

North York Moors National Park Authority

Plans list item 2, Planning Committee report 10 February 2022

Application reference number: NYM/2021/0600/FL

Development description: demolition of existing building and erection of 14 no. holiday lodges with associated internal access road, parking, and landscaping works

Site address: Trig Point 49, 80 Staithes Lane, Staithes

Parish: Hinderwell

Case officer: Mrs Hilary Saunders

Applicant: Trig Point Properties Ltd, fao: Jason Hudson, Scottsdale House, 10-31 Springfield Avenue, Harrogate, HG12HR

Agent: LARK Architects Ltd fao: Mr Sam Birks, Unit 10, The Crossings, Riparian Court, Cross Hills, BD20 7BW

Director of Planning's Recommendation

Approval subject to the following:

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 | PLAN01 | <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed site</td><td>05 Rev A</td><td>30/07/2021</td></tr><tr><td>General arrangement</td><td>2021177/AS101 Rev C</td><td>30/07/2021</td></tr><tr><td>Unit A Floor Plans</td><td>08 Rev A</td><td>30/07/2021</td></tr><tr><td>Unit A Elevations & Sections</td><td>09 Rev A</td><td>30/07/2021</td></tr><tr><td>Unit B Floor Plans</td><td>10 Rev A</td><td>30/07/2021</td></tr><tr><td>Unit B Elevations & Sections</td><td>11 Rev A</td><td>30/07/2021</td></tr></tbody></table> | Document Description | Document No. | Date Received | Proposed site | 05 Rev A | 30/07/2021 | General arrangement | 2021177/AS101 Rev C | 30/07/2021 | Unit A Floor Plans | 08 Rev A | 30/07/2021 | Unit A Elevations & Sections | 09 Rev A | 30/07/2021 | Unit B Floor Plans | 10 Rev A | 30/07/2021 | Unit B Elevations & Sections | 11 Rev A | 30/07/2021 |
| Document Description | Document No. | Date Received | | | | | | | | | | | | | | | | | | | | | |
| Proposed site | 05 Rev A | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |
| General arrangement | 2021177/AS101 Rev C | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |
| Unit A Floor Plans | 08 Rev A | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |
| Unit A Elevations & Sections | 09 Rev A | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |
| Unit B Floor Plans | 10 Rev A | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |
| Unit B Elevations & Sections | 11 Rev A | 30/07/2021 | | | | | | | | | | | | | | | | | | | | | |

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| | | <p>Unit C Floor Plans 15 30/07/2021</p> <p>Unit C Elevations 16 21/01/2022</p> <p>& Sections</p> <p>Proposed site sections 06 Rev A 30/07/2021</p> <p>Drainage strategy DR-C-0100 Rev P1 18/10/2021</p> <p>Surface Water Drainage Maintenance and Management Schedule 18/10/2021</p> <p>Confirmation of omission email from 27/09/2021</p> <p>of log burners Lark Architecture</p> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p> |
| 3 | WPDR12 | Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority. |
| 4 | RSU000 | The holiday lodges 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 and the site as a whole shall be maintained as a single planning unit and not sold off in separate lots. |
| 5 | RSU000 | The holiday lodges hereby permitted shall only be occupied whilst there is a comprehensive 24 hr, 7 days a week local management contract in place. The owner/operators shall provide details of the management arrangement on request at all reasonable times to the Local Planning Authority. The managing company's contact details shall be physically displayed at the site for the local community's information. |
| 6 | GACS00 | 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 (lighting will only be considered acceptable if it is of a style and luminance which minimises glare and light pollution with all bulbs shielded |

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| | | to prevent upward and minimise horizontal light spill).The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity. |
| 7 | GACS00 | No work shall commence on the installation of the glazing in the development hereby approved until details of measures to reduce light spill from the gable end glazing, such as the use of tinted glazing or solar control film, have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved and shall be maintained in that condition in perpetuity. |
| 8 | MATS14 | No work shall commence on the construction of the roof of the development hereby permitted until details of the roof tile, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof tile used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority. |
| 9 | MATS00 | No work shall commence on the 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. |
| 10 | MATS00 | The external elevations of the lodges hereby approved shall, within three months of first being brought into use, be clad in materials as approved in Condition 8 above and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority. |
| 11 | MATS43 | No work shall commence to stain/paint the windows in the development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details, completed within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |

