

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0487

**Development description:** conversion of garage to holiday letting accommodation  
(revised scheme following refusal of NYM/2021/0823/FL)

**Site address:** Salt Pan Lodge, Newlands Lane, Cloughton

**Parish:** Cloughton

**Case officer:** Mr A Muir

**Applicant:** Mr M Allan

Salt Pan Lodge, Newlands Lane, Cloughton, Scarborough, YO13 0BB

**Agent:** Cheryl Ward Planning

24 Westfield Mews, Kirkbymoorside, York, YO62 6BA, United Kingdom

## Director of Planning's Recommendation

Refusal for the following reason(s) delete as appropriate

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1.	<p>The proposed change of use would result in a level and form of tourist activity which would be inappropriate within the garden of an existing private dwelling and the wider setting which comprises other residential properties and domestic gardens. Due to the close proximity of neighbouring residential properties the proposal would result in an unacceptable impact on residential amenity as a result of greater and different types of activity, noise and disturbance, than would be generated from private domestic use, contrary to criteria 7 of Strategic Policy J and Criteria 4 of Policy UE4 of the North York Moors Local Plan which seek to ensure that new development does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.</p>
2.	<p>The proposed conversion would utilise the existing dwelling's garaging and domestic storage provision, leading to pressure for replacement garaging and outbuildings within the curtilage. Due to the nature of the site which comprises a complex of traditional barn conversions additional storage sheds would be visually intrusive, detrimental to the character of the area and lead to the introduction of domestic paraphernalia within the setting of a former agricultural building contrary to Section 4.2, Part 4 of the Authority's adopted Design Guide relating to the Re-use of Traditional Rural Buildings and Local Plan 'conversions' Policy CO12.</p>

## Consultation responses

### Parish

Felt that the space available was relatively cramped in terms of the provision of an adequate level of residential amenity and the space to allow the conversion was minimal. Parking as a whole can be a problem for the complex of buildings converted from Court Green Farm and the nearby area - any loss of off-road parking is most undesirable. Councillors feel that this intensification of use is both inappropriate and unacceptable. It is in a primarily residential area and will have an unacceptable impact on the surrounding properties. There are also concerns as to the impact of the proposals on Horseshoe Cottage.

Council objects to the amended application on the grounds it does not accord with:-

- adopted Local Plan Strategic Policy C - by virtue of the fact the scale, height, massing and form of the proposal are not compatible with surrounding buildings and will have an adverse impact upon the amenities of adjoining occupiers; and
- adopted Local Plan Policy UE4 -by virtue of not being of an appropriate scale and will create unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.

### Highways

No objection, recommend conditions in order 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.

### Environmental Health

No objections

### Third party responses

#### Mr Adrian Bury

The applicants have clearly tried to address the concerns of close neighbours in terms of construction/privacy etc. However, the crux of the matter is clearly and simply stated again by the Parish Council, and we concur. We certainly don't want to feel that we are living in (and I quote) "...a fully occupied and mixed use residential/holiday accommodation site."

#### John and Lindsay Sessions

With regards to the application, in the first instance we would advise that we at The Dairy (neighbouring house) have no objections to a change of use to that of a one bedroomed holiday apartment.

We believe it is important to understand the type of accommodation being proposed and its likely place in the holiday let market. Having an established one bedroomed property ourselves we know that it attracts at the most 2 people, with one car. Our guests are keen walkers, cyclists, runners and the like. People who love the east coast. They are quiet and do not disturb us or our neighbours. Further the change of use will make no difference to local parking, as there is adequate parking at the property.

Whilst currently there is a lot of concern around local properties selling into the holiday market as second homes for own use and also commercial holiday lettings. We believe the proposal at Salt Pans Lodge does not fall into either category. The change of use is part of an existing family home which will continue to be just that, there is no proposal to do anything other than make use of a good-sized part of what is their "own property".

