

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0642

Development description: use of land for the siting of timber building for holiday letting purposes (retrospective)

Site address: Valley View, Golden Grove, Whitby

Parish: Hawsker-Cum-Stainsacre

Case officer: Mrs Jill Bastow

Applicant: Whitby Log Cabins

fao: Mrs Lorraine Clissold, Valley View, Golden Grove, Whitby, YO22 5HH

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	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.
2	UOR12	The timber cabin 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.
3	UOR15	The unit of holiday letting accommodation hereby permitted shall form and remain part of the current Planning Unit presently known as Valley View (Whitby Log Cabins) as shown edged blue/red on the site location plan dated 29 November 2023. The holiday unit shall not be let out or used in any way if the holiday letting unit is functionally separated (either Freehold or Leasehold) and shall at all times remain together in the same overall Planning Unit.
4	MC00	In the event of the timber cabin hereby approved no longer being required for holiday letting purposes, within six months of

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		the cessation of the use, the timber cabin shall be completely removed from the site and thereafter the site retained clear of timber cabins unless a further permission for an alternative use has been granted.
5	AC20	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6	MCO0	Within six months of the date of this decision a vehicle passing place shall be provided in accordance with details first approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	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.
2	RSN UOR11	The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted in accordance with Policy UE4.
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 MISC00	In order to comply with the provisions of Policy UE4 of the North York Moors Local Plan which seeks to ensure that new chalet development can be removed when no longer required so as to conserve and enhance the special qualities of the

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		National Park.
5	RSN AC01	In accordance with North York Moors Local Plan Policy ENV4 which seeks to protect dark night skies.
6	RSN MHC-04	In the interests of highway safety and the amenity of the area.

Informative(s)

Informative number	Informative code	Informative text
1	INF MHI-C	Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's website . The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

Consultation responses

Parish

No objection

Highways

Comment that although an existing passing place opposite the entrance to Valley View is shown this is not constructed to highway standards and is simply a localised area where the grass verge is wider than normal. The purpose of a passing place is to provide an area where two cars can pass and do not need to reverse a considerable length to find a suitable spot where this can happen.

On the clear understanding that the Bed and Breakfast facility is to cease and that a condition to install a passing place up to highway standards is imposed, there are no further highway comments.

Forestry Commission

No comments received

Environmental Health

No objection

Third party responses

Mrs Pringle, Manor Cottage, Golden Grove

Objects for the following reasons:

- Log cabins in the woodland that surrounds all the houses in Golden Grove, installed with log burning stoves and calor gas for cooking, gas stored at the side of the cabins along with outside pit fires presents a fire safety concern. The nearest fire engine is located in Robin Hoods Bay as the road is too narrow for a standard engine.
- The approved parking area for 3 cars is now marked out with rail sleepers for 9 cars.
- Small feed house been replaced by extra-large yoga studio, so more client cars using single track road going by all the homes.
- A further cabin has been constructed without the benefit of planning permission with no regard to the residents of Golden Grove. If this had not been reported, how many more cabins would they have installed without planning permission resulting in more traffic.
- The days of quiet summer evenings sitting outside have been and gone. This development has destroyed the quiet grove and made it dangerous with all the extra vehicles often travelling at speed. There will be an accident one day.

Mrs L Wood, Manor House, Golden Grove

Objects for the following reasons:

- The access road is not suitable for what is already at Valley View let alone any more development;
- How many more cabins will be allowed?

Publicity expiry

Advertisement/site notice expiry date: 2 January 2024 (allowing for Public Holidays)

Valley View from the public highway with the location of the timber cabin immediately to the rear of the timber shed behind the trailer



Timber cabin for which retrospective planning permission is sought



Background

Valley View comprises a detached white rendered bungalow set in an isolated location at the very eastern end of Golden Grove, to the south of Whitby. The property has within its ownership two small fields to the southeast and west along with an area of dense woodland to the south within which lie two timber cabins let out for holiday accommodation; these were granted planning permission in 2014 and 2019. At the western limits of the plot lies a recently constructed hobbies room also granted planning permission in 2019. There is parking provided within the immediate curtilage to the main dwelling along with two designated parking areas adjacent to the road at the western and southeastern limits of the site.

This application seeks retrospective planning permission for the siting of a small timber cabin measuring 4.8 metres by 3.6 metres for use as a holiday letting unit. The cabin is sited immediately to the rear (south) of the main dwelling and is screened from the road by existing vegetation. The cabin provide accommodation for 2 persons.

Main issues

Local Plan

The most relevant policy of the Local Plan is Policy UE4 (New Holiday Accommodation Within Residential Curtilages) which 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 goes on to state 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.

Discussion

There is no objection in principle to the retention of a small timber cabin suitable for two persons for holiday letting purposes within the curtilage of Valley View as an expansion of the existing tourism business operated from the property. The site of the cabin lies at the edge of the domestic curtilage within well-established woodland where it is well screened in the wider landscape from public view yet physically and functionally linked to the main dwelling and other two timber cabins that make up the holiday letting business. Adequate off-road parking also is provided on the site to serve the unit.

The property occupies an isolated position at the southern end of Golden Grove with no immediate neighbours that might otherwise be disturbed by noise and activity about

the site although it is unlikely that the proposal would give rise to a notable increase in noise and activity given the modest size of the unit (capable of accommodating two persons maximum).

The concerns raised by local resident regarding the traffic generated by the site are noted however the retention of the timber cabin is likely to lead to one additional vehicle visiting the site. Furthermore, the Highway Authority has not raised an objection subject to the formalisation of the parking space.

It is concluded that cumulatively, approval of this application will result in a very modest scale of development of 3 no. holiday which Golden Grove can accommodate without undue harm to the quality of life of its residents or the experience of visitors. In addressing some of the local concerns about over commercialisation of the area, the site is physically unable to accommodate many more units, if any, given the densely wooded and steeply sloping nature of the site and the Highway Authority have indicated that no further traffic generating activity would be supported.

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

The proposal is not considered to unduly affect any people with protected characteristics.

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.