

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/W9500/W/23/3331567

Appeal By

FRANCES LOCKEY

Site Address

Suffield Hill, Suffield Cottage, Limestone Lane To Swang Road
Suffield
Scarborough
North Yorkshire
YO13 0BJ

PART 1

- 1.a. Do you consider the written representation procedure to be suitable? Yes No
- Note: If the written procedure is agreed, the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.
- 2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes No
- 2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes No
- 2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes No
- 3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes No
- 3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes No

PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes No
5. Was a site ownership certificate submitted with the application? Yes No
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990? Yes No
- 6.a. If a press advert notice was published, please upload a copy

see 'Questionnaire Documents' section

7. Does the appeal relate to a county matter? Yes No
8. Please indicate the development type for the application to which the appeal relates.
- Major Developments
- Minor Developments
- Other Developments
- 8.b. Minor Developments
- Dwellings
- Offices/R and D/light industry
- General industry/storage/warehousing
- Retail and services
- Traveller caravan pitches
- All other minor developments
- Is the appeal site within:
- 9.a. A Green Belt? Yes No
- 9.b. An Area of Outstanding Natural Beauty? Yes No
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes No

PART 3

11. Would the development require the stopping up or diverting of a public right of way? Yes No
- 12.a. Is the site in a Conservation Area? Yes No
- 12.b. Is the site adjacent to a Conservation Area? Yes No
- 12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes No
- 13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? Yes No
- 13.b. Would the proposed development affect the setting of a listed building? Yes No
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes No
- 15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes No
16. Is any part of the site subject to a Tree Preservation Order? Yes No
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site? Yes No
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes No
- 19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an
- Yes No

internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?			
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
PART 4			
Environmental Impact Assessment - Schedule 1			
20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Schedule 2			
20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
20.c.i. Have you issued a screening opinion (SO) Please attach a copy of the SO that was placed on the planning register, and any other related correspondence <input checked="" type="checkbox"/> see 'Questionnaire Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
20.c.ii. Did the SO state that the proposed development is EIA development as defined by the EIA Regulations?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Environmental Statement (ES)			
20.d. Has the appellant supplied an environmental statement?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Publicity			
20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.	Applies	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/>
21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Please attach copies of any comments that you have received in response. <input checked="" type="checkbox"/> see 'Questionnaire Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
PART 5			
22. Do you wish to attach your statement of case?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
For appeals dealt with by written representations only			
23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
Copies of the following documents must, if appropriate, be attached to this questionnaire			
24.a. a copy of the letter with which you notified people about the appeal; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

see '[Questionnaire Documents](#)' section

Deadline

24.c. all representations received from interested parties about the original application;

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;

see '[Questionnaire Documents](#)' section

24.e. any representations received as a result of a service of a site ownership notification;

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

see '[Questionnaire Documents](#)' section

see '[Questionnaire Documents](#)' section

List of policies

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;

In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;

Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

24.m. your Authority's CIL charging schedule is being/has been examined;

24.n. your Authority's CIL charging schedule has been/is likely to be adopted;

24.o. any other relevant information or correspondence you consider we should know about.

see '[Questionnaire Documents](#)' section

For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application? Yes No

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes No

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

Completed by

On behalf of

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

Appeal Reference	APP/W9500/W/23/3331567
Appeal By	FRANCES LOCKEY
Site Address	Suffield Hill, Suffield Cottage, Limestone Lane To Swang Road Suffield Scarborough North Yorkshire YO13 0BJ

The documents listed below were uploaded with this form:

- Relates to Section: PART 2
 Document Description: 6.a. A copy of the notice published.
 File name: Copy of Site Notice.pdf
- Relates to Section: PART 4
 Document Description: 20.c.i. A copy of the screening opinion (SO) that was placed on the planning register, along with any other related correspondence.
 File name: Validation checklist.pdf
- Relates to Section: PART 4
 Document Description: 21. Copies of any comments that you have received in response.
 File name: 2023-06-02 Public - Consultation Responses.pdf
- Relates to Section: PART 5
 Document Description: 24.a. A copy of the letter with which you notified people about the appeal.
 File name: Copy of Parish Letter.pdf
- Relates to Section: PART 5
 Document Description: 24.b. A document containing a list of the people you notified of the appeal.
 File name: List of those notified.pdf
- Relates to Section: PART 5
 Document Description: 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
 File name: 2023-07-03 Public - Officer Delegated Report.pdf
- Relates to Section: PART 5
 Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.
 File name: Title Page 2020.pdf
 File name: 2020 Copy of Front Sheet.pdf
- Relates to Section: PART 5
 Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.
 File name: UE4.pdf
 File name: CO17.pdf
- Relates to Section: PART 5
 Document Description: 24.o. Copies of any other relevant information or correspondence you consider we should know about.

File name: 2023-05-17 Public - Change of description and additional information.pdf
File name: 2023-07-03 Public - Decision Notice.pdf
File name: 2023-06-14 Public - Additional Supporting Information from Applicant.pdf
File name: 2023-05-12 Public Supporting Information.pdf
File name: 2023-06-19 Public - Amended Plans.pdf
File name: 2023-05-12 Public Plans.pdf