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| 12 | HWAY00 | No part of the development must be brought into use until the access, parking, manoeuvring, and turning areas for all users at Trig Point 49 has been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times. |
| 13 | DRGE00 | The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed. |
| 14 | DRGE00 | <p>There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:</p> <ul style="list-style-type: none"> <li data-bbox="663 882 1513 999">i. evidence that other means of surface water drainage have been properly considered and why they have been discounted; and <li data-bbox="663 1021 1513 1137">ii. the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker. |
| 15 | LNDS01 | Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for indigenous species planting and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes, and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority. |
| 16 | MISC00 | If the use of the holiday lodges hereby approved permanently ceases, they shall be removed from the site within 12 months of that cessation and the site shall, as far as practical, be restored to its condition before development took place. |

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|-------------------------|-----------------------|---|
| 17 | MISC00 | The development hereby permitted shall not be brought into use until full details of the renewable energy installation to generate energy on site from renewable sources to displace at least 10% of predicted CO2 emissions have been submitted to and approved by the Local Planning Authority. The approved details and measures shall then be completed prior to the occupation of the development hereby approved and shall be maintained in working order unless the prior written agreement of the Local Planning Authority has been obtained. |

Informative(s)

| Informative number | Informative code | Informative text |
|---------------------------|-------------------------|---|
| 1 | MISCINF12 | <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured, or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England's website. Further information on wildlife legislation relating to birds can be found on RSPB's website.</p> <p>If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p> |
| 2 | INFO0 | <p>Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; with additional swift box ideas from Action for Swifts.</p> |
| 3 | MISCINF02 | <p>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</p> |

| Informative number | Informative code | Informative text |
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| | | be reported immediately to The Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website . |

