

North York Moors National Park Authority

Plans list item 4, Planning Committee report 16 May 2024

Application reference number: NYM/2024/0092

Development description: Siting of one log cabin for holiday letting purposes

Site address: Land off High Street, Hinderwell

Parish: Hinderwell

Case officer: Hilary Saunders

Applicant: Mr Harry Thompson, Mooredge, Grinkle Lane, Easington, TS13 4NT

Agent: Rob Sunley, Lowfields View, Gladstone Street, Brotton, TS12 2TUDirector 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	PL01	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table><thead><tr><th>Document Description</th><th>Drawing No..</th><th>Date Received</th></tr></thead><tbody><tr><td>Site location plan</td><td>----</td><td>01/02/2024</td></tr><tr><td>Proposed site plan</td><td>LHS02</td><td>01/02/2024</td></tr><tr><td>Proposed three bedroom Log Cabin</td><td>LHS 03A</td><td>15/04/2024</td></tr></tbody></table>	Document Description	Drawing No..	Date Received	Site location plan	----	01/02/2024	Proposed site plan	LHS02	01/02/2024	Proposed three bedroom Log Cabin	LHS 03A	15/04/2024
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Proposed site plan	LHS02	01/02/2024												
Proposed three bedroom Log Cabin	LHS 03A	15/04/2024												
3	PDR09	Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.												

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4	UOR12	The unit of 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.
5	MC00	The holiday lodge hereby permitted shall only be occupied whilst there is a comprehensive 24 hr, seven days a week local management contract in place. The owner/operators shall provide details of the management arrangement on request at all reasonable times to the Local Planning Authority. The managing company's contact details shall be physically displayed at the site for the local community's information.
6	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.
7	GPMT05	The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity.
8	GPMT06	The external elevations of the holiday lodge hereby approved shall, within three months of first being brought into use, be clad with timber boarding to be either dark stained or left to weather naturally and shall thereafter be so maintained.
9	MC00	Prior to the development hereby approved being first brought into use an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing

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		<p>of the Local Planning Authority. The report of the findings must include:</p> <ul style="list-style-type: none"> (i) A survey of the extent, scale and nature of contamination; (ii) An assessment of the potential risks to: <ul style="list-style-type: none"> a. Human health b. Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service line pipes, c. Adjoining land, d. Groundwaters and surface waters, e. Ecological systems, f. Archaeological sites and ancient monuments (iii) An appraisal of remedial options, and proposal of the preferred option(s) <p>This must be conducted in accordance with Defra and the Environment Agency's 'Model procedures for the management of land contamination CLR11'</p>
10	MCO0	<p>Prior to the development hereby approved being first brought into use a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable for works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p>
11	MCO0	<p>The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation,</p>

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		<p>unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.</p>
12	MC00	<p>Prior to the development hereby approved being first brought into use a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be determined and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination CLR11'.</p>
13	MC00	<p>Prior to the commencement of the development hereby approved, a Biodiversity Enhancement Strategy that demonstrates how a minimum 10% net gain in biodiversity habitats will be achieved on site, shall be submitted to approved in writing by the Local Planning Authority. The contents of the Biodiversity Enhancement Strategy shall include the following:</p> <ul style="list-style-type: none"> a) purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) details of initial aftercare and long-term maintenance (which should be for a minimum period of 30 years).

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		The works shall be implemented in accordance with the approved details and shall be maintained in that manner in perpetuity.
14	LD07	<p>No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the Local Planning Authority. The scheme for the protection of the retained trees shall be carried out as approved.</p> <p>In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.</p>
15	MISC00	If the use of the unit of accommodation hereby approved permanently ceases, the unit shall be removed from the site within 12 months of that cessation and the site previously occupied by that unit shall, as far as practical, be restored to its condition before development took place.