Completed by

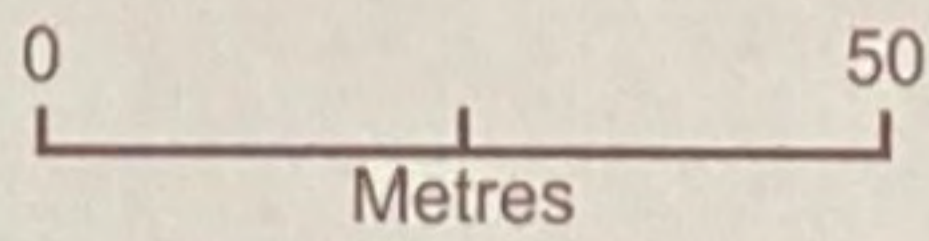
Date

LPA

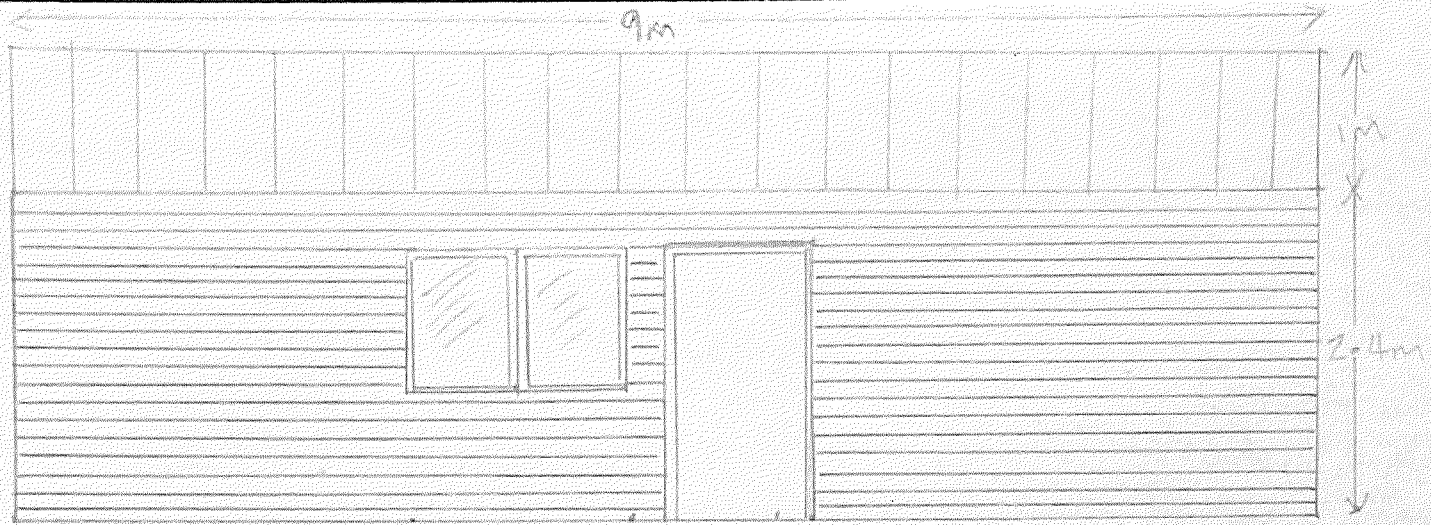
The Cabin



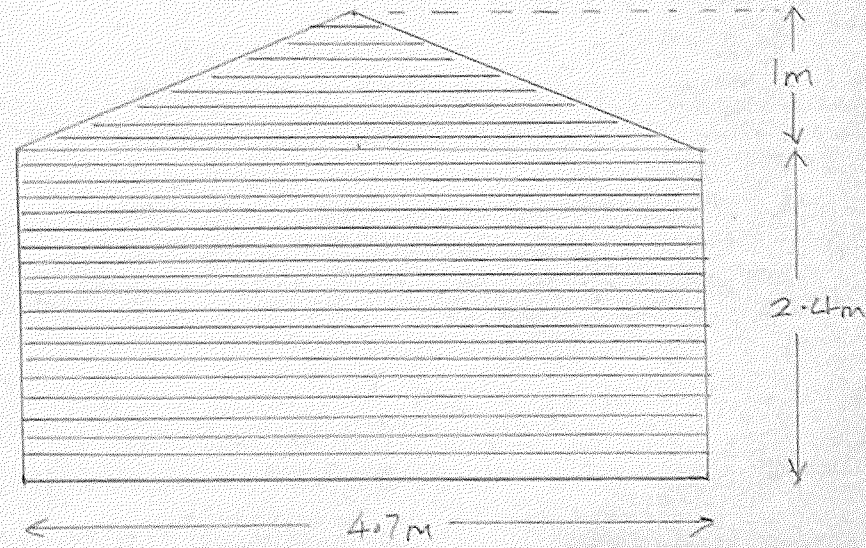
NYMNP
08/05/2023



Plan Produced for: Mrs F Lockey
Date Produced: 27 Apr 2023
Plan Reference Number: TQRQM23117194832563
Scale: 1:1250 @ A4



SOUTH EAST ELEVATION
DOOR 1m x 2m WINDOW 1.5m x 1m



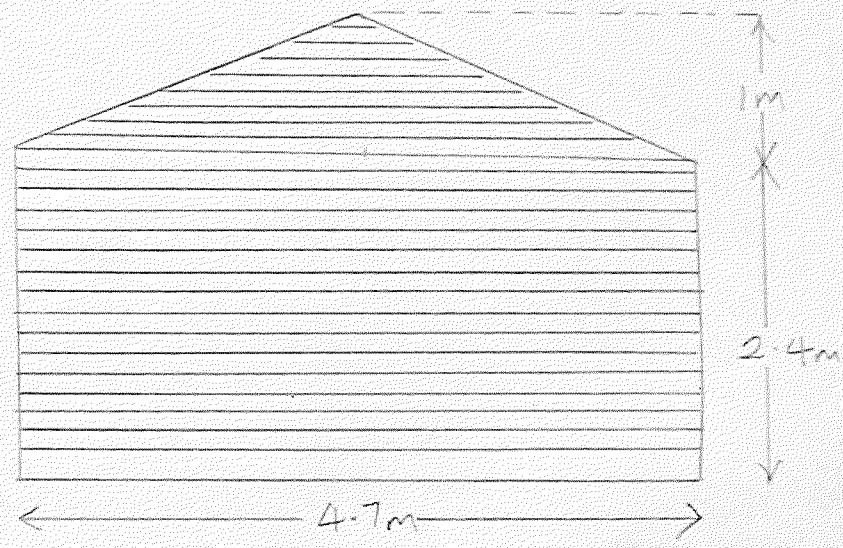
SOUTH WEST ELEVATION

NYMNP
08/05/2023





NORTH WEST ELEVATION

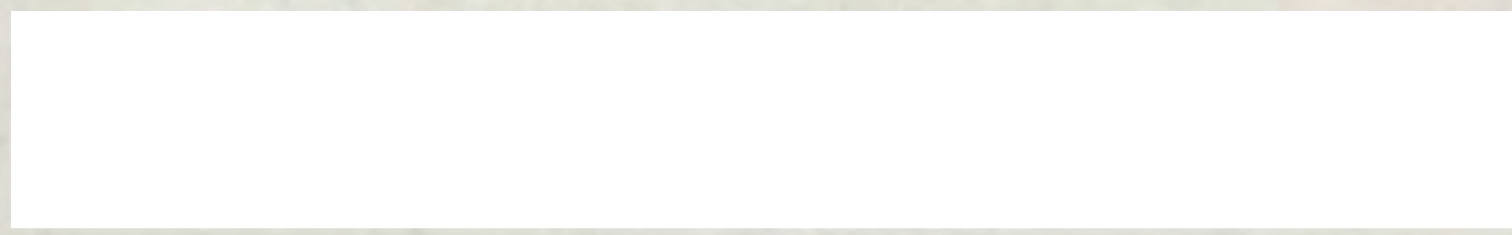


NORTH EAST ELEVATION

NYMNPA
08/05/2023



Frances Lockey
Suffield Cottage
Suffield
Scarborough
YO13 0BJ



North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

5th May 2023

Dear Sir/Madam

Ref NYM/2023/0248

Further to your letter of 27 April 2023 please find attached;

1. Non-mains drainage assessment form with accompanying letter for the Environment Agency.
2. Ordnance survey location plan.
3. Floor layout & elevation plan.

Preplanning advice was previously sought however, I was not made aware of the potential relevance of The Local Plan 2020 Policy UE2.

This application meets every requirement of Policy UE2. Should the Authority intend to make an adverse decision by delegated authority, please could you let me know so that I may seek further advice before a final decision is made.

Yours sincerely

Frances Lockey

NORTH YORK MOORS NATIONAL PARK

NYMNP

08/05/2023

NON MAINS DRAINAGE ASSESSMENT FORM

This form must be completed if your planning application includes proposals to use non mains drainage. Please complete and return 4 copies with your Planning Application (to enable prompt consultation with the appropriate bodies).

In order that the suitability of these proposals can be assessed, the following information is required. All the relevant information requested must be supplied. Failure to do so may result in the Environment Agency objecting to your proposals until such time as the information is received, which means that your application will either be refused or not determined.

Location of the application site SUFFIELD COTTAGE

1. Please indicate distance to nearest mains drainage 2.5 MILES

2. Number of Occupiers of proposed development:

Full Time _____

Part Time 2

3. Number of previous occupiers (if applicable) NA

4. What method of foul drainage is proposed (please tick the relevant box)

Septic Tank Package Treatment Plant Cess Pool

If discharge to a soakaway is proposed please attach percolation test results, which should be carried out in accordance with BS 6297. You will need to have a percolation test carried out. For guidance on how to undertake this test, you may wish to seek advice from:

The Environment Agency, Coverdale House, Aviator Court,
Amy Johnson Way, Clifton Moor, York, YO3 4UZ.
Tel: 01904 692296

NB: If no results are provided, the Environment Agency may issue a prohibition notice preventing the use of the septic tank until such results are supplied.

5. If a package treatment plant is proposed please supply details of plant manufacturer and model.
NB: A discharge consent may be required for discharge from a treatment plant to watercourse or soakaway. Please contact the Environment Agency for an application form if you have indicated that a treatment plant is to be installed.

6. i) If a cess pool is proposed please indicate why this method has been chosen in preference to an alternative such as a package treatment plant or septic tank _____

ii) Please advise capacity of cess pool (minimum size 18 cubic metres) _____

Suffield Cottage
Suffield
Scarborough
North Yorkshire
YO13 0BJ

NYMNPA

08/05/2023

5th May 2023

The Environment Agency

Dear Sir/Madam,

Please find attached the completed Non-mains drainage assessment form.

I have done a percolation test as per BS 6297. The results are as follows;

02/05/23	Dug the two holes and filled with water.
03/05/23	Filled the holes with 300mm water and recorded time taken to soak away. Hole 1 = 7200 seconds / 150 = 48 Hole 2 = 7640 seconds / 150 = 49.6
04/05/23	Filled the holes with 300 mm water and recorded time taken to soak away. Hole 1 = 10650 seconds / 150 = 71 Hole 2 = 10880 seconds / 150 = 72.53
05/05/23	Filled the holes with 300 mm water and recorded time taken to soak away. Hole 1 = 10450 seconds / 150 = 69.66 Hole 2 = 14400 seconds / 150 = 96

Average Vp = 67.80

Please do not hesitate to contact me if further information is required.

