

North York Moors National Park Authority

Plans list item 2, Planning Committee report 14 July 2022

Application reference number: NYM/2022/0363

Development description: removal of stables and erection of three timber lodges to provide rooms ancillary to the Country Inn

Site address: Bryherstones Inn, Newlands Road, Cloughton

Parish: Cloughton

Case officer: Mrs Jill Bastow

Applicant: Mr & Mrs Shipley, Bryherstones Inn, Newlands Road, North Yorkshire, Cloughton, YO13 0AR

Agent: WardmanBrown fao: Mr Lee Wardman, 113 Stanhope House, Stanhope Road South, Darlington, DL3 7SF,

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	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	RSU011	The timber lodges 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.
4	RSU014	The timber lodges hereby permitted shall form and remain part of the planning unit at Bryherstones Inn and shall not be leased off from the main business 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.

Condition number	Condition code	Condition text
5	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. The proposed lighting shall be of a style and luminance (typically a warm white bulb of 3000k or less and no more than 500 lumens) which minimises glare and light pollution. All lighting fixtures should be shielded/fully cut off 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	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 native hedge and tree planting along the north and west boundaries 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.
7	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.
8	MISC00	If the use of the timber lodges for holiday letting purposes permanently ceases, the lodges shall be removed from the land in their entirety within 6 months of the use ceasing 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.