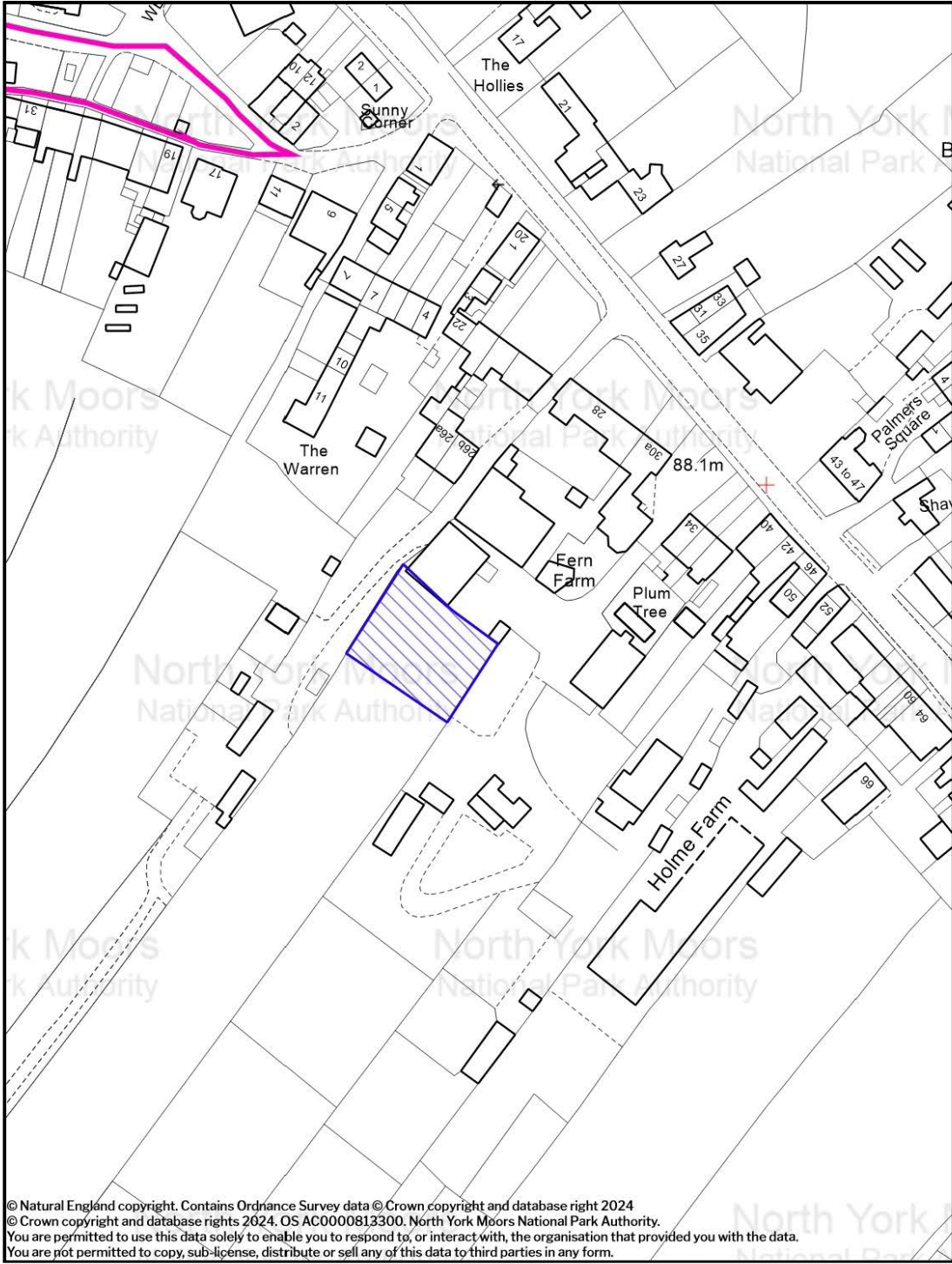
Map showing application site



North York Moors National Park

Application Number: NYM/2024/0092

Scale: 1:1250



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Photo showing application site to the rear of the main road through Hinderwell



Consultation responses

Parish

Objects to this application as Hinderwell Parish Council and residents do not want any more holiday accommodation in the village. We see that this was originally applied for as 'permanent residential occupation'. This would be supported as we need accommodation for permanent residents.

Highways

The access off the A174, Hinderwell High Street provides suitable visibility for drivers to see oncoming vehicles, although parked vehicles on the High Street frequently obstruct this vision splay. The Local Highway Authority (LHA) has previously expressed concerns that over development of the area accessed from the same point could result in vehicles being stationary on the A174 whilst waiting for other vehicles to exit onto the A174 because the access is not wide enough for two way traffic of vehicles towing caravans. In a recent consultation proposing to introduce additional double yellow lines along sections of Hinderwell High Street, some people asked for more restrictions near this access point to avoid the vision splay being obstructed by parked vehicles.

Taking into consideration the size of this application compared with the permissions that are already granted to use the access, the LHA would not view the intensification of traffic anticipated with this development as being significant.

It is noted that the access from the A174, Hinderwell High Street is not included within the blue line area as being within the applicant's control. As the site is currently vacant, the LHA cannot assume that the applicant, residents, and visitors to the site will have a right of access to this site. Evidence would be required to show that this would be permitted.

Environmental Health

The development site has a history of contaminative industrial use, in this case agricultural land, with a sensitive end use. As such, conditions should be attached to any consent to ensure that the site is suitable for its intended use in terms of land contamination.

Police – Traffic

No comments received

Third party responses

None received.

Consultation expiry

6 March 2024

NYM/2024/0092

Background

The application site comprises a small parcel of land between Serenity Caravan site and a mix of agricultural and residential land uses fronting onto the High Street.