Kind regards

Frances Lockey

Frances Lockey
Suffield Cottage
Suffield
Scarborough
North Yorkshire
YO13 0BJ

NYMNPA

21/04/2023

North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

18th April 2023

Ref NYM/2022/0155

Dear National Parks

I would like to apply for a change of use for the building granted by planning permission ref NYM/2022/0155 to that of a Cabin to allow short term holiday stays.

I request that this application is considered under The Local Plan 2020, Strategic Policy J and the associated Policy UE2 – Camping, Glamping, Caravans and Cabins.

Background

Planning permission was granted in 2022 for application NYM/2022/0155. The building has been partly constructed although to date, the stable and feed room have not been erected. The development sits within the residential curtilage of Suffield Cottage.

Following the part construction of application NYM/2022/0155 and due to the cost-of-living crisis, I have recently operated the Cabin as a short-term holiday rental. In order to regularise the use, I submit this application for full permission to allow short term holiday stays in the Cabin.

Current Application

Page 21 para 1.17 of The Local Plan 2020 states *'It is important that the Plan is read as a whole. Several policies may apply to one proposal but to help keep the document concise, cross referencing of policies is only used where another policy is directly relevant'*

Page 21 para 1.18 states *'unless stated otherwise, where policies contain separate criteria all criteria are intended to apply.'*

The Cabin meets every criterion of Strategic Policy J and UE2 as demonstrated hereafter.

Supporting Information

The wording of Policy UE2 is reproduced below in bold. Although each criteria needs to be met, there are paragraphs that simply do not apply to 'Cabins', these have been struck through.

Policy UE2 states;

Development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:

~~1. It is within Helmsley or the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation,~~

or;

2. It is in Open Countryside and is not isolated from an existing business or residential unit which will be used to manage the accommodation.

The location of the Cabin is within Open Countryside as detailed in The Local Plan 'Settlement Hierarchy' page 40 and page 42 para 3.14. Para 3.14 also states that whilst development within 'Open Countryside' is limited, it may be allowed by very few policies. The policies thereby listed include Policy UE2. As is required by UE2, the Cabin is not isolated from my residence and sits within my residential curtilage. I shall fully manage the short-term holiday stays from my home.

This application therefore meets the requirement of section 2.

In order to respect the sensitivity of the local landscape character type all sites must be 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.

The following criteria will be expected to be met:

a) The accommodation avoids extensive alteration to ground levels and has a low environmental impact through limited foundations to enable the accommodation to be removed without harm to the landscape;

There were no extensive alterations to ground levels when the Cabin was erected and the foundations are limited to 100mm concrete. The Cabin is an attractive wooden structure which could easily be removed without harm to the landscape.

This application fully meets criteria (a).

b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;

The Cabin sleeps 2 persons only, usually couples. The Cabin has an outdoor seating area to the rear which cannot be seen by any neighbour or from any public viewpoint. Suffield village has sparse and sporadic development. The application site has only one adjoining neighbour to the east. The next nearest residence sits on the opposite side of the road and is situated some distance away to the south-west. There are no neighbours to the west for the full length of the village until the farm located at the top of Suffield Hill. I enclose a letter of support for this development from each of the two neighbours. To date there has been no associated noise and, as a couples only holiday rental, no noise is expected. Activity is minimal and is usually when the guests arrive or leave by car at the beginning or end of each day.

This application fully meets criteria (b)

- c) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; and***
d) The accommodation is of a high quality design which complements its surroundings.

The design, materials and existing developments were considered, constructed and approved by the consent granted in NYM/2022/0115. It has therefore already been established that the Cabin does not detract from the character or visual attractiveness of the area.

The Cabin fully meets criteria's (c) and (d).

In additional to the above criteria:

~~i. For camping and glamping proposals the net floor space of each unit is less than 25sq.m and the development is not connected to a foul drainage system. Accommodation which exceeds these requirements will be considered as a cabin and chalet proposal;~~

ii. For cabin and chalet proposals the development is in close proximity to and adequately accessible to the existing road network; and the site provides adequate levels of car parking that is sympathetically designed to complement the site and its surroundings.

The Cabin is situated a short distance from the road and is therefore easily accessible to the existing road network. No additional car park has been created. The car park is sympathetically designed to complement the site and its surroundings.

The Cabin fully meets criteria (ii).

~~Proposals for new static caravans or the conversion of existing camping or caravanning sites to statics will not be permitted. Exceptions will be considered where the proposal will reduce the visual impact of the site in the wider landscape.~~

Applications will be expected to provide details outlining the proposed management arrangements for the accommodation.

I personally self-manage the short-term holiday stays as I live onsite at Suffield Cottage. I shall advertise and accept bookings using various online booking platforms. Guests will self-check-in or be greeted personally. Should guests require any assistance I am immediately accessible. I also manage the cleaning and changeovers.

Additional Information

The Cabin cannot be seen by my adjoining neighbour or viewed from any Public Footpath or Bridleway. Similarly, it cannot be viewed by the occupants of the distant Thirlsey Farm & cottages which are located some distance to the north-west. Whilst the Cabin can partly be seen from the public road, hedging and screening plants have been planted to reduce the slight visibility.

There continues to be a requirement for high quality short term holiday accommodation in this area of the North York National Park. The Local Plan includes Strategic Policy J and UE2 to promote and encourage such accommodation.

This application meets each and every criteria which relate to Strategic Policy J Policy UE2.

I would like to request that the Planning Officer considers this application under delegated authority and recommend its approval.

Kind regards

Mrs F Lockey

Northfield Farm

Suffield

Scarborough

YO13 0BJ

19th April 2023

To whom it may concern.

We wish to express our support for Mrs Frances Lockey in relation to the external structure recently constructed on her property. We understand that planning issues pertaining to the final structure have been raised. Should your consideration of these issues include obtaining the views of local residents then we, as Frances's opposite neighbour which to express that we have no concern from our perspective.

Kind Regards

Mr and Mrs Kay

NYMNPA

21/04/2023

NYMNPA

21/04/2023

Mr Paul Goodenough
Northfield Cottage
Suffield
Scarborough
YO13 0BJ

18th April 2023

North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Dear North York Moors National Park

With reference to the change of use at Suffield Cottage

I live at North Field Cottage and am the next door neighbour to Frances Lockey who lives at Suffield Cottage.

I am writing to say I have no objections to her application to have short term holiday lets in the cabin.

I have no concerns about the noise or extra activity and I fully support it.

Yours faithfully

Paul Goodenough

Frances Lockey
Suffield Cottage
Suffield
Scarborough
YO13 0BJ

North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

16th May 2023

Dear Sir/Madam

Ref NYM/2023/0248

Thank you for your letter dated 12th May 2023.

As I am seeking approval of this development under the Local Plan 2020 Policy UE2 I request an amendment of the description of the development to **“Timber clad cabin for use as holiday accommodation (retrospective)”**. This correctly clarifies the nature of the development and its use.

I am part of a multigeneration family of farmers who have farmed in the immediate locality for 75 years and continue to do so. I was born at a neighbouring farm and raised my children in my current home where I now live alone. The increased costs associated with living in a rural property/community have substantially increased. The cabin has brought the much-needed additional income that is required to enable me to continue to live here and remain close to my family, my son and my grandchildren.

Planning approval was originally granted for a timber garage and stables under NYM/2022/0115. The cabin has been constructed of the same materials granted by that approval. The footprint of the current application is significantly smaller than that granted by NYM/2022/0115. As such, the visual impact is considerably lower than the development that was originally approved. The cabin is well screened from neighbouring properties and public viewpoints. My immediate neighbours have submitted letters of support.

The Local Plan

The Local Plan page 21 para 1.17 states that several policies may apply to one proposal and that the cross-referencing of policies is only required where another policy is directly relevant.

Policy UE2

Policy UE2 deals specifically with small scale holiday accommodation including cabins and shepherds' huts. As detailed in my letter of 18th April, this application meets every requirement of Policy UE2.