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2021/0600/FL

Scale: 1:2500

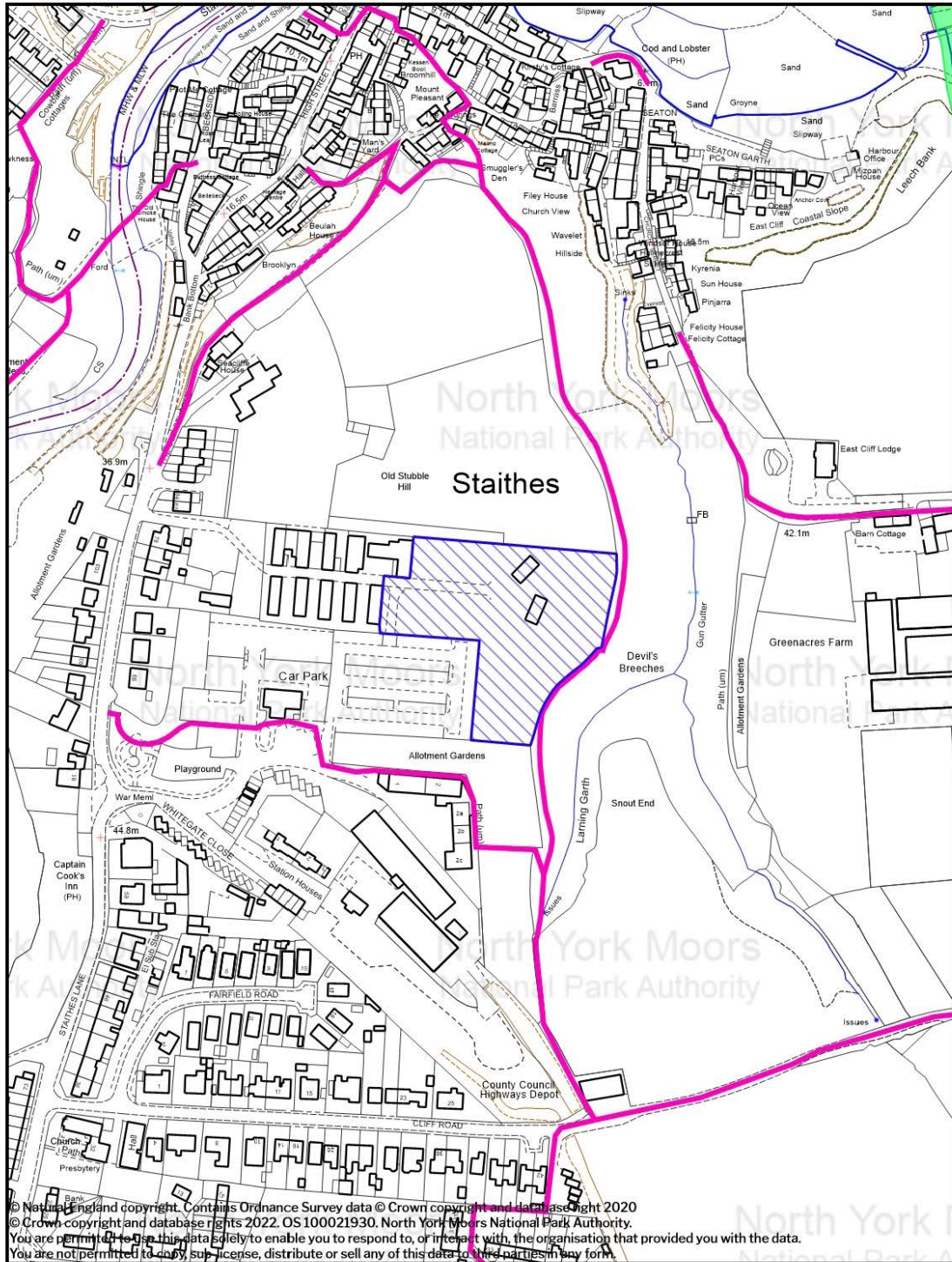


Photo taken from within the site looking towards existing holiday lodges



View from within site looking south and towards visitor car park



Consultation responses

Parish

Strongly object on grounds of:

- a) Overdevelopment on unstable land, where landslips have already occurred and been repaired by North York Moors National Park Authority.
- b) The development is visually unattractive, and the built skyline would be significantly elevated and visible from the public footpaths: Cleveland Way, Rolling Cross, Lining Garth, and the Old Stubble.
- c) The location is easily visible from Port Mulgrave, Ellerby, Borrowby, and Boulby.
- d) The lodges are of a significant size, and some are two story with a height to the ridge of 5.8m. No amount of screening by trees and shrubs would hide these from view and no trees or shrubs will grow to this height on a north eastern cliff top.
- e) There are only 14 car parking spaces planned when there is accommodation for up to 100 persons.
- f) Staithes is becoming increasingly popular as a party destination and disturbance from late night revellers is increasingly tiresome, especially from elevated cottages. The proposed development looks perfect for parties and the elevated position looks perfect for spreading noise widely across the village.
- g) The impact on local drainage and surface water would be detrimental. When there is heavy rainfall Gun Gutter is prone to heavy flooding and this development would only serve to increase the flooding potential for both Gun Gutter and Church Street

Highways

No objections as there appears to be sufficient room for two spaces at 4.8 metres each.

Previous applications for this site have confirmed that there is a right of access for the future users of the site. Drawing no. 05 Rev B of job no 793 shows each lodge having two parking spaces.

Yorkshire Water

No objections subject to conditions.

Historic England

No comments received.

Designing Out Crime Officer, North Yorkshire Police

No comments received.

Campaign to Protect Rural England

No comments received.

Environmental Health

No comments received.

Campaign for National Parks

No comments received.

North Yorkshire Moors Association

No comments received.

Police – Traffic

No comments received.

Local Lead Flood Authority (SUDs)

No comments received

Scarborough Borough Council

No comments received.

Third party responses

None received.

Consultation expiry

1 October 2021

Background

The current development at Trig Point 49 comprises a number of single storey timber buildings set in approximately five acres of ground lying between Bank Top and Staithes village, on the east side of Staithes Lane

The existing complex occupies a prominent position in Staithes, particularly when viewed from the public car park at the top of Staithes bank and the Public Right of Way to the south of the site.

The development was originally erected to provide barrack accommodation for army troops stationed at Staithes during the First World War. They were then subsequently used to provide accommodation for large groups visiting the area. Since 2000 some of the barracks have been restored to create four self-catering lodges and five letting rooms.

The application site comprises the land immediately to the east of this existing development, with access taken from Staithes Lane through a private car park to the rear of the tourist information centre.

In 2006 and 2007 outline permission for the erection of 36 eco-efficient timber framed dwellings was refused and an application for a certificate of lawfulness for a 70-pitch caravan and camping site was withdrawn.

However, there is an extant permission for the siting of 13 log cabins and six camping pods (NYM/2013/0621/FL) on this site as work commenced in time on that planning permission (including the siting of one lodge). Further applications were subsequently approved for variation of conditions to allow the replacement of the 6 no. camping pods and part of the communal buildings with four log cabins for holiday use (17 lodges in total) together with changes to layout, design and size of log cabins and managers accommodation. The overall mix of accommodation was two and three bed single storey units. These units measured 2.4m to the eaves and 4m to the ridge.

