

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2018/0523/FL

**Proposal:** Variation of condition 3 of planning approval NYM/2004/0190/FL to allow the annexe to be used for holiday letting purposes

**Location:** The Bungalow & Annexe at Summerfield Garage, Stainsacre

**Decision Date:** 23 October 2018

## Consultations

**Parish** – No objection.

**Highways** – No objection.

**Environmental Health Officer** – No objection.

**Site Notice Expiry Date** – 10 October 2018

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	RSUO11	The holiday unit hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
4.	RSUO14	The holiday unit(s) hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Summerfield Garage and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.

## Reason for Condition(s)

1.	RSNTIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSNPLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. & 4.	RSNRSUO09	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.



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**Background**

The dwelling Summerfield Garage is a white rendered and red brick bungalow located to the north of the commercial garage itself. It is positioned gable fronting the main road with a sizeable side and rear garden. There is also plenty of parking within the site for both the dwelling and the garage which are all within the same ownership.

In May 2004 planning permission was granted for the construction of a detached double garage and a single storey rear extension to form a one bedroom residential annexe subject to a number of conditions, of which condition 3 specifies that the accommodation "shall remain ancillary to the use of the main dwelling known as Summerfield Garage, shall form and shall remain as part of the domestic curtilage of this main dwelling as a single planning unit, and shall be used only for members of the family of the occupiers for the time being of this main dwelling".

The applicant advises that the annexe accommodation is no longer required for a family member and as such wishes to let it out as short term holiday accommodation whilst retaining the ownership of the accommodation. This application seeks to vary condition 3 of the original planning application to allow the use of the annexe as a holiday cottage.

**Main Issues**

The relevant policies of the Core Strategy and Development Policies Document (CSDPD) are Core Policy A (delivering National park Purposes and Sustainable Development), Core Policy B (Spatial Strategy), Core Policy H (Rural Economy) and Development Policy 14.

Development Policy 14 supports the provision of new tourism development where it provides opportunities for visitor to increase their enjoyment of the National Park without harming its special qualities or detracting from the quality of life of local residents; can be accessed from the road network; and makes use of an existing building. In the justification to the policy it advises that the Park should provide a range of tourist accommodation and that proposals for new accommodation will only be permitted where the scale and design will not have an adverse impact on the character of the local area.

It is considered that this proposal to use the annexe as a holiday cottage whilst keeping it in the same ownership as the main dwelling would meet with the requirements of Development Policy 14. The proposal makes use of an existing building without requiring any physical alterations and it is easily accessed from the A171. There are no immediate neighbours that would be affected by the proposal and adequate parking and amenity space can be provided within the site for both the main dwelling and the holiday accommodation. As such the application is recommended for approval.

**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.