Policy UE4

Policy UE4 was previously considered to be inappropriate and hence no earlier reference has been made to it. This is because Policy UE4 appears to refer to existing buildings which are of architectural or historic interest. However, attention is drawn to the fully approved applications NYM/2021/0882 & NYM/2022/0309 neither of which relate to buildings of architectural or historic interest. As these applications were approved by Delegated Authority with reference to Policy UE4, it also appears pertinent to this application. As with the planning applications detailed above, this development also fully meets requirements 2, 3 & 4 of Policy UE4.

I have successfully operated the cabin as short-term holiday accommodation since February 2023. There continues to be a good demand for high quality holiday accommodation such as this.

The Local Plan, Strategic Policy J seeks to support Tourism & Recreation. This application fully meets Policy UE2 and meets UE4 in the same manner as the approved application references NYM/2021/0882 & NYM/2022/0309.

In view of the above I hope that the Authority will now support this application.

Yours sincerely

Frances Lockey

NORTH YORKSHIRE COUNCIL

LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



Application No: **NYM23/0248**

Proposed Development: construction of detached building for use as holiday cottage/residential annexe

Location: Suffield Cottage, Suffield

Applicant: Ms Frances Lockey

CH Ref:		Case Officer:	Kay Aitchison
Area Ref:	4/19/36A	Tel:	
County Road No:		E-mail:	

To:	North York Moors National Park Authority	Date:	2 June 2023
FAO:	Jill Bastow	Copies to:	

There are **no local highway authority objections** to the proposed change of use to a **single** holiday letting unit which will be accessed via the existing constructed vehicle access

Signed: <i>Kay Aitchison</i> For Corporate Director of Environment	Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ e-mail:
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From:
To: [Planning](#)
Subject: Suffield Cottage, Suffield - construction of detached building for use as holiday cottage/residential annexe (retrospective) NYM/2023/0248
Date: 12 May 2023 13:58:13
Attachments: [image001.png](#)

FAO Jill Bastow

Suffield Cottage, Suffield - construction of detached building for use as holiday cottage/residential annexe (retrospective) NYM/2023/0248

I refer to your e-mail of the 12th May 2023 in respect of the above application. I hereby confirm that I have no objections to the proposals on housing or environmental health grounds.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager

North Yorkshire Council
Housing Services
Town Hall
St Nicholas Street
Scarborough
YO12 2HG



Mrs J Bastow
North York Moors National Park
Development Control
The Old Vicarage Bondgate
Helmsley
York
YO62 5BP

Our ref: RA/2023/145834/01-L01
Your ref: NYM/2023/0248
Date: 16 May 2023

Dear Mrs Bastow

CHANGE OF USE UNDER POLICY UE2. PERMISSION FOR CHANGE OF USE OF A GARAGE/CABIN BUILT OF WOOD, WHICH COMPLIES WITH UE2 POLICYS, TO SHORT TERM HOLIDAY ACCOMMODATION. PERMISSION WAS GIVEN FOR THE CABIN TO BE USED FOR FAMILY MEMBERS TO STAY OVERNIGHT IN SO WORK WAS DONE INTERNALLY TO ACCOMMODATE OVERNIGHT STAYS. SUFFIELD FARM COTTAGE, SUFFIELD, SCARBOROUGH, YO13 0BJ.

Thank you for consulting us on this application which we received on 12th May 2023.

In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential

increase in flow and loading which may occur as a result of the development. Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

[Septic tanks and treatment plants: permits and general binding rules](#)

Should you require any further information or clarification, please contact me.

Yours sincerely

Miss Georgia Doherty
Planning Advisor

From:
To: [Planning](#)
Subject: Comments on NYM/2023/0248
Date: 15 May 2023 20:53:47

Erect detached building for use as holiday cottage/residential annexe (retrospective) at Suffield Cottage, Suffield

This application has been considered by Hackness and Harwood Dale Group Parish Council. There had been no objections by Council to the original application NYM/2022/0115 for a stable and tack room/hay store. However Council does object to the proposed retrospective use. Only the garage element of the initial development has been built. This retrospective application sought to regularise its use as a holiday let. The submitted plans are elevation only - furthermore they are not accurate. From the photos showing on the AirBnB entry (https://www.airbnb.co.uk/rooms/795552226254329936?source_impression_id=p3_1684179034_B26mkWX3GGOacu6f) there is an outside extension to the north west elevation which houses a bath. The reviews on AirBnB also indicate the property has been used as a holiday let since at least January 2023. Council objects to the application - it will result in intensification of use and increased noise and traffic. Additionally the applicant's original supposed need for a stable and tack room/hay store is still presumed extant. All in all Councillors took an extremely dim view of this applicant and the way things seems to have been manipulated.

The applicant is part of the extended family of one of the parish councillors and for the avoidance of doubt it must be pointed out the parish councillor declared an interests and took no part in the discussion or decision.

If consent is granted, then no outside lighting please unless it is dark skies compliant.

--

J Marley (Mrs) CiLCA
Clerk to Hackness and Harwood Dale Group Parish Council
(comprising the parishes of Broxa cum Troutsdale, Darncombe cum Langdale End, Hackness, Harwood Dale, Silpho, and Suffield cum Everley).

Annan,
41 Scalby Road,
Burniston,
Scarborough
YO13 0HN
01723-870299 (NOTE - due to the high number of nuisance calls we've been receiving you may be asked to leave a message or give your name before your call is accepted.)

WARNING

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If you are not the intended recipient, please be aware that any disclosure, copying, distribution or any action taken is prohibited and may be unlawful.
Any opinions expressed are those of the author and not necessarily the view of the Council.

NYMNP

14/06/2023

Frances Lockey
Suffield Cottage
Suffield
Scarborough
YO13 0BJ

North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

13th June 2023

Dear Sir/Madam

Ref NYM/2023/0248

The consultation period for this application has now ended.

There has been only one objection and it is from the Parish Council. This letter is written to address the objections and concerns raised therein.

The concerns relate to noise and traffic intensification however, there is no supporting information to substantiate the concerns raised. It is evident that any new development will intensify activity on a site which was previously undeveloped. It is for the planning authority to decide if the intensification is acceptable.

The Cabin accommodates a maximum of two guests who usually arrive in one car. The Authority has consulted NYCC Highways Authority. NYCC have not objected or raised any concern regarding traffic intensification. It is unlikely that one additional car per day would be noticeable on the main road adjacent to the development.

The Cabin has accepted guests since earlier this year. Contrary to objecting, the immediate neighbours have submitted letters of *support* for the proposal. There has been no objection by any resident of the Hamlet. Similarly, there have been no concerns raised regarding the potential for noise. The Cabin attracts couples who seek peaceful surroundings. There is no 'extension' but simply a small, covered area that houses an outdoor bath.

Other than the Parish Council, no consultee has objected. There have been no objections by any local resident.

The development is already 'Dark Sky' compliant. If the Authority requires further screening of the development, this will be accommodated. The proposal meets Policy UE2 in its entirety. For the most part, policy UE4 is also met.

If the Authority has any concerns, I will endeavour to address them.

Yours sincerely

Frances Lockey

Frances Lockey
Suffield Cottage
Suffield
Scarborough
YO13 0BI

June 17th 2023

North York Moor National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Dear North York Moors National Park

Ref NYM/2023/0248

Dear Mrs Bastow

Thank you for your email dated 15th June 2023.

As requested please find attached a floor plan and a revised plan of the North West elevation and also of the South elevation to help show the dimensions.