The original applicant then retired, retained the original part of the site, but then sold the land to the east to which the extant permission relates.

Current application

This application seeks full planning permission for the siting of 14 holiday lodges on this existing site which has an extant permission (covering the area of 14 of the 17 lodges previously approved).

Permission is sought for a mix of three and four bed, single storey and 1 ½ storey lodges.

Six units would be single storey three bed units measuring 93 sq. m with a height to the eaves of 2.4m and to the ridge of 4.68m. Eight units would be 1 ½ storey four bed units that would have floor space of 186 sq. m and measure 3.55m to the eaves and 5.85m to the ridge.

The land slopes away to the east and the layout has been designed so the single storey units are at the top of the site and proposed 1 ½ storey units would be located on the lower land.

There are a number of footpaths in the locality, one on the south side of the car park, one to the east that runs north to south, along the valley side of Gun Gutter and one to the west that runs north to south that leads down to the bottom of Staithes to the south.

Additional boundary planting and planting in between the units is proposed, along with two car parking spaces to serve each unit.

The design would be simple, in keeping with the existing barrack buildings with the elevations clad in horizontal boarding and dark grey slate roofs but each unit would have large openings in the north elevation to give each unit a sea view with a terraced area in front. The scheme has been amended to omit the wood burners due to concerns from the Authority's Ecologist regarding seasonal local impacts on air quality.

Main issues

The principle of the use of the land as a tourism accommodation site is already established through the existing extant permission which allowed the extension of the NYM/2021/0600/FL

site to the east, including 14 log cabins in the area of the red line of the current application site. Approval was granted as the extension of the site was considered to provide beneficial elements, including the local economy, improvement to the tourism offer in the area through the modern facilities provided through the installation of the new chalet accommodation and the opportunity to provide the site with an improved landscape setting through the incorporation of a suitable landscaping scheme.

However, that extant permission was granted under the now superseded Local Development Framework. Consequently, the main issues to be considered are whether the proposed increase in the size of the units from fourteen two and three bed units to fourteen three and four bed units with maximum heights between 0.68m and 1.85m greater than previously approved would result in a significantly more intensive or visually intrusive form of development that would have a detrimental impact on the character of the locality and residential amenity or have an adverse impact on highway safety or local ecology.

Whilst the previous permission was considered against the now superseded Local Development Framework, a start was made within the approved timeframe and consequently that development could still be completed.

Local Plan

Policy UE2 (Camping, Glamping, Caravans and Cabins) of the Local Plan seeks to permit small scale holiday accommodation and it is explained within the text that small scale is intended to mean development as a guide, sites comprising no more than 12 units (including any existing units). It also requires that sites must be screened by existing topography, buildings or adequate well-established vegetation which is within the applicant's control.

The accommodation should avoid extensive alteration to ground levels, has a low environmental impact, does not lead to unacceptable harm in terms of noise and activity on the immediate area; does not detract from the character, tranquillity, or visual attractiveness of the area; and is of a high-quality design which complements its surroundings.

Strategic Policy J - Tourism and Recreation - seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Strategic Policy I - The Historic Environment - seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy CO2 - Highways - only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.

Policy ENV4 - Dark Night Skies - seeks to ensure that the darkness of the night skies above the National Park are maintained and enhanced and requires that all development will be expected to minimise light spillage through good design and lighting management.

Policy ENV8 - Renewable Energy - sets out that new development in the National Park will be required to address the causes of climate change by:

- a) Generating energy from renewable sources where these are of a size, location, and design appropriate to the locality and which contribute towards meeting domestic, community, or business energy needs within the National Park;
- b) Requiring residential proposals of five units or more and other uses of 200 sq.m. or more to generate energy on-site from renewable sources to displace at least 10% of predicted CO2 emissions.

Material considerations

Principle of tourism use

There is an extant permission for tourism development on this site, for the same number of units within the red line area. The primary difference is the size of the units and lack of on-site management (original approval was to be managed from the existing Trig Point Development and then subsequently one of the log cabins was to provide managers accommodation)

Policy UE2 of the now adopted Local Plan refers to 'small scale' developments but that scale may vary according to the type of accommodation and the sensitivity of its location and as a guide suggests no more than 12 units. This proposal would provide more units than this so it needs to be considered against the sensitivity of the location, and the extant permission and any impact on the natural beauty, wildlife, and cultural heritage of the National Park and whether it would lead to unacceptable harm in terms of noise and activity on the immediate area, or the character, tranquillity, or visual attractiveness of the area.

