

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0324

Development description: change of use of and alterations to building currently run as a tea room and tapas restaurant to form one holiday letting unit

Site address: North Ings House, Station Road, Robin Hoods Bay

Parish: Fylingdales

Case officer: Mrs Jill Bastow

Applicant: Mr Fretwell-Kirkham
c/o Fretwell's Planning & Dev. Ltd, Fold Yard Offices, Molescroft Farm, Grange Way, Beverley, HU17 9FS,

Agent: Fretwell's Planning & Development Ltd
fao: Gemma Owston, Fold Yard Offices, Molescroft Farm Estate, Grange Way, Beverley, HU17 9FS

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.
2	PL02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3	UOR12	The unit of holiday letting accommodation 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	UOR15	The unit of holiday letting accommodation hereby permitted shall form and remain part of the current Planning Unit presently known as North Ings as shown edged red on the site location plan dated 19 May 2023. The holiday unit shall not be let out or used in any way if functionally separated (either Freehold or Leasehold) from North Ings and shall at all times remain together in the same overall Planning Unit.
5	GPMT03	All new external materials used in the development hereby permitted shall match that of the existing building including the colour, texture and finish including the method of coursing and pointing of the stonework.
6	GPMT11	All new external doors, door frames, window frames and glazing bars shall be of timber construction and no other materials shall be used.
7	GPMT15	The external face of the frame to all new windows shall be set in a reveal of a minimum of 75mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity.
8	GPMT21	No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity.
9	GPMT27	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	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	RSN UOR12	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.
4	RSN UOR12	The site is in a position where the separate occupation of the accommodation hereby permitted 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	RSN GPMT01	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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6	RSN GPMT01	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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7	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.
8	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.
9	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.
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Consultation responses

Parish

No objection subject to the following provisos:

- The owner remains on site to ensure noise levels are kept to a minimum;
- Ample parking should be provided to prevent further vehicles parking on Mount Pleasant;
- Occupancy is restricted to four residents.

Highways

No objection; comment that the proposal is not anticipated to increase the amount of traffic using the existing access compared with the current use that the site holds.

Yorkshire Water

No comments received

Environmental Health

Comment that holiday lets have the potential to be noisy and disruptive. All holiday lets are treated as commercial operations and require landlords to have the same duty of care as to be expected at hotels and bed and breakfast establishments. Landlords are required to ensure sufficient control and monitoring arrangements are in place to ensure any noise/anti-social behaviour/parties are dealt with swiftly and promptly in the same manner as an in-house/onsite landlord would be expected to deal with the problem. Therefore suggest the following conditions:

- Noise management plan for the site, to be approved by the Local Planning Authority.
- A local agent or representative of the landlord who is contactable during hours of occupancy by guests in the event of complaints or incidents.

Natural England

No comments received

Third party responses

No comments received

Publicity expiry

Advertisement/site notice expiry date: 16 June 2023

North Ings Guest House from Station Road with the pantile roof of the existing tea room proposed for conversion in the background



Existing tea room/tapas restaurant proposed for conversion



Background

This application relates to North Ings House, a substantial two storey stone built property under a slate roof located on the west side of Station Road in Bank Top, Robin Hoods Bay. Immediately to the north lie the tennis courts and bowling club, beyond which is the main public car park; to the west lies the overflow carpark and the Methodist Church; to the south lies Ings House, a grade II listed building and private residence and to the east, on the opposite side of Station Road lie a number of bed and breakfast/guest house establishments and private dwellings. To the rear of the main dwelling lies a detached stone and pantile former double garage/workshop which has been operating as a tea-room/tapas restaurant.

Planning permission was granted in June 2022 to regularise the use of the main dwelling as a bed and breakfast establishment which had been operating since August 2005 as bed and breakfast accommodation other than a brief period when the whole property was let out as a holiday cottage. The property provides 5 en-suite letting bedrooms along with a one-bedroom private residence for the owners.

The stone and pantile garage to the rear of the property was originally granted planning permission in October 2012 for its conversion and alteration into a two-bedroom holiday cottage however that consent was never implemented. The garage was then converted into a small tea-room/ tapas restaurant and retrospective planning permission granted in June 2022 to regularise this use.

Planning permission is now sought for the conversion of the tea-room/tapas restaurant into a two-bedroom self-catering holiday cottage with some external alterations proposed to the current fenestration but no extension. Guest parking will be provided within the current car park serving the bed and breakfast establishment.

Main issues

Local Plan

The relevant policies of the Local Plan in the consideration of this application are Strategic Policy A (Achieving National Park Purposes and Sustainable Development), Strategic Policy B (Spatial Strategy), Strategic Policy C (Quality and Design of Development), Strategic Policy J (Tourism and Recreation), Policy UE1 (Location of Tourism and Recreation Development) and Policy UE4 (New Holiday Accommodation Within Residential Curtilages).

Discussion

The proposal will provide short term visitor accommodation to enable people to stay within the National Park thereby increasing their awareness, understanding and

enjoyment of the special qualities of the National Park, in accordance with Strategic Policy J.

The property is located within the main built-up area of Robin Hoods Bay (Bank Top) where there is a mix of private residences, guest houses, hotels and self-catering holiday accommodation, along with a convenience store. Policy UE1 supports tourism and recreation development in such areas in principle.

It is not considered that the use of the former tea-room/tapas restaurant as a small two-bedroom self-catering holiday cottage in such a mixed use area would lead to a notable increase in noise and activity in the immediate neighbourhood that would undermine the quality of life of local residents as required by Policy UE4. With regard to the comments of the Environmental Health Officer and the Parish Council, it is considered that the proposed conditions that restrict the use of holiday letting accommodation only and prevent the unit from being severed from the planning unit at North Ings House are sufficient to ensure that there is sufficient on-site management of the accommodation to control any noise and activity arising from the proposed use.

Although the structure is not of historic interest, it does make a positive contribution to the character of the area and the proposed scheme of conversion, which proposes a number of new and altered openings, will maintain the simple character and appearance of the original building as a former domestic outbuilding, in accordance with Strategic Policy C and Policy UE4.

In conclusion, the proposal makes use of an existing building which makes a positive contribution to the character the area and the proposed alterations would maintain that character. The surrounding area is very much of mixed use and it is not considered that the addition of a two-bedroom self-catering holiday cottage would give rise to additional noise and activity that would be harmful to the amenity of the neighbourhood. As such the proposal accords with the policies of the Local Plan and approval is recommended.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

Not applicable in this case.

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.