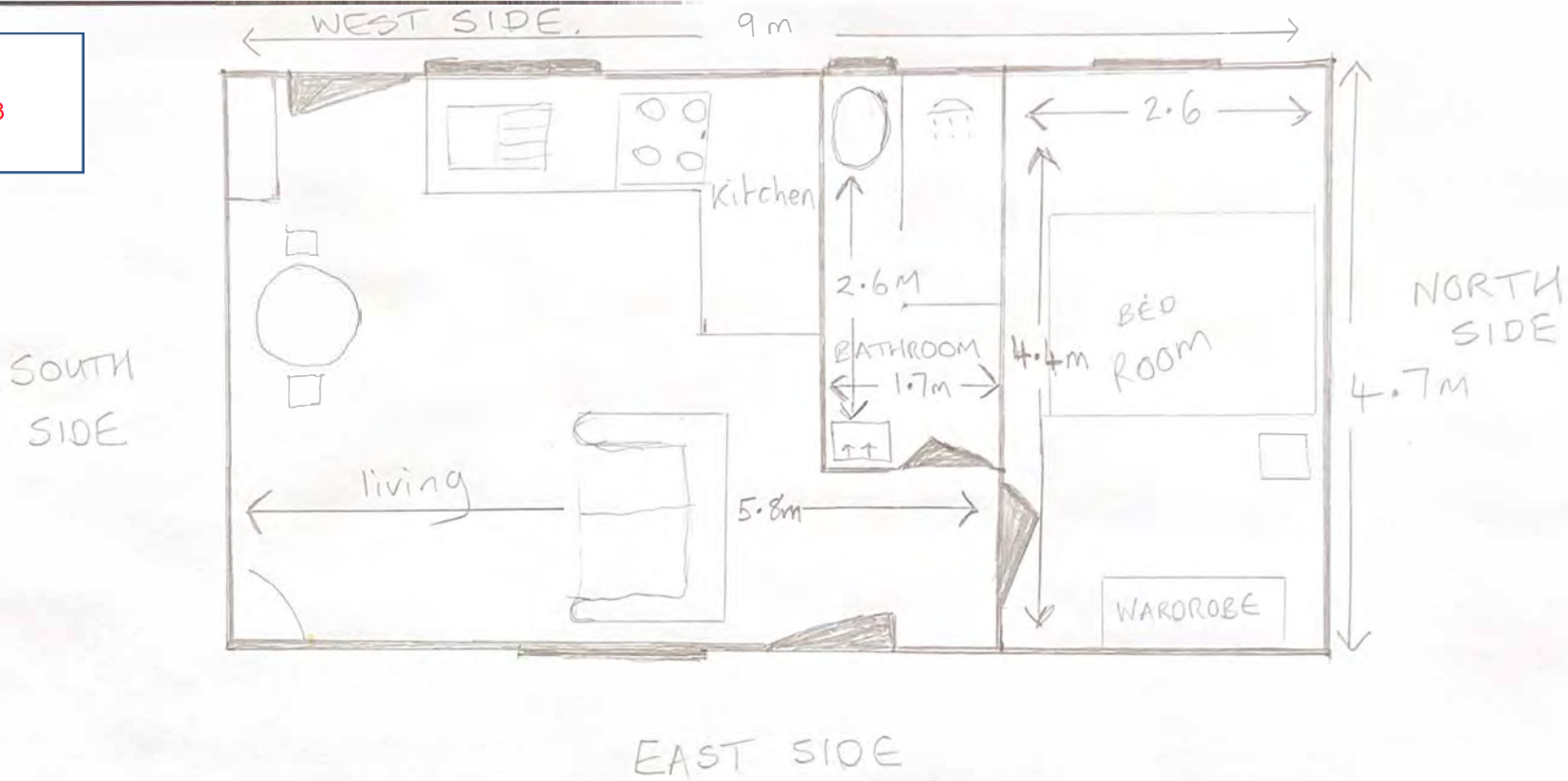
I will remove the timber shelter in the paddock forthwith and inform you when it is done.

I hope this is all satisfactory and you will be able to accede to my planning application.

Yours sincerely

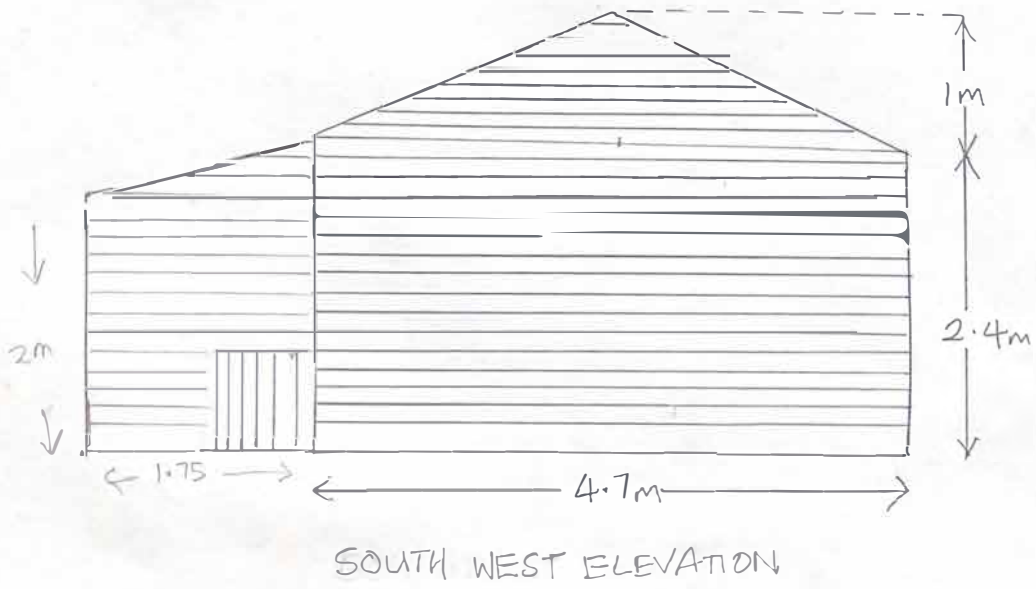
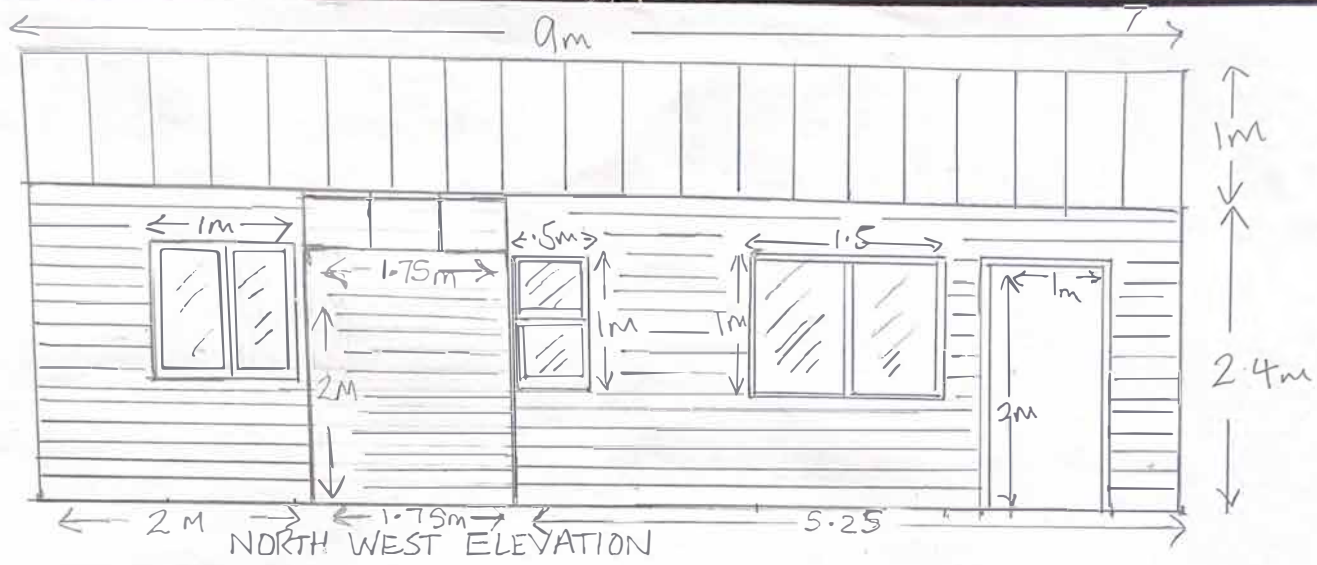
Frances Lockey

NYMNPA
19/06/2023



scale 1:50
Floor Plan

NYMNPA
19/06/2023



Scale 1:50

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

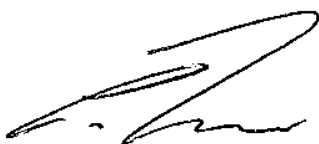
To Ms Frances Lockey
Suffield Cottage
Suffield
Scarborough
YO13 0BJ

The above named Authority being the Planning Authority for the purposes of your application validated 08 May 2023, in respect of **erection of timber clad cabin for use as holiday accommodation (retrospective)** at **Suffield Cottage, Suffield** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

1. The proposal would introduce a level and form of commercial tourist activity which would be inappropriate within the domestic curtilage of an existing private dwelling, and owing to its siting along the shared boundary, would give rise to an intensification of activity on the site likely to cause additional noise and disturbance to the occupiers of the neighbouring property than would be generated from private domestic use, contrary to North York Moors Local Plan Policy UE4 (New Holiday Accommodation Within Residential Curtilages) which only permits new holiday accommodation within residential curtilages where there would be no harm in terms of noise and activity on the amenity of the neighbourhood. Furthermore, proposal does not provide for a small camping or glamping unit as required by Policy UE4 and instead relates to the retention of a sizeable timber cabin for holiday letting purposes, which is not of a character or appearance worthy of retention sufficient to override detrimental impact on neighbouring residential amenity.
2. The proposal would utilise the location of the previously approved garage and stable building, potentially leading to pressure for additional structures for domestic garaging and storage within the curtilage, which due to the open nature of the site would be visually intrusive, detrimental to the character of the area and contrary to policy CO17 (Householder Development) of the North York Moors Local Plan which requires that the change of use of existing outbuildings should not lead to future proposals for additional outbuildings.