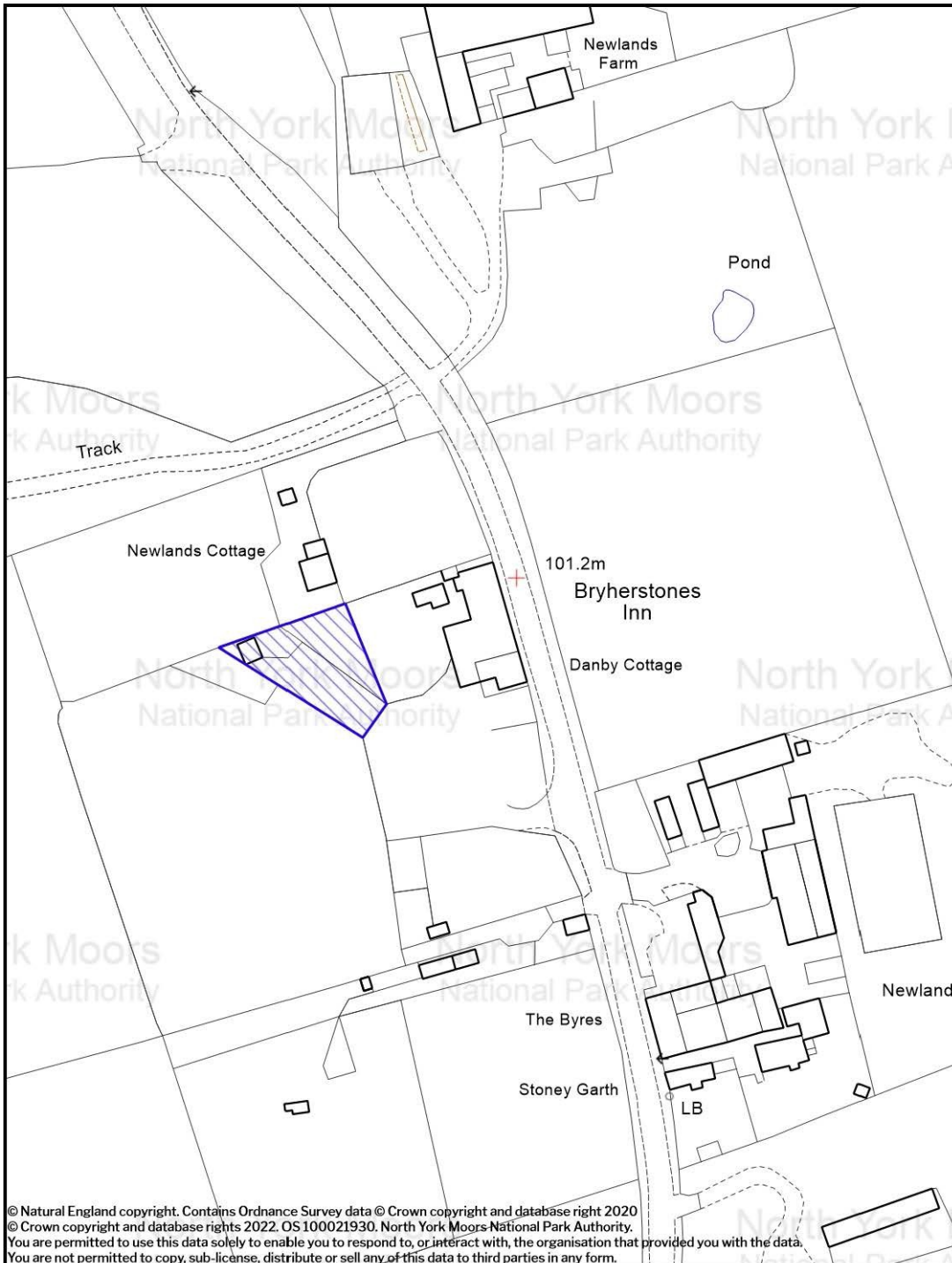
Maps showing application site



**North York Moors
National Park**

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Scale: 1:1250



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Photo showing the existing stable building to be demolished and the proposed location of the three timber lodges viewed from within the customer car park



Photo showing the access to the customer car park from Craven Hill and the proposed location of the three timber lodges beyond



Consultation responses

Parish

Object for the following reasons:

- Possible inaccurate plans which imply Danby Cottage is part of the application site when to the best of Council's knowledge, it was not within the applicant's ownership;
- Area of site used would be considerably more than that used by the stables resulting in an unacceptable intensification of use;
- Sewage system;
- No screening of the proposed lodges from the site itself, only from the highway;
- Potential for disturbance of/impact on domestic enjoyment for occupiers of Newlands Cottage due to the proximity of the proposed lodges.

Highways

No objection. The site has a constructed access to the highway and has an off street car park.

Environmental Health

No objection.

Third party responses

David Cuthbertson, Danby Cottage, Newlands Road, Cloughton Objects for the following reasons:

Ongoing developments will encroach on my attempts to encourage wildlife and improve the environment. In February I planted six hundred trees and shrubs and started a wildflower meadow under the guidance of your officers and to some extent subsidised via your authority. The wildlife corridor created will be of no benefit if it is surrounded by a campsite, cabins and camper vans.

Flooding from extra run off is a major concern in that my fields are low lying and there is no other area for the water to go. Additional buildings will worsen this problem.

Traffic on this road needs to be considered with any additional developments. Vehicles joining the road at this point are not easily seen because of the hill and bends in the road. I have already witnessed several near misses.

Dogs in the area can prove difficult not only from the worry of attacking sheep but also scaring them with their barking. The camper vans that already visit nearly always have a dog, adding three cabins would worsen the problems. I retired to enjoy life in a quiet, rural environment and feel this is badly under threat from this development.

Consultation expiry

15 June 2022

Background

Bryherstones Inn is a traditional country inn positioned some 1.5 km to the north of Cloughton village on the west side of the road at Craven Hill. It is a stone-built property under a slate roof with an extensive beer garden to the rear (west) and a customer car park to the south. To the north lies Newland Cottage and to the south, adjoining the public house, lies Danby Cottage, both private residential properties. On the opposite side of the road lies Newlands House farm and a number of residential properties.

Planning permission is sought for the siting of 3 no. timber lodges in place of the redundant timber stable building located on an area of overgrown hardstanding to the rear of the public house, with one located within the beer garden. The lodges each measure 6.5 metres by 3.5 metres with an areas of timber decking to the front and would have a curved grass sedum roof. It is proposed to orientate the lodges so that they face south, towards the customer car park. The lodges would be let on a bed and breakfast basis as guest accommodation for the country inn. Drainage would be directed to the existing package treatment plant and guest parking would be available within the existing car park.

Main issues

Local Plan

The relevant strategic policies in the determination of this application are considered to be **Strategic Policy A** (Achieving National Park Purposes and Sustainable Development), **Strategic Policy B** (Spatial Strategy), **Strategic Policy C** (Quality and design and Development), **Strategic Policy G** (Landscape) and Strategic Policy J (Tourism and Recreation). **Policy UE1** (Location of Tourism and Recreation Development) and **Policy UE2** (Camping, Glamping, Caravans and Cabins) and **Policy ENV4** (Dark Night Skies) are the more detailed development management policies.

Policy UE1 only permits new tourism and recreation development within the Open Countryside where it complies with Policy UE2 and supports the expansion or diversification of an existing tourism and recreation business.

