

North York Moors National Park Authority

Delegated decision report

Application number

NYM/2021/0304/FL

Development description

use of land for the siting of log cabin for holiday letting purposes (retrospective)

Site address

Low Moor Farm, Harwood Dale Road, Scalby

Parish

Newby and Scalby

Case officer

Miss Helen Webster

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1.	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>
2.	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>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.</p>

3.	RSUO11	<p>Use as Holiday Accommodation Only - Outside Villages</p> <p>The 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.</p>
4.	RSUO14	<p>Holiday Unit Not Sold or Leased Separately - Outside Villages</p> <p>The holiday unit(s) hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Low Moor Farm, Harwood Dale Road, Scalby 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.</p>
5.	GACS07	<p>External Lighting - Submit Details</p> <p>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.</p>
6.	LNDS03	<p>Trees/Hedging to be Retained</p> <p>No trees, shrubs or hedges to the north and north-east of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.</p>

7.	MISC00	If the use of the building for the purposes of holiday accommodation at the site permanently ceases, the building shall be removed from the land within six months of the cessation of use and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building to a purpose other than holiday accommodation has been approved.
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Reason(s) for condition(s)

Reason number	Reason code	Reason text
1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN00	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.	RSU000	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 UE4 and to ensure that a traditional rural building is conserved in line with Policy CO12.
4.	RSU000	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.	GACS00	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.

6.	LNDS00	In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
7.	MISC00	In order to comply with the provisions of Strategic Policy A and Policy UE2 of the North York Moors Local Plan which seeks to ensure that there is a functional requirement for the building in the long term to justify an exception being made to normal planning policies which seek to restrict new development in the countryside and which seeks to ensure the land can be restored to its former condition.

Consultation responses

Parish

No objection. Request a condition to be attached for use as holiday purposes only.

Highways

No objection.

Environmental Health

No objection provided the unit is only used for holiday purposes.

Third party responses

None

Publicity expiry

Site notice expiry date – 10 June 2021.





Background

Low Moor Farm is located at the edge of the National Park boundary on Harwood Dale Road, near Scalby. Low Moor Farm comprises a small parcel of land, the original farmhouse which fronts the road, together with four holiday cottages all provided within converted buildings (two attached to the house and two at the rear). The house and traditional buildings were severed from the modern agricultural buildings and operations many years ago and have been run as a successful holiday business since that time.

This application seeks part retrospective planning permission for the siting of a timber log cabin to the north of the site for use as holiday accommodation. The cabin has been sited on land forming the boundary of the curtilage, off-set to one side at the rear of the main dwelling. The cabin is immediately adjacent to an existing timber storage shed and its gable end faces the site access and parking area. To the north of the cabin in a small paddock with some mature pine trees offering some screening of the structure from the road. The cabin is a second hand structure of standard design. It measures 11metres by 3.6 metres, 2.3 metres to eaves and 2.7 metres to ridge. It is clad with horizontal timber boards and provides two bedroom accommodation. The east gable facing the road is blank but the west gable is fitted with a pair of French doors. The side elevations are fitted with casement windows and the access door faces the communal yard area.

Main issues

The relevant Policies to consider with this application are Strategic Policy A (Achieving National Park Purposes and Sustainable Development) and Policy UE2 (Camping, Glamping, Caravans and Cabins)

SPA states that a positive approach to new development within the Park will be taken in line with the presumption in favour of sustainable development and where decisions are consistent with National Park Statutory Purposes (applying the Sandford Principle if necessary). Development will be supported where it: is a high quality of design which respects the local landscape and built heritage; supports the function and vitality of communities; protects or enhances natural capital and ecosystem services; maintains and enhances geodiversity and biodiversity through conservation; builds resilience to climate change; makes sustainable use of resources and; does not reduce the quality of soil, air and water in and around the National Park.

Policy UE2 is supportive of a range of small scale holiday accommodation, favouring small units of high quality design (i.e. pods, yurts, cabins, chalets, caravans and motorhomes) rather than static caravans which significantly detract from the landscape. In the Open Countryside, the policy advises that development will be permitted provided it is not isolated from an existing business or residential unit from which the site can be managed. In order to respect the sensitivity of the local landscape, all sites must be screened by existing topography, buildings or adequate well-established vegetation.

The main issues to consider with this application are considered to be whether the proposed cabin is in an acceptable location which has an acceptable context screened by existing buildings, topography and/or vegetation and whether it can be appropriately managed as part of an existing business without resulting in unacceptable levels of activity.

In view of the fact Low Moor Farm currently operates a successful holiday business and the proposed cabin would be managed as part of the site as a small-scale method of diversification, there is policy support for the principle of the development provided it does not amount to landscape harm.

Having regard to the siting of the cabin, it is visible from the road but by virtue of its close association with existing buildings and modest levels of tree screening in views from the north (looking south), the cabin is considered to have a good enough context to comply with the requirements of Policy UE2. It sits well with the existing layout of the site and would make use of existing facilities thereby reducing its impact as additional development (i.e. access, parking, etc.) is not required. The proposal therefore has minimal impact in the wider landscape.

There are no other neighbouring properties nearby and given the small-scale level of accommodation provided by the unit, it is not expected to cause any concern in respect of increased activity at the site.

The Authority's Woodland Officer has confirmed that there should be no conflict with the existing trees although they may not provide effective screening. Consequently it is recommended that a condition is included to ensure the retention and management of the trees to the north.

The Parish Council, Environmental Health Officer and Local Highway Authority have registered no objection to the scheme but it has been requested for the cabin to be restricted to holiday accommodation only. No other representations have been received.

In view of the above, the proposal is considered to accord with the above planning policies and subject to the conditions outlined above, approval is recommended.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.