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 concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.



Mr C M France
Director of Planning

Date 03 July 2023

Please Note your Rights of Appeal are attached to this Decision Notice

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
- a) refuse an application for planning permission or grant it subject to conditions;
 - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
 - c) refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0248

Development description: erection of timber clad cabin for use as holiday accommodation (retrospective)

Site address: Suffield Cottage, Suffield

Parish: Suffield-Cum-Everley

Case officer: Mrs Jill Bastow

Applicant: Ms Frances Lockey
Suffield Cottage, Suffield, Scarborough, YO13 0BJ

Agent:

Director of Planning's Recommendation

Refusal for the following reason(s)

Reason(s) for refusal

Refusal reason code	Refusal reason text
1	<p>The proposal would introduce a level and form of commercial tourist activity which would be inappropriate within the domestic curtilage of an existing private dwelling, and owing to its siting along the shared boundary, would give rise to an intensification of activity on the site likely to cause additional noise and disturbance to the occupiers of the neighbouring property than would be generated from private domestic use, contrary to North York Moors Local Plan Policy UE4 (New Holiday Accommodation Within Residential Curtilages) which only permits new holiday accommodation within residential curtilages where there would be no harm in terms of noise and activity on the amenity of the neighbourhood.</p> <p>Furthermore, proposal does not provide for a small camping or glamping unit as required by Policy UE4 and instead relates to the retention of a sizeable timber cabin for holiday letting purposes, which is not of a character or appearance</p>

Document title

	worthy of retention sufficient to override detrimental impact on neighbouring residential amenity.
2	The proposal would utilise the location of the previously approved garage and stable building, potentially leading to pressure for additional structures for domestic garaging and storage within the curtilage, which due to the open nature of the site would be visually intrusive, detrimental to the character of the area and contrary to Policy CO17 (Householder Development) of the North York Moors Local Plan which requires that the change of use of existing outbuildings should not lead to future proposals for additional outbuildings.

Consultation responses

Parish

Objects to the retrospective use of the building as a holiday let and took an extremely dim view of this applicant and the way things seems to have been manipulated.

- There were no objections to the original application NYM/2022/0115 for a stable and tack room/hay store; only the garage element has been built. The submitted plans are elevation only; furthermore they are not accurate as there is an outside extension to the north west elevation which houses a bath.
- The reviews on AirBnB indicate the property has been used as a holiday let since at least January 2023.
- It will result in intensification of use and increased noise and traffic.
- The applicant's original supposed need for a stable and tack room/hay store is still presumed extant.
- If consent is granted, then no outside lighting please unless it is dark skies compliant.

Highways

No objection as the holiday letting unit will be accessed via the existing constructed vehicle access from the highway.

Environment Agency

No objection. Advise that an Environmental Permit may be required in respect of the discharge of domestic effluent from a treatment plant/septic tank.

Environmental Health

No objection

Third party responses

No comments received

Publicity expiry

Advertisement/site notice expiry date: 13 June 2023

View of the holiday letting cabin from the main road through Suffield



View of the holiday letting cabin from within the domestic curtilage to Suffield Cottage



View of the holiday letting cabin from within the paddock to Suffield Cottage



Background

Suffield Cottage is a semi-detached, stone-built property which lies on the north side of the main road through the dispersed hamlet of Suffield. The property has been extended and altered in the past and is served by a private drive which sweeps round the side of the dwelling to a parking area at the rear. The garden extends some 15 metres to the side of the property and 15 metres to the rear to give a sizeable curtilage. The applicant also owns the land immediately to the north of the existing curtilage which extend a further 50 metres.

Planning permission was granted in October 2021 for an extension of the domestic curtilage some 10 metres to the north across the full width of the existing garden; this has been implemented. In April 2022 planning permission was granted for the construction of an L-shaped timber clad garage and stable building. The garage element would be within the extended domestic curtilage and be served by the existing driveway whereas the attached stable and hay/feed store will be located within the adjoining paddock.

Following the grant of planning permission for the garage and stable building the applicant sought the Authority's advice in May 2022 as to whether the change of use of the garage into annexe and/or holiday letting accommodation would be supported.

The applicant was advised that as the garage had not at that time been built, it could not be considered as a change of use but instead the construction of a detached holiday cottage/annexe within the garden of Suffield Cottage. Given the strict policies regarding new housing development in the open countryside, the applicant was advised that it was highly unlikely that the Authority would look favourably on a proposal to build a holiday cottage/annexe within the domestic curtilage of Suffield Cottage. Attention was drawn to Policy CO17 which only allows for new build annexe accommodation as an extension to the main dwelling.

In August 2022 the applicant again approached the Authority advising that the garage had been constructed (but not the stable) and they now wished to convert it into either annexe and/or for holiday letting accommodation. The applicant was advised that by constructing the garage with the intention of immediately seeking planning permission for its change of use they were trying to circumnavigate the restrictive planning policies for development in the open countryside and that the proposal was tantamount to the construction of a detached holiday cottage/residential annexe which, as previously advised, would not be supported.

The applicant was also advised that Policy UE4, which deals with proposals for holiday accommodation within a residential curtilage, is only supportive where it makes use of an existing building which is of architectural or historic interest and makes a positive contribution to the character of the surrounding area. As a new build timber clad garage, the building is of no architectural merit or historic interest, and its contribution to the character of the surrounding landscape is considered to be neutral.

However the applicant was advised that as the original planning permission for the garage and stable building did not include a condition restricting the use of the garage to the parking of vehicles or storage purposes, then provided it was built in accordance with the approved plans, it could be used for overflow living accommodation incidental to the main dwelling however this did not allow its use as a separate unit of accommodation such as a holiday cottage.

The garage has not been built in accordance with the plans as originally approved in October 2021 and as such this application seeks planning permission for the construction of a new building timber cabin for holiday letting purposes within the domestic curtilage of Suffield Cottage. The cabin measures 9 metres by 4.7 metres with an eaves and ridge height of 2.4 metres and 3.4 metres respectively, with a small lean-to outdoor bathroom extension to the north elevation (measuring 1.75 metres by 1.75 metres). It is clad with horizontal timber boarding under a dark grey profile sheeted roof.

Main issues

Local Plan

The most directly relevant policy of the Local Plan is UE4 (New Holiday Accommodation Within Residential Curtilages) which only supports the development of new holiday accommodation within a residential curtilage where it makes use of an existing building which is of architectural or historic interest and makes a positive contribution to the character of the surrounding area; it would not detract from the character or appearance of the locality; it is of an appropriate scale; and there is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.

The policy also states that proposals for new camping and glamping units within a residential curtilage will only be permitted where the size and layout of the residential curtilage is such that a proposal can be accommodated in a way that does not detract from the character and appearance of the locality and does not cause harm to local amenity. By camping and glamping units, the Local Plan refers to units under 25 sq.m, not connected to the foul drainage system.

The applicant in their supporting statement refers to Policy UE2 (Camping, Glamping, Caravans and Cabins) however this deals with proposals out with domestic curtilages, such as on a farm or at a public house and is not applicable in this case where the proposal relates to the provision of holiday accommodation within the domestic curtilage.

