

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0308

Development description: variation of conditions 1 and 3 of planning approval NYM/2017/0422/CU to allow the use of Care Home as 50 bedroom worker accommodation for Anglo American (formerly Sirius Minerals PLC) employees for a further five year period

Site address: Hawkesgarth Lodge, Station Road, Hawsker

Parish: Hawsker-Cum-Stainsacre

Case officer: Mrs Jill Bastow

Applicant: Mr Andrew Fiddler
Peony Bank Farm, Aislaby, Whitby, YO211SX

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text															
1	TIME00	The permission hereby granted is valid only for five years from the date of this permission and the use shall be discontinued and the site restored to its former condition before this consent expires.															
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>Site Location Plan</td> <td></td> <td>29 Jun 2017</td> </tr> <tr> <td>Proposed Block Plan</td> <td>D11245-03 Rev.A</td> <td>28 Aug 2017</td> </tr> <tr> <td>Email from Andrew Fiddler</td> <td></td> <td>14 Sept 2017</td> </tr> <tr> <td>Traffic Management Plan</td> <td></td> <td>18 Sep 2017</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	Site Location Plan		29 Jun 2017	Proposed Block Plan	D11245-03 Rev.A	28 Aug 2017	Email from Andrew Fiddler		14 Sept 2017	Traffic Management Plan		18 Sep 2017
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3	RSU000	The accommodation hereby approved shall not be occupied other than by employees of and contractors working for Anglo American and shall not be used for residential purposes other than temporary workers accommodation. Any use of the accommodation by members of the public will require a further grant of planning permission from the Local Planning Authority.															
4	HWAY00	Visibility splays giving clear visibility of 45 metres to the south and 24 metres to the north, measured along both channel lines of the major road, Hawsker Lane from a point measured 2.4 metres down the centre line of the access road shall be maintained clear of any obstruction and retained for their intended purpose at all times. The eye height will be 1.05 metres and the object height shall be 1.05 metres.															
5	HWAY00	Visibility splays giving clear visibility of 19 metres to the west and 22 metres to the east, measured along both channel lines of the major road Summerfield Lane from a point measured 2.4 metres down the centre line of the access road shall be															

		maintained clear of any obstruction and retained for their intended purpose at all times. The eye height will be 1.05 metres and the object height shall be 1.05 metres.
6	HWAY00	The parking facilities shown on the approved drawing D11245-03 Rev.A shall be maintained clear of any obstruction and retained for their intended purpose at all times.
7	HWAY00	The development shall at all times be carried out and operated in accordance with the terms and conditions of the Travel Management Plan received on 18 September 2017 unless agreed otherwise in writing with the local planning authority in consultation with the local highway 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	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 temporary workers accommodation has been permitted to provide facilities for employees of Anglo American.
4	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of road safety.
5	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of road safety.
6	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
7	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to establish measures to encourage more sustainable non-car modes of transport.

Consultation responses

Parish

No objection.

Highways

No objection; request previous conditions reimposed.

North Yorkshire Fire & Rescue Service

No objection

Third party responses

No comments received

Publicity expiry

Advertisement/site notice expiry date: 27 May 2022

Background

Hawkesgarth Lodge, a former dementia care home, is located to the north of Hawsker, in a small sporadic cluster of development that includes the village school to the east, the church to the north and fields to the immediate south and west. The site is not located within a conservation area.

The property was originally a vicarage, until in 1979, following a period of lying vacant, planning permission was granted for its change the use to a seven bedroom hotel and restaurant. Then in 1983 planning permission was approved for the change of use of the property to form a rest home for the elderly. The property has since been substantially extended with the original development centred on the original vicarage fronting onto Summerfield Lane to the north, and the more recent single storey extensions being largely to the south and prominent from Hawsker Lane. The property is constructed of stone under a slate roof.

Planning permission was most recently granted in 2017 for the change of use of the property to provide workers accommodation for Sirius Minerals PLC employees for a temporary period of five years. That application was accompanied by a Traffic Management Plan and the applicant provided the following information:

- The accommodation will be used exclusively by Sirius Minerals;
- Shifts patterns will be 7am-7pm and 7pm-7am, and employees will be transported to and from the site by coach at times that will not conflict with the school day;
- The accommodation will not be open to the public during the day;
- In comparison to the previous use as a care home the amount of traffic during the day will be significantly reduced;
- Staffing will be less than for the care home and as staff will be on duty from early morning until the evening, travel to and from the hotel will not conflict with the school day and will be significantly reduced;
- All deliveries will be directed to the southern entrance which is before the school gates.

This application seeks planning permission for a further five years for use as temporary workers accommodation for employees of Anglo American, the company that has taken over the Woodsmith potash mine development.

Main issues

The relevant policies of the Local Plan against which this application should be assessed are Strategic Policy L (Community Facilities), Policy BL1 (Employment and Training Development) and Policy BL4 (Managers and Staff Accommodation).

Strategic Policy L seeks to resist the loss of community facilities unless it can be demonstrated that it is no longer suitable or viable for a community use.

Policy BL1 supports the re-use of an existing building for employment use in the 'open countryside' where it otherwise complies with Policy CO12 (Conservation of Existing Buildings in Open Countryside) i.e. the building is of architectural or historic interest and makes a positive contribution to the landscape of the National Park; the building is of sound construction and does not require significant alteration or extension to

accommodate the proposed use; there is reasonable access to necessary infrastructure, services and facilities; the building is located in a group of buildings with a close visual and physical relationship; proposal is of a high quality design that reflects the form and character of the building; and the proposed use is compatible in nature scale and level of activity with the surrounding locality.

Policy BL4 supports proposals for staff accommodation to meet the essential needs of an existing hotel, public house, hostel or permanent tourist facility in principle.

Whilst Hawkesgarth Lodge did provide a facility in the form of a residential care home to serve the local community, it is not considered that it was a community facility protected by Strategic Policy L, and instead was much more of a business that provided employment benefits to the local population supported by Policy BL1. Therefore the current proposal is simply for another employment generating use in the form of a hotel/temporary workers accommodation.

The proposal makes good effective use of an existing redundant building with no external alterations or extensions required to facilitate the new use. The building lies within a small cluster of buildings including the village school and church and is not isolated in the open countryside. There is land around the building to provide parking and the site is easily accessed from the A171.

In terms of noise and activity arising from the change of use of the building, this was a concern raised when the original application was considered in 2007 however no objections have been received in response to this application for an extension of the use for a further five years. The Authority is not aware that the use as temporary workers accommodation has generated significant levels of activity about the site, or increased noise levels which have detracted from the quality of life of nearby residents. Furthermore, it is considered that the traffic generation is not significantly different from that generated by the previous care home use. The approved travel plan indicates that workers travel to and from the accommodation by coach early morning and early evening which suggests reduced vehicle movements.

The Highway Authority has responded that on the understanding that the accommodation is for workers at the Woodsmith mine site only, there is no objection to the proposal. They have previously advised that a safe and satisfactory access can be provided from both car parks as vehicles speeds in the area are constrained by the 30mph limit on Hawsker Lane and the sharp bends of Summerfield Lane, and that parking and traffic movements to and from the site will be managed as detailed in the approved Traffic Management Plan.

In view of the above, it is considered that the proposal will not result in the loss of a community facility and that it will provide accommodation to meet the needs of a local business whilst making effective use of an existing building which would not have an adverse impact on the quality of life for local residents. 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.