The site is located immediately behind a large agricultural building and is not adjacent any residential properties and at present forms a fairly unkempt area that does not appear to have an established use.

This application seeks planning permission for the siting of one three bed log cabin style building, to be used as a single holiday letting unit.

The proposed timber cabin would measure 15.42m long x 6.7m deep with an approximate height of 4m. It would be located fairly centrally within the site, with parking and turning provided within the site. Additional boundary planting would be undertaken along the northwestern boundary.

In support of the application the agent has confirmed that the applicant lives 3 miles away, and available for emergencies, but also that but the holiday accommodation would be maintained by a management company.

Main issues

Local Plan

Strategic Policy J - Tourism and Recreation - seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Policy UE2 - Camping, Glamping, Caravans and Cabins – seeks to permit small scale holiday accommodation (such as chalets) where if within the main built up area of a settlement is close to an existing residential unit which will be used to manage the accommodation and has a low environmental impact, not lead to unacceptable harm in terms of noise and activity on the immediate area; does not detract from the character, tranquillity, or visual attractiveness of the area; and is of a high-quality design which complements its surroundings.

In addition, for cabin and chalet proposals the development should be in close proximity to and adequately accessible to the existing road network; and provide adequate levels of car parking that is sympathetically designed to complement the site and its surroundings.

Sites should be screened by existing topography, buildings or adequate well-established vegetation which is within the applicant's control and applications will be expected to

provide details outlining the proposed management arrangements for the accommodation.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity - seeks to ensure the conservation, restoration and enhancement of habitats, wildlife, biodiversity, and geodiversity in the North York Moors National Park is given great weight in decision making.

Policy CO2 - Highways - only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.

Material considerations

Suitability of location for siting of lodges

The intention of Policy UE2 is to allow for small scale and sensitively designed holiday accommodation in locations where it is not visually intrusive, to support local businesses and allow people to enjoy the special qualities of the National Park.

In this case, the site is extremely well screened by boundary planting and existing agricultural buildings. Furthermore, it is considered that due to the location, immediately adjacent the existing large well established caravan site, the proposed use of the site to provide a single timber lodge would not be visually intrusive or out of character with the area and would not have an adverse impact on tranquillity or residential amenity.

Management

It is stated within Policy UE2 that parcels of land isolated from the managing unit will not be considered to be suitable locations for development. This is in order to avoid both the development of isolated parcels of land away from other development but also, to avoid issues of noise and disturbance arising. In this instance, the proposal does not meet this criterion, however, the applicants have confirmed that they will secure the services of a local management company (which the Authority has accepted in other specific instances), and it is recommended that this is secured by planning condition.

Furthermore, the applicant lives only three miles away. In addition, in this case, the site is adjacent an existing substantial caravan site and not adjacent residential properties and therefore in this case it is not considered activity levels would be out of character with the locality or have a detrimental impact on residential amenity.

A condition regarding 24 hr management would also overcome concerns regarding potential noise nuisance being unresolved.

Habitat and biodiversity

Whilst the development will result in the hard surfacing of part of this area, a large area of the ground is already compacted, and it proposed to retain all the boundary trees and undertake additional planting. It is considered that an improvement to biodiversity is achievable on this site. The applicant has agreed to a pre-commencement condition

requiring the submission of a Biodiversity Enhancement Plan before development commences.

Parish Council comments regarding use

The Parish Council have objected to the proposal as they consider that no additional tourism accommodation is needed in Hinderwell. However, Strategic Policy J of the adopted Local Plan, supports tourism development within villages and it is considered that this proposal is in accordance with the aims of that policy.

Furthermore, whilst impermanent development such as timber lodges are considered an acceptable form of tourism accommodation for short term lets, they are not considered appropriate for permanent residential units, both in terms of design and amenities. In this case due to the nature of the plot, in this backland location and nature of plot, which is tucked between a large well established caravan site and modern profile sheet agricultural/industrial building, it is not considered a suitable plot for permanent housing development.

The Parish's comments about having a preference for residential over holiday letting use is something raised by other Parishes and Town Councils and has been noted for the next revision of the Local Plan.

Conclusion

The proposals are considered to meet the aims of Strategic Policy J and Policy UE2 and CO2 and consequently, approval is recommended.

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.

Pre-commencement conditions

Conditions 13 and 14 is a pre-commencement conditions and has been agreed in writing with the applicant/agent.

Contribution to Management Plan objectives

Approval is considered likely to help meet Outcome 04 which seeks to improve opportunities for visiting the National Park in order to be a place to lift the nation's health and wellbeing.

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 recommended changes to the proposal including changing from an outline application to a full application and to improve the design of the lodge, so as to deliver sustainable development.