**Publicity expiry**

Advertisement expiry date 03 August 2022

Site notice expiry date 15 August 2022



Garage to be converted

## Background

Salt Pan Lodge was once an agricultural building forming part of a farm complex located at the north eastern end of Cloughton village. All of the agricultural buildings have now been converted to residential use. The site is located within the countryside just outside of the main built area of the settlement and falls within the village conservation area. For planning policy purposes the site is classed as open countryside.

The permission for the conversion dates back to the early 1990's and comprised of 4no. residential dwelling units. All properties were designed with garden/amenity space, parking and garaging/stores using the existing buildings. Unit 1 of the approved scheme also included a self-contained annexe and that property is now known as Salt Pan Lodge. Permission was granted in December 2000 to sever the tie and allow the annexe to become a one bedroom independent dwelling. The existing garage is retained by the original dwelling which straddles the proposed new boundary between the two units.

Planning permission was granted retrospectively in 2003 for the construction of a sunroom on the north elevation within the walled garden of Salt Pan Lodge.

In 2021, permission was refused for a scheme of conversion and alteration of the garage to form holiday letting accommodation. The scheme was eventually reduced down to a one bedroom (two person) holiday let. This decision was not subject to an appeal.

The current application seeks planning permission for the conversion of the garage to holiday letting accommodation. This is a revised scheme following refusal of NYM/2021/0823/FL. The proposal will utilise the existing openings within the building, although the existing pedestrian door leading into the neighbouring garden will be blocked up and insulated from the inside, internal glass panels to the bedroom will steal light from the bi-fold doors in place of the garage doors. The living space will comprise of a lounge and kitchen area combined with a part glazed hallway wall separating the living accommodation and bedroom areas. The bedroom will host an ensuite on a low level mezzanine floor that provides a storage space underneath.

## Main issues

The main issue to consider are whether the content of this revised scheme has overcome the previous reasons for refusal and as such the use as holiday accommodation is compatible with the location and setting within an established residential area.

## Local Plan

The relevant NYM Local Plan policies to consider with this application are Strategic Policy I (The Historic Environment), ENV11 (Historic Settlements and Built Heritage), Policy UE4 (New Holiday Accommodation within Residential Curtilages) and Policy CO12 (Conversion of Existing Buildings in Open Countryside). The advice contained within Part 4 of the Authority's adopted Design Guide is also relevant.

SPI and ENV11 collectively seek to ensure that developments affecting the historic environment make a positive contribution to the cultural heritage and local distinctiveness of the National Park. Development should conserve heritage assets and their setting in a manner appropriate to their significance and should reinforce the distinctive historic character of the North York Moors by fostering a sympathetic relationship with traditional local architecture, materials and construction. A high standard of design is encouraged which seeks to conserve, enhance or better reveal elements which contribute to the significance of a heritage asset or its setting.

Policy UE4 requires the development of new holiday accommodation within residential curtilages to: make use of an existing building which is of architectural merit; be compatible with and not detract from the character or appearance of the area; be of an appropriate scale; and, not result in unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.

The supporting text of Policy UE4 makes it clear that proposals for holiday accommodation within residential curtilages are unlikely to be acceptable due to the intensification of activity in residential areas. However, it is accepted that there may be occasions where such provision can avoid harm and these instances are likely to be in large, well-screened gardens in a low density residential area.

CO12 relates to the conversion of buildings in open countryside and is supportive of applications which relate to a building of architectural or historical interest which makes a positive contribution to the National Park and which is in an existing group of buildings with a close physical relationship. The policy requires buildings to be: structurally sound and capable of conversion without the need for substantial rebuilding; appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings; close to or have access to necessary infrastructure, services and facilities; the scheme must be of a high quality of design which is respectful to the form, character and retains existing features of the building; the proposed use does not lead to changes to the access or curtilage which would affect the character of the building or its setting; and finally, the proposed use must be compatible with the locality and neighbouring buildings.

Part 4 of the Authority's Adopted Design Guide relates to the re-use of rural buildings and the principles contained within the document are still applicable despite the host building having been in residential use for a number of years. The design guide recognises that the conversion of traditional rural buildings is guided on the one hand by the original structure and on the other, the requirements of the new use. In general, a building should be capable of accommodating the new use without the need for significant extensions or alterations. Insensitive and inappropriate conversions are often characterised by extensions, excessive or regular window openings, introducing porches, conservatories and alterations to the roof. In addition, curtilage areas should remain uncluttered and storage requirements associated with the new use of the building should be accommodated within existing buildings to negate the need for further general storage buildings within the curtilage.

The location of the building is in close proximity to three residential properties; the host property and two neighbouring dwellings. The south facing gable wall and parts of the side elevations form part of the curtilage boundaries of The Willows and Horse Shoe

Cottage (the former annexe to Salt Pan Lodge). Part of the west elevation is attached to another outbuilding in the ownership of another property at the site.

There is a tight-knit physical association of the garage to other buildings in the wider scheme. Due to the closeness of this relationship, the Authority does not consider that the revised proposal can overcome its initial findings in 2021 that the development will result in an increased level of activity in this quiet and relatively high density residential area and the impact that this will have on the amenity of the neighbouring properties. Therefore, the proposal is still considered to conflict with the requirements of policies UE4 and CO12 which seek to ensure development does not result in unacceptable harm in terms of noise and activity on the amenity of the neighbourhood. Policy UE4 sets a presumption against the development of holiday cottages within residential curtilages unless there are particular circumstances which mitigate in favour of allowing such as larger curtilages with good screening and good separation from neighbouring properties.

The host building currently comprises a generous garage/store to serve the main dwelling and was deliberately included to remain as such within the original application. The Authority has an established approach to conversion schemes which requires developers to ensure that there is storage provision incorporated into proposals using existing buildings to avoid the proliferation of domestic structures which detract from and harm the setting of traditional rural buildings.

The applicant has provided a storage area under the floor of the bedroom mezzanine for general storage purposes.

The proposal would result in the loss of dedicated storage space to serve the dwelling, albeit a significantly reduced level of that currently existing has been provided. However, its physical use appears difficult due to the low height of the mezzanine. The access to the applicants storage needs within this scheme would be restricted and only be available during times when the property is not occupied by holiday makers. Local Plan Policy CO12 and the adopted Design Guide seek to ensure development proposals do not result in a need for other new buildings and that adequate storage is maintained and/or designed into a scheme by utilising existing buildings. The application therefore fails to meet the above policy criteria.

In combination with the site history which includes the sub-division of the original annexe followed by an extension to the property, the proposed development is considered to result in over development of the site and for the reasons outlined above would be contrary to the requirements of Policies UE4 and CO12 and would fail to meet the principles of the adopted Design Guide.

In conclusion, the Court Green Farm conversion scheme comprises a tight-knit residential development with closely associated amenity spaces, privacy walls and storage/parking areas. Overlooking and amenity levels do depend on neighbours being considerate and due to the separation of some amenity areas by storage buildings, the original conversion scheme was successful in achieving good levels of private amenity space for all residents.



In intensifying the use of the site further, by incorporating a holiday development in the centre of the development, this would be likely to adversely affect the neighbours close by through increased activity levels, noise and other disturbances. Local Plan Policy UE4 starts with a presumption against holiday accommodation with residential curtilages unless good mitigating conditions exist such as physical separation. Despite the applicant's steps to minimise the impact of the proposal, on balance, it is considered that the proposed development is in conflict with Policy UE4 and will be harmful to neighbouring residential amenity. The likely need for extra storage are also in conflict with Policy CO12 and the adopted Design Guide.

In view of the above, refusal is recommended.

#### Pre-commencement conditions

N/A

#### Contribution to Management Plan objectives

N/A

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

The Local Planning Authority has acted positively and proactively in determining this application. The issues with the original proposal have not been resolved through this application as they are so fundamental, that it is not possible to negotiate a satisfactory way forward. Due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.