports the development of new tourism and recreation facilities in the open countryside subject to a number of criteria. The proposal is for the re-use of an existing building as required by the policy; the original building is of architectural and historic interest however the unsympathetic rear flat roof extension somewhat detracts from its overall character and appearance. The proposal to clad this in vertical larch boarding which will weather over time and replace the windows with dark grey aluminium frames will give the extension a more contemporary appearance and vertical emphasis and as such improve the appearance of the extension and consequently the property as a whole. Furthermore the proposal would support the diversification of the existing tourism business which has changed over the past few years from a mixed use of hotel, bar and restaurant with letting bedrooms to a tearoom/café with an attached holiday cottage and consent for a further holiday cottage. Approval of this application would result in a tourism business providing three holiday cottages of varying sizes managed from the owner's accommodation on site.

There is a spacious car park associated with the property which will adequately service the three holiday cottages along with the owner's accommodation. Furthermore the level of activity generated from the existing/proposed holiday cottages is unlikely to be significantly different to that already generated by the tea room and owners accommodation, and would not harm the amenities of the area.

In view of the above it is considered that the proposal complies with Policy UE1 of the Local Plan 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.