

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0259

Development description: change of use of reception building to managers accommodation and owners accommodation to holiday letting rooms (no external alterations)

Site address: The Falcon Inn, Whitby Road, Cloughton

Parish: Staintondale

Case officer: Mrs Hilary Saunders

Applicant: The Grainary Harwood Dale Ltd
The Falcon Inn, Whitby Road, Cloughton, Scarborough, YO13 0DY

Agent: Mick Paxton Architects Ltd
Studio 302, Woodend Creative Centre, The Crescent, Scarborough, YO11 2PN

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 border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>18.04-01</td><td>28 March 2022</td></tr><tr><td>Proposed elevations</td><td>11.11-01</td><td>8 June 2022</td></tr><tr><td>Management unit</td><td></td><td></td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Location Plan	18.04-01	28 March 2022	Proposed elevations	11.11-01	8 June 2022	Management unit		
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Management unit														

3	RSU000	The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain as ancillary managers accommodation to the business known as The Falcon Inn, and shall not be sold or leased separately without a further grant of planning permission from the Local Planning Authority.
4	RSU000	The letting rooms within the main building of the Falcon Inn 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.
5	GACS00	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
6	MISC00	Within 3 months of first being brought into use, the roof of the managers accommodation building shall be fitted with a pitched, slate effect roof, the details of which to be agreed in writing with the Local Planning Authority, and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
7	MISC00	If the use of the managers building hereby permitted permanently ceases it shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place.

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 the accommodation has been permitted in this instance to meet the specific needs of the business operating from the site in accordance with Policy BL4 of the Local Plan.
4	RSU000	The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling in accordance with Policy UE4 of the North York Moors Local Plan.
5	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
6	MATS00	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	MISC00	In the interests of the visual amenities of the locality and to comply with the provisions of NYM Strategic Policy A which seeks to conserve and enhance the special qualities of the National Park.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF01	Bats 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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Consultation responses

Parish

No objections

Highways

No objections

Environmental Health

No comments

Natural England

No Objection - the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

North Yorkshire Fire & Rescue

No objections/observations

Third party responses

None

Publicity expiry

Site notice expiry date – 27 May 2022

Aerial view of the Falcon Inn (from earlier estate agent details)



Photo from within the parking area of timber clad reception building (storage containers unauthorised)



Background

The Falcon Inn comprises a substantial public house facility with holiday accommodation also provided. It is located off the A171 at the Northern end of Cloughton.

Planning permission was granted in 2012 for the construction of 6 timber clad holiday chalets within the wooded area to the west of the pub, to be operated and owned by The Falcon Inn. To complement that development planning permission was granted in 2012 to site 3 camping pods in the wooded area adjacent to the site of the timber chalets. Following that further consent for additional camping pods were permitted to allow a total of 12. More recently permission was granted to replace the earlier 2012 permission for 6 log cabins to site a further 12 pods instead.

Retrospective planning permission was then granted in 2015 for the siting of a removable building in the form of a portacabin, to provide a reception area, small sales area for basic provisions, general admin office incorporating first aid, staff room, staff toilet and a general storage for the pod site including beds, linen, chairs, tables, camping and other equipment, tools, BBQ units for hire etc. It has proved impractical and there is insufficient space to provide all of this within the existing pub building. As part of that approval, the portacabin was clad in vertical timber boarding and was meant to have a pitched roof constructed (but this wasn't carried out).

This application seeks permission to change the use of this building into managers accommodation and to change the use of the previous managers accommodation within the main pub building into 5 letting bedrooms

Main issues

Local Plan

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 K - The Rural Economy - seeks to support development that fosters the economic and social well-being of local communities where it promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand; it helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors and provides for and supports small and micro business through the provision of flexible start-up businesses; it provides additional

opportunities to diversify and better equip the National Park's workforce, or provides additional facilities, or better use of existing facilities for educational and training uses.

Policy BL4 - Managers and Staff Accommodation – explains that the development of staff accommodation to meet the needs of an existing hotel, public house, hostel or permanent tourist facility will only be permitted where it can be demonstrated that it is essential to meet the needs of the existing business; suitable accommodation is not available on site or in the locality, or potentially available through the conversion of buildings within the curtilage of the existing development; and there has been no recent loss of staff accommodation to other uses.

Where the above requirements are met, staff accommodation will only be permitted if the proposal is for a small scale extension to form a self-contained annexe, or a non-permanent, small scale and unobtrusive lodge, chalet or log cabin within the curtilage of the existing business or facility.

A lack of suitable accommodation can lead to problems for existing tourism, recreation and hospitality businesses in terms of staff recruitment and retention. This policy intends to allow for a limited amount of new accommodation to be provided in certain circumstances to support local businesses in a way that does not detract from the National Park's natural beauty and character.

Policy UE1 - Location of Tourism and Recreation Development – This Policy seeks to permit recreation development where it is located in Helmsley or within the main built up area of one of the villages; or in Open Countryside where it involves a small scale conversion and/or extension of an existing building of architectural or historic interest, or where it complies with Policy UE2.

Material Considerations

The proposed development would serve an existing tourism business and be likely to enhance its long term viability; with the creation of extra letting rooms within the main building and the provision of self-contained managers accommodation within an existing removable building.

The proposal would therefore be in accordance with the above policies. However, the previous permission for the reception building (now to become manager's accommodation) required a pitched roof to be added to improve its appearance – this has not yet been undertaken and consequently, this is again required by condition.

In view of the above, approval is recommended.

Pre-commencement conditions

N/A

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.