Discussion

The original planning permission for the construction of a garage and stable building partly within the domestic curtilage of Suffield Cottage and partly without was assessed against Policy CO17 (Householder Development) and Policy CO20 (Equestrian Development for Private Use). It was considered that the outbuilding would be

subservient to the main dwelling and would serve an ancillary purpose by providing garaging, storage and stabling for hobby purposes associated with the residential use of the host property. The use of the stable was restricted to horses kept for hobby/domestic purposes ancillary to the occupation of Suffield Cottage; no restriction was placed on the use of the garage for the parking of vehicles or storage only.

However the stable has not been built and the garage has not been built in accordance with the approved plans; as such this application should not be assessed as the conversion of an existing building but rather as construction of a new timber cabin for holiday letting purposes within a domestic curtilage. As such the proposal does not make use of an existing building which is of architectural or historic interest and makes a positive contribution to the character of the surrounding area as required by Policy UE4.

Policy UE4 only permits new holiday accommodation within the domestic curtilage where it is for a new camping or glamping unit. In this case the proposal is for a timber cabin with a footprint in excess of 42 sq.m. It has been located along the eastern boundary of the domestic curtilage immediately adjoining the neighbouring property where it has potential to cause noise and disturbance through increased activity on site to the residents of that property.

A search of the Authority's records indicates that where approval has been given for new holiday accommodation within domestic curtilages, these are for small glamping units such as camping pods or shepherds huts at isolated properties where there are no neighbours that might otherwise be affected by the additional activity about the site.

As a new build timber cabin, the building is of no architectural merit or historic interest, and its impact on the character and appearance of the surrounding landscape is considered to be neutral.

In view of the above it is considered that the proposal is contrary to Policy UE4 in that it relates to the retention of a timber cabin for holiday letting purposes rather than a small camping or glamping unit which would give rise to an intensification of activity on the site and given the siting of the unit along the shared boundary with the neighbouring property, is likely to cause noise and disturbance to the occupiers of that property, contrary to Policy UE4. As such refusal 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 Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported

in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

North York Moors National Park Authority

LOCAL PLAN

July 2020



North York Moors
National Park

North York Moors National Park Authority

LOCAL PLAN

July 2020

Policy CO17 - Householder Development

Development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will only be permitted where:

1. The scale, height, form, position and design of the new development do not detract from the character and form of the original dwelling or its setting in the landscape;

2. The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and
3. The development reflects the principles outlined in the Authority's Design Guide.

In the case of extensions and alterations to the existing dwelling, the following criteria must also be met:

- a) Any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; and
- b) The design and detailing should complement the architectural form and character of the original dwelling and any new roofline should respect the form and symmetry of the original dwelling.

Where permission is granted, future extensions may be controlled by the removal of permitted development rights.

In the case of existing outbuildings and the development of new outbuildings, the following criteria must also be met:

- i. The outbuilding should be required for purposes incidental to the residential use of the main dwelling;
- ii. Any new or extended outbuilding should be proportionate in size and clearly subservient to the main dwelling;
- iii. New outbuildings should be located in close proximity to existing buildings;
- iv. If the proposal involves works to improve or extend an existing outbuilding, the original structure must be worthy of retention and capable of improvement; and
- v. It should be demonstrated that any change of use of existing outbuildings is not likely to lead to future proposals for additional outbuildings to replace the existing use.

All proposals for residential annexes should also meet the requirements of Policy CO18 Residential Annexes.

Explanation

- 7.85 The Authority receives many applications for development within the domestic curtilage of dwellings. Extensions are often put forward as a convenient way to provide additional accommodation to meet changing family needs. Sheds, garages and other works may be proposed for additional domestic facilities and storage. However, unsympathetic works within the domestic curtilage

can harm both the host property and surrounding environment and it is important that householder development should integrate effectively with the surroundings, reinforcing local distinctiveness and avoiding harm to the character of the settlement and wider landscape. Applicants are encouraged to incorporate sustainable design and construction techniques in all new householder development where feasible and regard should be had to Strategic Policy F. Further detailed advice on sustainable design can be found in Part 1 of the Design Guide. Where appropriate, applicants should also refer to the Government's Flood Risk Standing Advice for minor development³⁸.

- 7.86 Certain works within the domestic curtilage are covered by permitted development rights and householders should refer to the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1. Where proposals require planning permission the Authority will permit schemes which are sympathetic to existing buildings in terms of scale, massing, form, materials and colour and which do not cause an unacceptable reduction in amenity either for the existing dwelling, or garden, or for neighbouring properties. All applications for planning permission should demonstrate that the principles in the Authority's Design Guide have been taken into account.
- 7.87 Very large extensions can be overbearing and proposals which incrementally extend small dwellings beyond their original size can have a detrimental impact on the character of an area and the mix of dwelling types needed to sustain balanced communities. Limiting the size of new extensions can avoid the loss of smaller more affordable dwellings in the National Park.
- 7.88 The Authority will therefore expect proposals for extensions to be clearly subservient to the main dwelling. Scale and design go hand in hand but in practice this means that schemes which increase the total habitable floor space by more than 30% will not be supported unless there are compelling reasons for a larger extension. Total habitable floor space should be calculated excluding existing extensions (unless built before 1 July 1948), garages, conservatories and outbuildings. Understanding the form and character of the existing dwelling is key to a successful extension and a high standard of design is essential in all cases; a poorly conceived small extension which harms the character of a building will not be acceptable simply because of its size.
- 7.89 All applications should be supported by drawings of a professional standard showing the existing and proposed elevations. Where relevant, Design and Access Statements should include an assessment of the dwelling's particular characteristics and how the local vernacular has been taken into account in designing the proposed extension. Designs which adversely affect the appearance of a dwelling, its curtilage or immediate surroundings will not be supported, even if the extension would not be generally visible from public viewpoints.
- 7.90 Extensions to traditional buildings in particular should respect and sustain the historic significance, character and appearance of the original building through sensitive design. The Authority will support contemporary as well as traditional design solutions provided the proposal complements and enhances the existing architectural form of the building. Schemes which require the roof of a traditional building to be raised are not encouraged and care is also needed in the design of two storey extensions and in proposals which affect one of a row or group of

³⁸Flood Risk Assessment: Standing Advice, Department for Agriculture, Food and Rural Affairs and Environment Agency, <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

similar properties. Extensions which would detract from the harmony and visual appearance of the group as a whole will not be supported.

- 7.91 Proposals for new outbuildings should ensure that the number, scale and design of buildings within the domestic curtilage do not detract from the character or appearance of the dwelling and its surrounding area. Outbuildings should be required for purposes ancillary to the main dwelling and should be commensurate with the needs of the household. In the case of a 'workshop', information about the proposed use should be provided so that the Authority can consider any potential impacts on neighbours, highway safety or local amenity.
- 7.92 When considering proposals for works to existing outbuildings, the Authority will take into account the condition and quality of the existing structure and whether it is worthy of retention and improvement. Where existing outbuildings would be lost to other uses, permitted development rights may be removed to enable the Authority to assess any subsequent proposals which may result in overdevelopment of the site.
- 7.93 Where works are proposed to a building which is listed, is of architectural or historic significance or is located in a Conservation Area, regard should be had to Strategic Policy I, The Historic Environment and Policy ENV11, Historic Settlements and Built Heritage. Where works involve the conversion of an existing outbuilding, Policy CO12 Conversion of Existing Buildings in Open Countryside also applies. Proposals to extend or alter dwellings previously permitted as a conversion from a different use in the Open Countryside will be considered under Policy CO12.

Policy UE4 - New Holiday Accommodation Within Residential Curtilages

Development of new holiday accommodation within a residential curtilage will only be permitted where:

1. It makes use of an existing building which is of architectural or historic interest and makes a positive contribution to the character of the surrounding area;
2. It would not detract from the character or appearance of the locality;
3. It is of an appropriate scale; and
4. There is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.

Proposals for new camping and glamping units within a residential curtilage will only be permitted where the size and layout of the residential curtilage is such that a proposal can be accommodated in a way that does not detract from the character and appearance of the locality and does not cause harm to local amenity.