Policy UE2 supports proposals for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) in the open countryside where the site is screened by existing topography, buildings or adequate well-established vegetation (which is within the applicant's control and where arrangements for its long term maintenance can be demonstrated) so as to respect the sensitivity of the local landscape. It also requires proposals to avoid extensive alterations to ground levels so that the accommodation can be removed without harm to the landscape; to not lead to unacceptable harm in terms of noise and activity; to not detract from the character, tranquillity or visual attractiveness of the area, and to be of a high standard of design.

Policy ENV4 seeks to protect the darkness of the night skies above the National Park by requiring development proposals to minimise light spillage. In the open countryside external lighting will only be permitted where it is essential for safety or security.

Principle of development

This proposal is for a small-scale development of three modestly sized timber lodges each capable of accommodating two people with associated vehicular parking and would be utilised as bed and breakfast accommodation for the country inn on the site.

The lodges are of a high-quality timber design with a grass sedum roof that would complement the wooded surroundings. They require no foundations and would not be connected to the public foul drainage system and instead would be connected to the existing package treatment plant. As such they can be removed when no longer required and the land restored without harm to the landscape of the National Park.

Furthermore, it is not considered that there would be a notable increase in activity or noise in the immediate locality that would have a detrimental impact on the character or tranquillity of the area, particularly given that there is already a degree of noise and activity generated by the country inn itself and the farm opposite. As such in principle the proposal meets the requirements of Policy UE2.

Landscape setting

It is proposed to site two of the lodges on the unused area of hard standing to the rear of the country inn, replacing the existing timber stables with the third lodge located within the beer garden to the public house itself. They will therefore be located within the existing curtilage of the business and be accessed from the adjacent customer car park. Although the lodges would be visible from within the customer car park and the nearby allotments in a slightly elevated position, they would not be visible on the skyline and instead would be viewed against a backdrop of rising land of the neighbouring fields. Furthermore, the site is well-screened in the wider landscape by virtue of the mature roadside vegetation and local topography and in any glimpsed views from the public highway the lodges would be seen in the context of the country inn and its car park and neighbouring property such that they would not appear as sporadic or isolated structures. As such it is not considered that the lodges would have a detrimental impact on the landscape of the National Park and as such meets with the requirements of Policy UE2.

Residential amenity

The lodges would be orientated to face south towards the customer car park rather than towards the neighbouring property to the north (Newlands Cottage) which avoids any potential of mutual overlooking.

It is acknowledged that the provision of three timber lodges to the rear of the beer garden could result in additional activity that could cause some noise and disturbance to the occupiers of the neighbouring dwellings. However, the lodges would only accommodate two people each on a bed and breakfast basis as ancillary guest accommodation to the public house. Given the small-scale nature of the development it is not considered that the proposal would result in any notable increase in level of noise, activity and general disturbance that already occurs as a result of proximity of the beer garden and customer garden to these properties. Therefore, it is not considered that the proposal would have an adverse impact on the amenities of local residents.

Ecological interest

The Authority's Ecologist has requested more information on the suitability of the habitats on the site to support species such as roosting bats or breeding birds given that there are records of roosting bats within 1km of the development, records of Great Crested Newts within 2km and several ponds within 500m. This would enable an assessment to be made as to the impact of the development on protected and priority species.

The site is predominantly overgrown hardstanding, and the applicant has completed the Natural England Small Sites Metric which demonstrates that the proposed development, by virtue of the grass seeded roofs will result in a 40% biodiversity net gain which is in excess of the 10% discretionary net gain for biodiversity sought under the Environment Act 2021, coming into effect November 2023.

As such it is considered that this proposal will provide enhancements for biodiversity.

Conclusion

This application is for a small-scale development of three modestly sized timber lodges within the curtilage of the existing country inn on an underused area of hardstanding which is well screened in the immediate area. Noise and activity arising from the proposal is likely to be limited and would represent a small increase to that already generated by the country inn itself. Furthermore, it would provide en-suite letting bedrooms for the country inn enabling an existing tourism business within the National Park to expand. As such the proposal is considered on balance to comply with the policies of the Local Plan although a number of conditions are required to ensure adequate compensatory planting and appropriate external lighting.

As such it is considered that the proposal meets the criteria of Strategic Policies A, B, C, G and J along with Policies UE1, UE2 and ENV4 and approval is recommended.

Contribution to Management Plan objectives

Approval is considered likely to help meet well-being Outcome 4, objective 17 to encourage visitors to make a positive contribution.

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.