No on-site managers accommodation is proposed with this revised scheme and the applicants have been asked to clarify this. It is recommended that a condition is attached to any approval to ensure that satisfactory management arrangements are in place prior to the development being first brought into use.

Landscape impact

Whilst the site is relatively open and has footpaths close to south, east and western boundaries, the development would not actually be unduly intrusive from these aspects.

Between the southern footpath and the site is both the Scarborough Borough Council car park and privately owned pay and display car park, along with the tourist information building and the existing Trig Point accommodation. The footpath to the east is at a

much lower level than the site and the site is screened by both the embankment and tree cover. As you head further north and reach more open land nearer the bottom part of Staithes, the site is screened by the topography of the land. Views from the footpath to the north- west are again screened by the topography of the land and existing residential development.

Due to the topography of the site itself, with the siting of the 1 ½ story units being carefully placed on lower land, it is not considered that the proposal would be significantly more visible than the approved scheme and is unlikely to have a harmful landscape impact.

A planting scheme is proposed, to provide for planting between the units to soften the overall appearance of the development. The northern boundary would not be planted to allow views out to sea. However, whilst open from immediate views, this aspect is not widely visible due to the local topography.

Highways and activity levels

The Highway Authority has no objection to the proposal and consider that sufficient parking will be provided on site. With regards to vehicular activity levels generated by the development, access to the site is past the public car park and through the large privately owned pay and display car park. Both these car parks are very well used, and it is not considered that the vehicular activity generated by the proposed 14 units would result in noticeably greater activity levels than is currently generated by vehicles entering and leaving the car parks.

Consequently, it is not considered that a refusal could be upheld on highway safety and traffic generation grounds.

Impact on the Conservation Area and historic assets

The site is bordered by the Conservation Area to the east of the site. The existing field to the east of the main built-up area of the existing site provided something of a buffer between the development and the Conservation Area. However, neither the site nor the proposed extension to it imposes on the setting of the Conservation Area in any significant way and it cannot be readily argued that the proposed development will have an adverse impact on the setting of the Conservation Area in this instance.

In terms of the original Great War and WW2 army barracks to the west, the cultural heritage of the early part of the 20th Century is important due to the impact of the two world wars on our communities, landscape, and culture. However, this existing development is not affected by these proposals as the buildings to be removed from the site are the more recently erected log cabins.

The Building Conservation Officer has advised that whilst the principle of further units is acceptable in heritage terms it would be desirable to take more inspiration from the site and its history than is currently proposed, with the uniformity and rhythm of the existing site layout being respected and followed, with scale and massing of the units being comparable.

However, this current proposal is in a more linear form than the extant approval, particularly the western end closest to the original barracks development and the units here are also of the smaller scale.

It is not considered that the scheme as currently proposed would have an overbearing or adverse impact on the character or historic interests of the original development and would not be contrary to Strategic Policy I.

Due to the scale of the existing built development on the site, the additional development to the east combined with improved landscaping will lead to an overall improvement in the appearance and landscape setting of the development within its village context. The proposed development is considered to be of an acceptable design and is not considered to impact detrimentally on the special qualities of the National Park.

Dark skies

Both external lighting and methods to prevent light spill from the lodges would be controlled by condition and the applicants have indicated that they are willing to install dark sky compliant lighting and use tinted glazing. Through these means it is considered that the proposal would be in accordance with Policy ENV4.

Renewable energy

The previous scheme was considered against Core Policy D of the previous Local Development Framework and a condition was attached to require the submission of full details of the energy use of the site. This is again proposed in order to ensure compliance with Policy ENV8.

Conclusion

In summary the application is for amendments to the layout and design of the previously approved scheme within the context of the village of Staithes. The principle of tourism development on this site is supported, although the extension to the site does not fit squarely with the policy position, it has previously been considered to be acceptable. The proposed development will have no detrimental impact on the special qualities of the National Park or residential amenity in the vicinity of the application site. The development is an opportunity to improve the landscape setting of the site and assist in the creation of a long-term sustainable future for the business.

It is considered that the benefits of the scheme outweigh the potential harm and overall, the enhancement of an area of existing tourism accommodation facility meets specific Management Plan objectives relating to the tourism economy and as such the scheme is recommended for approval.

Pre-commencement conditions

Not applicable.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policies B3 and B4 which seeks to promote and improve and variety of tourism accommodation within the National Park.

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 recommended changes to the proposal including omission of wood burners, so as to deliver sustainable development.