Explanation

- 5.21 This policy intends to protect residential amenity by controlling the change of use of existing outbuildings in residential curtilages to holiday accommodation to

avoid potential disturbance to the neighbourhood through increased activity on site. Applicants should cross reference Strategic Policy C and Policy CO12 which provide more detailed requirements relating to the conversion of a building. Where permission is granted the Authority may remove existing permitted development rights within the curtilage to prevent further proliferation of outbuildings needed to replace the original building and the ownership of the holiday accommodation will be tied by planning condition to the host dwelling to prevent the new accommodation being sold off separately.

- 5.22 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 holiday accommodation in residential curtilages can avoid harm, for example by being sited in a large and well-screened garden in a low density residential area.



Suffield-cum-Everley Parish Council
c/o Mrs J Marley
Annan
41 Scalby Road
Burniston
Scarborough
YO13 0HN
Via Email

Your ref: NYM/2023/0248

Our ref:

Date: 11 January 2024

This matter is being dealt with by: Mrs Jill Bastow
Direct Dial 01439 772700

Dear Sir/Madam

Land at: Suffield Cottage, Suffield

Proposed development: erection of timber clad cabin for use as holiday accommodation
(retrospective)

Appeal reference(s): APP/W9500/W/23/3331567

Appeal starting date: 10/01/2024

Appellant(s) name: Ms Frances Lockey

An appeal has been made to the Secretary of State in respect of the above site. The appeal follows the refusal of planning permission by this Planning Authority. A copy of the appeal documentation can be obtained from or viewed by prior appointment at The Old Vicarage, Bondgate, Helmsley and is available to view on the [Planning Explorer](#) section of the Authority's website under the application reference number.

The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Planning Inspectorate, copied to the appellant and will be taken into account by the Inspector in deciding the appeal. Should you wish to withdraw or modify your earlier comments in any way, or request a copy of the appeal decision letter, you should write directly to the Planning Inspectorate, Eagle 3D, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN **within five weeks** of the appeal start date, quoting the appeal reference number. Three copies of any comments need to be forwarded to the Inspectorate. If they receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.

The Planning Inspectorate will not acknowledge your letter however; they will ensure that it is passed on to the Inspector dealing with the appeal. Once decided a copy of the appeal decision will be published on the [Planning Explorer](#) section of the Authority's website under

Working together to sustain the landscape and life of the
North York Moors for both present and future generations to enjoy

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
01439 772700 general@northyorkmoors.org.uk
planning@northyorkmoors.org.uk northyorkmoors.org.uk



Our Ref:

2

Date: 11 January 2024

the application reference number and on the [Gov.UK website](#). Guidance on the appeal process can also be found on the [Gov.UK website](#).

Should you have any further questions, please do not hesitate to contact the Authority.

Yours faithfully

Mark Hill

Mr M Hill
Head of Development Management



North York Moors National Park

Planning Notice

Town and Country Planning (Development Management Procedure) Order 2015 Notice under Article 15

Application Number	NYM/2023/0248
Applicant	Ms Frances Lockey
Site Address	Suffield Cottage, Suffield,
Proposal	Construction of detached building for use as holiday cottage/residential annexe (retrospective)

Documents for the application(s) are available under the application reference number on the Planning Explorer section of the Authority's website which can be accessed by scanning the QR code below or at: <http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>.

Any comments you may have on the application(s) should be made **within 21 days** of the date of this notice. Where the consultation period extends over a Bank Holiday an additional day is given for each Bank Holiday that falls within this period. You may comment by using the Authority's online consultation response form, by email (planning@northyorkmoors.org.uk), letter or fax.

Please be aware that any views submitted will be available for public inspection and will be published on the Authority's website, under the provision of the Access to Information Act.

A handwritten signature in black ink, appearing to read 'C M France'.

Mr C M France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York, YO62 5BP
website: www.northyorkmoors.org.uk
email: planning@northyorkmoors.org.uk
tel: 01439 772700



Date of Notice:
**This notice may be removed
after 30 days.**

List of those notified

Owner/Occupier
Northfield Cottage
Suffield Hill
Suffield
Scarborough
YO13 0BJ

Environment Agency
via email:

Internal - Conservation
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP
via email:

Suffield-cum-Everley Parish Council
c/o Mrs J Marley
Annan
41 Scalby Road
Burniston
Scarborough
YO13 0HN
Via Email

Area Traffic Manager (Sca)
NYCC - Area 3 Whitby
Discovery Way
Whitby
North Yorkshire
YO22 4PZ
via email:

EHO (Sca) 2
Residential Regulation Team
via email:

Forestry Commission - Regulation
Yorkshire and North East Area Office
Forestry Commission England
Foss House
King's Pool
1-2 Peasholme Green
York
YO1 7PX
Via Email:

Internal - Enforcement
Via Email:

EHO (Sca) 1
Commercial Regulation Team
via email:

i) PLANNING HISTORY

Recent Application: 21/0645, 21/0898, 22/0115 - JNB
JNB, 19562 - enf

Recent Enquiries:17530, 18818, 18987 –

ii) CONSTRAINTS

Conservation Area: / Listed Building: Grade:

Flood plain (Zone 1), PROW, TPO/Hedgerow **Monuments, PSR**, Section 3 Coast, SAC, SSSI, Ant Mons, Nat Trust, Article 4, RAF, SPA, Section 3 Woodland, Section 3 Moorland, Historic P&G, Registered Common Land, Mining Hazards, Heritage Coast, **Ancient Woodland 500m**, Dev't low risk (coal referral), Dev't high risk (coal consultation), MOD, Wind turbine buffer, **ponds 500m buffer**, FC roads/legal buffer, HE Scheduled Monument, **SSSI Impact Zone**, Estate Landowners, S106 Agreement, **Source protection zones 1/2**

Road Class: C

iii) CONSULTATIONS

Parish
Highways
EHO
EA
Cons@
Enforcement
FC - York

Northfield Cottage

iv) ADVERTISEMENT

In the Authority's opinion would the development:

affect the setting or appearance of a Conservation Area?

NA If **'NO'** give a reason why:

Affect a Listed Building

NA If **'NO'** give a reason why:

Affect the setting of a Listed Building?

NA If **'NO'** why:

Affect a Public Right of Way?

NA If **'NO'** why:.

Site Notice Required: Yes

Advertisement Required: No Reason: Paper: (Please select)

v) DEVELOPMENT DESCRIPTION (to be completed by Planning Team Leader)

construction of detached building for use as holiday cottage/residential annexe (retrospective)

Does this need amending? No (if yes please indicate amendments in red for additions / yellow for deletion)

vi) SCREENING OPINION

EIA Schedule 1/Schedule 2: No If Schedule 2, is statement required NA

EIA: No 16 wks

vii) POLICY INFORMATION

Relevant RSS/EU Dirs/HRA: (Planning Team Leader to Complete)

Major Application: No (13 weeks) Departure: No County Matter: No

Brownfield/Greenfield/Agr conversion/Non-Agr conversion NA Net change to no. of dwellings: NA

5 residential units or more or 200 sqm or more or non residential floorspace? No 10% Renewables: Not Required

VALIDATION INFORMATION

1. Forms Correct Signed Complete Dated Complete
2. Certs Complete Ag Holding Complete
3. Amount of fee due £462 Fee paid £462 Balance due
One new build holiday cottage - £462
4. Location Plan (Please select) Scale \approx (Please select)
(i) Red Line (Please select) (ii) Blue Line (Please select)
5. Plans
(i) Existing
(ii) Proposed elevation
(iii) Existing + Proposed
(iv) Others covering letter, letters of support x 2

Documents

Bat Scoping Survey No

Structural Survey No

Design and Access Statement No

Heritage Statement No

Flood Risk Assessment No

Agricultural Assessment No

Environmental Statement No

NON VALIDATION INFORMATION

Tree Survey No

Non Mains Drainage Required

6. Additional Documentation Required:

i) For Validation: OS location plan, Floor plan and elevations drawn to scale

ii) Non-Validation:NMD form

7. The application is:

Complete - commence processing/consultations No

Incomplete but - commence processing/consultations (can't redate) No

So incomplete it is unfit, send Pre-Reg Ack letter and hold Yes

Checked by (Planning Admin) Mrs Wendy Strangeway

Date: 27/04/2023

Checked by (Planning Team Leader) Mrs Hilary Saunders

Date: 10/05/2023

8. Post Registration Additional Documentation Requested: