

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0890

Development description: use of two holiday lets (as approved under reference NYM/2019/0383/FL) as either letting dwellings or holiday letting accommodation (dual use) (no external alterations)

Site address: Blacksmiths Cottage and Anvil Cottage, Back Lane, Hawsker,

Parish: Hawsker-Cum-Stainsacre

Case officer: Mrs Hilary Saunders

Applicant: E, D and E Holyfield
27 Cadman Street, Mosborough, Sheffield, S20 5BU

Agent: Cheryl Ward Planning
fao Cheryl Farrow, 24 Westfield Mews, Kirkbymoorside, York, YO62 6BA,

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	MC00	All new window frames, glazing bars and external door frames shall be of timber construction, stained dark brown and thereafter be so maintained.
2	MC00	The external face of the frame to all new windows shall be set in a reveal of a minimum of 6cm from the front face of the adjacent walling and thereafter be so maintained.
3	MC00	The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained.
4	MC00	The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained

5	MC00	<p>The occupation of the dwelling hereby permitted shall be limited to:</p> <p>i. a qualifying person; and ii. a wife or husband (or person living as such), licensee, dependant or sub tenant of a qualifying person.</p> <p>Or</p> <p>iii. 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).</p> <p>For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she has satisfied the Local Planning Authority that he/she was in need of local needs housing in term of the criteria set out in Policy CO13 of the adopted North York Moors Local Plan, namely that he/she is:</p> <ol style="list-style-type: none"> 1. Currently resident in the National Park, having been resident in the Park for at least the previous three years; or 2. Currently in employment in the National Park; or 3. Having an essential need to live close to relative(s) who are currently living in the National Park; or 4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or 5. Former residents whose case for needing to return to the National Park is accepted by the Authority. <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 to 5 above.</p> <p>Note A: For the purpose of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purpose of the above, resident within the National Park will include the whole of parishes split by the</p>
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		National Park boundary with the following exceptions: Allerston; Beadlam; Burniston; East Harlsey; Ebberston and Yedingham; Great Ayton; Great and Little Broughton; Great Busby; Guisborough; Irton; Kirkby in Cleveland; Kirkbymoorside; Lockwood; Nawton; Newby; Pickering; Potto; Scalby; Snainton; Sutton under Whitestonecliffe.
6	MCOO	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
7	MCOO	Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown edged in red on the site plan received on 30/07/2019 for parking spaces, shall be kept available for their intended purposes at all times and made available for the two holiday/local occupancy cottages to which this permission relates.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1-4	RSN GPMT02	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.
5	RSN UOR13	In order to comply with Strategic Policy M of the North York Moors Local Plan which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
6	RSN PD01	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C and Policy CO17 of the North York Moors Local Plan, which seek to enhance and conserve

		the special qualities of the National Park and secure high quality design for new development and to maintain a suitable mix of housing types within the National Park.
7	RSN MHC08A	To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

Consultation responses

Parish

No objections

Highways

No objections

Third party responses

None received

Publicity expiry

Site notice expiry date – 12 January 2023

View of the cottages from the road through Hawsker



View of cottages form rear courtyard area



Background

Blacksmiths Cottage and Anvil Cottage are much altered one and a half storey cottages located in the centre of the village of High Hawsker.

Planning permission was granted in 2002 to convert part of these current dwellings into two small single bed holiday letting cottages. The cottages do not have any external amenity space.

Condition 9 of that approval tied the ownership of the cottages to the adjacent dwelling. Planning permission was granted in 2019 to remove the condition that prevented the cottages being sold off independently.

Planning permission is now sought to allow the properties to be used as either holiday lets or local occupancy dwellings.

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.

Policy CO8 – Housing in smaller villages - sets out that in order to maintain the tranquil rural character of Smaller Villages, local needs and affordable housing will only be permitted on suitable small sites within the main built up area of the village, where development respects the form and character of the settlement and meets the need for smaller dwellings; or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

Material Considerations

The application site is located within a settlement and no alterations are proposed to the building.

Therefore, the primary considerations in this instance would be any likely impact on residential amenity, of including long term local occupancy as well as Holiday letting.

The existing arrangement comprises two small holiday cottages which share the same access from the highway, and all have parking spaces provided. There would be no change to this. Furthermore, the proposal is unlikely to generate any different activity levels or traffic generation than the existing use.

In view of the above, providing the 2 spaces remain available the proposal is unlikely to have a detrimental impact on residential amenity or highway safety.

Consequently, 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.