

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0256/CU

Development description: change of use of part of dwelling to bakery (production and retail)

Site address: 3 Railway Cottages, Glaisdale

Parish: Glaisdale

Case officer: Mrs Hilary Saunders

Applicant: Mrs Maggie Rich

3 Railway Cottages, Glaisdale, Whitby, North Yorkshire, YO21 2QL

Agent:

Director of Planning's Recommendation

Approval subject to the following: / Refusal for the following reason(s)

Condition(s)

Condition number	Condition code	Condition text
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	RSU001	The premises shall not be used other than as a bakery/dwelling and shall not be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).

4	RSU000	The Bakery hereby permitted shall not be open to customers outside the hours of 9am to 5pm Mondays to Saturday and 10am to 4pm on Sundays and Bank Holidays unless in relation to a specific "event". A maximum of one event may be held each week and for the purposes of this condition an event will have a maximum number of 30 attendees and shall be finished by 10pm in the evening. The timing of events shall operate around public transport times to encourage attendees to use sustainable forms of transport. Any variation to these hours or restrictions will require a new grant of planning consent from the Local Planning Authority.
---	--------	---

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	In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2020 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan , which seek to enhance and conserve the special qualities of the National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4	RSU00	In order to enable the Local Planning Authority to retain control over any retail activity at the premises and to ensure compliance with Strategic Policy A and Policy BL8 of the North York Moors Local Plan, which seek to protect the amenity of local residents and conserve and enhance the special qualities of the National Park.

Informative(s)

Informative number	Informative code	Informative text
1	MISC00	If approved the business needs to Meet Current food hygiene regulations Register PRIOR To opening via www.scarborough.gov.uk/foodregistration
3	MISINF02	Coal Referral Area The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Consultation responses

Parish

No objections

Highways

9 August 2021 - No objections - on the clear understanding that the proposed workshops and events are limited in size to avoid excessive numbers of vehicles going to the site and that the proposed convex mirror suggestion has been removed, there are no local highway authority objections to the proposed development

North Yorkshire Fire & Rescue

No objection/observation

Environmental Health

In principle no objection or adverse comment

Natural England

No objection

Third party responses

Name

Insert

Publicity expiry

Advertisement/site notice expiry date

View of 3 Railway Cottages from access and station car park



Background

3 Railway Cottages is located adjacent the train line and railway station car park at Glaisdale.

This application seeks planning permission for change of use to run a business from the applicant's home in terms of use of the kitchen and conservatory, for the purpose of a small-scale 'community Real Bread bakery'. No external changes are proposed and car parking's provided on site.

In support of the application the applicant states that:-

The use would include the sale of bakery products and refreshments to passing trade (mainly walkers and cyclists) through the window opening onto Glaisdale Station Car Park, with occasional catered workshops, meetings and small events taking place on the premises, inside and out, daytimes and very occasionally, evenings. The business is planned to be environmentally-friendly, serving drinks only in refillable cups / flasks or crockery, and using only paper or plant-based food wrappings for take-away goods. Wherever possible, workshops would be timed in such a way as to encourage participants to use public transport, arrival by car would be discouraged by charging for parking, and any evening events would certainly end before the time of the last train. No alcohol is to be involved.

Main issues

Local Plan

Policy BL8 - Shops, Offices and Food and Drink Services - supports new retail development, professional and financial and food and drink services where the proposal is within the main built up area of Larger Villages such as Glaisdale. Proposals resulting in the loss of retail development will only be permitted if it can be demonstrated robustly that the facility is no longer suitable for retail use, in accordance with the viability and marketing tests.

The scale of the proposal also needs careful consideration to ensure that it does not result in a detrimental impact on the neighbouring properties or on highway safety.

Material Considerations

The proposed business would focus mainly on walkers and those using the train. However car parking is also proposed and the Highway Authority has no objections.

The scale of the business and resultant activity levels would be limited, and would not be out of character with the activity levels in the locality, being adjacent the train station.

In view of the above, the proposal is considered to be in accordance with Policy BL8 and approval is recommended.

Pre-commencement conditions

N/A

Contribution to Management Plan objectives

Explanation of how the Authority has worked positively with the applicant/agent

Approval (No Amendments Required)

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.